

WEST VIRGINIA NATIONAL GUARD HRO NEWSLETTER



January 2010

FROM THE DESK OF COL CRANE

“With the recent number of calls to State Active Duty (SAD) for our members, I thought it would be appropriate to address the policy and law that applies to placing Active Guard and Reserve (AGR), Federal Technicians, Full-time National Guard Duty – Operational Support (FTNGDOS), and Full-time National Guard Duty – Counter Drug (FTNGDCD). This policy is outlined in an All States Memorandum from National Guard Bureau with the subject line: (All States Log Number P08-0010) Guidance for Use in Contingency Situations of National Guard Members in Full-Time Duty Programs for Other Purposes (AGR, FTNGDOS/FTNGDCD, and Military Technicians). It is incumbent on all members and supervisors to read and understand this policy letter. AGR members may be called to and used for SAD if his/her unit is called to SAD. If a FTNGDOS/FTNGDCD member is needed to support SAD, the member’s FTNGD orders will be rescinded and the member will be placed in SAD. As a change in status will affect member’s entitlements, such as medical coverage for dependents, commanders should strongly consider the ramifications before changing the member’s status. Military Technicians are required to be in an annual leave, leave without pay, or compensatory leave status for the duration of SAD orders. Nothing stated above prohibits members from providing support to a requiring an “Immediate Response” situation. “Immediate response” is defined by DODD 3025.15, paragraph 4.7.1, as “any form of immediate action taken by a DOD Component or military commander to save lives, prevent human suffering, or mitigate great property damage under imminently serious conditions when time does not permit approval from higher headquarters.” This short article is just meant as a primer and you are encouraged to read the National Guard Bureau memorandum for further clarification.”

TECHNICIAN RETIREMENT

The “National Defense Authorization Act for FY 2010”, Public Law 111-84, provides for the following benefits changes under CSRS and FERS.

- Part-Time Reemployment
- Credit for unused sick leave under FERS
- Limited expansion of the class of individuals eligible to receive an actuarially reduced annuity under CSRS
- Computation of CSRS annuities based on part-time service
- Authority to deposit refunds under FERS
- Retirement credit for service of certain employees transferred from District of Columbia service to federal service
- Non-foreign area retirement equity assurance

Under this new law, one of the most exciting provisions is that FERS employees now are able to receive credit for unused sick leave. Section 1901 permits unused sick leave to be used as service credit in the computation of benefits under FERS, but not for establishing title to an annuity or in the computation of average salary. Sick leave will be used in the computations in the same manner it is used in CSRS

(cont’d) computations. Effective October 28, 2009, individuals separating with title to an immediate annuity or who die leaving a survivor eligible for a survivor annuity will be entitled to credit for 50 percent of their unused sick leave. Effective for separations and deaths occurring on or after January 1, 2014, 100% of the unused sick leave will be available.

**Please note that the new provision for FERS employees involving their sick leave balance at retirement. This may have only minimal impact on FERS employees planning for retirement in the near future as they may only have a minimum number of hours of sick leave. The statute only allows 50% of the sick leave balance therefore if you use the current (CSRS) sick leave credit chart, you will find the employee must have a considerable number of hours to receive one month of credit. One month of credit equates to an increase of 1/12th of 1 percent in the annuity.

Another exciting change to FERS is the provision of allowing former federal employees under the FERS who withdrew their contributions to the retirement trust fund, thereby waiving retirement credit for those years of service, to redeposit their earlier contributions, plus interest, upon reemployment with the federal government. This is effective immediately.

For CSRS, a change of the ending date for periods of service under CSRS that can be redeposited by actuarial reduction (instead of for separations prior to 10/1/90 it will be for separations prior to 3/1/91) is effective immediately.

OPM indicated to the agencies that additional guidance and information will be provided. EconSystems, our online retirement software, is preparing for the necessary adjustments; however, the software adjustments cannot be programmed and tested until receipt of the OPM policy. Once the policy is released and all software updates are completed, our agency can begin implementing these changes. We will make the necessary adjustment to any retirement that was effective during the transition period. Thank you in advance for your continued patience and understanding.



STAFFING

Compatibility requirements; National Guard dual status techs are required to be members of the NG, hold the military grade specified for their authorized position, and wear the uniform appropriate for the member’s grade and component. DS techs must be assigned to a military position in the same unit in which they are employed or, in a unit that is supported by the employing activity when authorized by TPR 303, Military Technician Compatibility. The unit of assignment requirement is intended to ensure there is a highly skilled and trained support cadre available when units are deployed and to provide continuity of operations before, during, and after deployments. The occupational classification concept (MOS/AFSC) for all full-time support members requires compatible military skills in the full-time assignments. The full-time support member is the primary occupant of the military position and is not coded as excess. The military structure is preeminent over the full-time structure and military grade inversion within the full-time work force is not permitted.

Temporary appointments are not subject to MOS/AFSC or unit of assignment criteria. When military technicians are temporarily promoted or detailed, the MOS/AFSC compatibility remains with the permanent position from which temporarily promoted or detailed.

WORKERS COMP

Technicians, do you know what to do if you are injured on the job?

- In case of an injury, obtain first aid or medical treatment even if the injury is minor.
- Report every injury to your supervisor. Form CA-1 (for traumatic injuries) **must** be filed within 30 days of the date of the injury to receive continuation of pay (COP).
- Establish the essential elements of your claim. You must provide evidence needed to show that you filed for benefits in a timely manner; that you are a civil employee; that the injury occurred as reported and in the performance of duty; and that your condition or disability is related to the injury or factor of your Federal employment. OWCP will assist you in meeting this responsibility, which is called the burden of proof, by requesting evidence needed to fulfill the requirements of your claim.
- Submit bills promptly, as bills for medical treatment may not be paid if submitted to OWCP more than one year after the calendar year in which you received the treatment or in which the condition was accepted as compensable. You, as the employee, are responsible for ensuring that your bills are submitted properly.
- File Claim for compensation (CA-7) on account of your traumatic injury or Occupational disease, if you cannot return to work because of your injury and you are losing money (or expect to lose) pay for more than three days.
- Return to work as soon as your doctor allows you to do so. If your employing agency can accommodate you with a light duty job, you must inform your physician and ask if you can perform the duties as described. COP or compensation may be terminated if you refuse work which is within your medical restrictions without good cause or if you do not respond within specified time limits to a job offer from your agency.

AGR

DD FORM 214 INFORMATION

A DD Form 214 is completed for any person who is released from active duty, retirement, or discharged, to include personnel on FTNGD for 90 consecutive days or more, personnel resigning from an AGR position, and personnel who are currently on T32 (AGR) orders and are deploying.

The point of contact for any DD Form 214 requests, concerns, or questions is SPC Stonoff, Sara at 304-561-6682 or sara.stonoff@wv.ngb.army.mil, or SSG Barton, Anthony at 304-561-6789 or anthony.barton@wv.ngb.army.mil.

CONGRATULATIONS!

Lt Col Linda Smiley retired from the West Virginia National Guard Technician Program on January 2, 2010. Lt Col Smiley will remain militarily in the 130th Airlift Wing. Congratulations Lt Col Smiley on a highly successful career and thank you for all of your hard work and dedication! You will be missed.

Congratulations to SGT Brittany and SSG Travis Willard. The Willard's welcomed Olivia Elizabeth Dawn Willard into the world on December 14, 2009. Ms. Olivia was 8 lbs 1 oz and 20 3/4 inches long.



UPCOMING EVENTS

AGR In-Processing Dates

- *January 28th, 2010*
- *February 18th, 2010*
- *March 18th, 2010*

Supervisor Course's have been scheduled for TY 10. This course is required for all full- time employees who supervise technicians. If you will be attending, email SFC Nancy Jennings with name, unit and location of the course you wish to attend. The dates and locations are as follows:

- *Charleston, WV 8-12 February 2010*
- *Camp Dawson, WV 19-23 April 2010*
- *Martinsburg, WV 10-14 May 2010*



ESGR

Congratulations to Major Donald "Jeff" McCray on his upcoming retirement from the WV NG/HRO as WV ESGR Coordinator. WV ESGR will miss Major McCray in his full time capacity; he has agreed stay on as a volunteer with the WV ESGR committee. Lt. Col. Joel E. Miltenberger is now the WV NG/HRO/WV ESGR Coordinator as of 1 December 2009.

Lt. Col. Miltenberger has completed his training with National Committee ESGR Arlington, VA and is "boots on the ground" with WV ESGR. Welcome aboard Lt. Col. Miltenberger.

CONTACT NAMES AND NUMBERS

COL Bill Crane- Human Resource Officer: 561-6436
Ms. Kay Pahl- Deputy Human Resource Officer: 561-6432
MAJ Kristine Wood- AGR Manager: 561-6424
SSG Ryan Cleek- AGR Human Resource Sergeant: 561-6483
SSG Pete Campbell- AGR Assistant: 561-6423
SPC Whitney Pomeroy- AGR Assistant: 561-6425
SSG Anthony Barton- Transition Point NCO: 561-6789
SPC Sara Stonoff- Transition Point NCO: 561-6682
SPC Regina Mims- Temp HR Assistant: 561-6694
Lt Col Doyle Hayes- Technician Manager: 561-6422
CW2 Craig Goldsberry- Staffing Specialist: 561-6433
SGT Andy Jenkins- Staffing Assistant: 561-6680
SGT Brittany Willard- Staffing Assistant: 561-6426
WO1 Siobhan Manier- SHRS (Classification Chief): 561- 6357
SSgt Freda Harmon- Classification Specialist: 561-6437
CMSgt Scott Miller- HR Info Systems Chief 561-6427
TSgt Keelee Goode- HR Info Systems Specialist: 561-6605
SFC Nancy Jennings- Training Development Spec.: 561- 6439
SSG Rick Riblett- Classification/ Training Assistant: 561-6680
Lt Col Kenny Hale- SEEM/EEO/Labor Relations: 561-6430
SGT Jennifer Campbell-Tech Retirement/OWCP: 561-6431
SSG Michelle Woodall- Technician Assistant: 561-6428
SGT Brooke Goldsberry - Technician Assistant: 561-6429
TSgt Gretchen Close- 167th H.R. Assistant: 616-5330
SSgt Leanne Snodgrass- 167th H.R. Assistant: 616-5317
CPT Bridget Saunders- SARC: 561-6681
LTC Joel Miltenberger- ESGR: 201-3579
Mr. Ed Bowman- ESGR: 201-3578
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