|  |
| --- |
| **US ERRA RETURN TO DUTY TECHNICIAN CHECKLIS T** |
| The USERRA Return To Duty (RTD) Technician Checklist assists New York National Guard Federal Technician Employees who entered military service in ABSENT – UNIFORM ED SERVICES to understand and determine what elections and options are available to them at the time they RTD from military service. This checklist, a Standard Form (SF) 52 (Request for Personnel Action), and a copy of military orders (if available)/DD-214 or compatible notification from the Military Unit stating a release from military service must be completed and submitted to the Joint Force Headquarters, Human Resources Office in Latham NY for appropriate processing. When LWOP is not properly documented for Active Duty or any Military LWOP, it will have an impact on future within-grade increases, the ability to make a military deposit and to make TSP contributions for the period of LWOP***You are required to initial all applicable blocks to indicate your elections and that you have read and understand your options/conditions.*** |
| **I. INDIVIDUAL INFORMATION** |
| 1. Name: | 2. SSA N: | 3. Technician Unit: | 4. Pay Plan-Series-Grade: |
| 5. Home Address: | 6. City: | 7. State: | 8. Zip : |
| 9. Phone Number: | 10. Email: |
| **II. RETURN TO DUTY (RTD)**This section identifies the date and intent of your return status, whether physically or administratively. Returning Technicians must understand all RTD prerequisites.***Validity of Discharge***You must provide military orders or documentation such as your DD-214 which indicates you were discharged or pending discharge from military service under HONORABLE conditions. If you are unable to provide ANY documentation prior to or upon your RTD, the HRO will still honor your request. However, you are still obligated to provide the agency proof on the validity and type of discharge at a later time. If your documentation indicates your discharge is under other than honorable conditions, you are subject to a denial of reemployment or may be terminated from employment.***Restoration Periods***Upon release from military service, you have a specific time limit to report back to your technician position once released from your Military Orders:1. Less than 30 days: must report back to work at the beginning of the next regularly scheduled workday after release.
2. More than 30 but less than 181 days: must notify supervisor no later than 14 days after release.
3. More than 180 days: must notify supervisor no later than 90 days after release.

***Terminal Leave/Transition Leave***If you are on terminal/transition leave pending separation from or release from military service (under honorable conditions), you can elect to RTD and receive your technician pay in addition to the unexpired portion of your military service. |
| Initials Select and initial your election and include an effective date. |
|  | **I ELECT** to Return To Duty | Effective Date: |
| **Your Effective Date of Return to Duty should be AFTER use of all the eligible leave listed below**Military Leave \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ TO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Annual Leave \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ TO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Administrative (Presidential) Leave \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ TO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |
|  | I understand the Presidential Leave conditions and requirements outlined below. I will make the necessary coordination for its use. |
| **III. PRESIDENTIAL LEAVE**Technicians returning from Title 10 military duty in support of (OCO) Overseas Contingency Operations such as Operations Enduring Freedom, New Dawn, Noble Eagle, or any military operation subsequently established under Executive Order 13223 are granted five days of excused absence upon their RTD from such military service.***Eligibility***1. You must have spent at least 42 or more consecutive days in active military service. An accumulation of 42 or more days with breaks does not constitute eligibility for the Five Day Excused Absence.
2. The Five Days Excused Absence is limited to one time per every 12-month period which begins on the first day of the excused absence and ends 365 days later.

***Conditions of use***1. You must use the Five Day Excused Absence at the time you RTD and prior to your actual resumption of your duties. You will RTD administratively and will report physically to work following the five days.
2. You must use the Five Day Excused Absence consecutively and cannot save it for a later date or use it cumulatively on separate days. If, you are/were unable to us e the excused absence at the time of your RTD, you may request and schedule the excused absence at a time mutually agreeable to you and your supervisor.
3. You must coordinate with your Supervisor and/or Time & Attendance Representative for approval and submission of your excused absence.
 |
|  | **I DID NOT S ERVE IN SUPPORT OF A CONTINGENCY OPERATION** |

|  |
| --- |
| **IV. EARNED LEAVE**You will resume earning leave as normal effective on you RTD date.***Cached Leave***All earned leave (Annual, Compensatory, paid Military Leave, Sick, and Time Off Awards) which were cached during your Non-Pay status will resume effective on your RTD date unless leave was forfeited or requires restoration.***Forfeiture of Leave***1. Compensatory Time and Time Off Awards which were not used within 1 year of earning them may have been forfeited and cannot be restored.
2. Military Leave which exceeded the maximum amount of 240 hours may have been forfeited cannot be restored.

***Restore Leave***Accrued Annual Leave which exceeded the maximum amount of 240 hours may have been forfeited, but can be restored upon request depending on the time it was lost. Reference Technician Personnel Regulation Chapter 630, Leave and Absences for details on how to request leave restoration(s).***Military Leave*** You may use any accrued Military Leave while you are in an ABSENT-US status. Timekeepers should code the timecard with military leave.  The LM code will override the LWOP-US status.  |
|  Initials |
|  | I understand my earned leave conditions and requirements and will take the necessary steps as appropriate. |
| **V. TECHNICIAN PAY**All allotments, deductions, and garnishments such as normal employment benefits or investments (Health Benefits, Life Insurance, Thrift Savings Plan, and Loans) established on your technician pay will resume effective on your RTD date.It is **your** responsibility to review, coordinate, and/or reestablish any obligated or any additional allotments, deductions, and/or garnishments.**Required Documents: Complete SF 1152 Designation of Beneficiary, ensure signature and two witness signatures.**To manage your pay information (i.e. Address changes (military, civilian and tsp), Direct Deposit, LES delivery, and Allotment information) you will need to access the DFAS 0 at [https://mypay.dfas.mil/mypay.aspx.](https://mypay.dfas.mil/mypay.aspx) |
| Initials |
|  | I understand my Technician Pay conditions and requirements and will take the necessary steps as appropriate. |
| **VI. FEDERAL EM PLOYEE’S GROUP L IFE INS URANCE ( FEGLI)**FEGLI coverage, whether terminated or not, will resume effective on your RTD date. If FEGLI coverage has been terminated the FEGLI coverage in place when your non-pay status began will be reinstated automatically upon your Return to Duty.\*\*\*I understand that if I wish to no longer carry FEGLI I must make the election to terminate coverage through EBIS and I am aware that a qualifying life event must occur to elect coverage in the future. I am also aware that in order to take FEGLI into retirement I must have coverage 5 years prior to retirement. **Required Documents: Complete SF 2823 Designation of Beneficiary, ensure signature and two witness signatures.** |
| Initials Select and Initial **ONLY ONE**: |
|  | **I DO NOT HAVE F EGL I COVERAGE.** |
|  | I understand if I have been in a LWOP for more than 12 months, my FEGLI coverage was terminated, but will be reinstated upon RTD. |
| **VII. FEDERAL EMPLOYEE’S HEALTH B ENEFITS ( FEHB)**FEHB coverage will resume effective the **beginning of the pay period you Return to Duty**. If your FEHB was previously cancelled per your request, was automatically terminated after having exceeded the 24 month, or you simply did not have FEHB prior to you entering military service, you may elect to waive, reinstate or enroll in FEHB.\*\*\* Check your LES when you return to a pay status. If there is an FEHB debt showing, contact the Benefits section in the HRO \*\*\****Reinstatement/Enrollment***You have 60 days after returning to duty to reinitiate or enroll in FEHB. Your HRO office will complete and submit a Standard Form 2810.***Waiver***Upon returning to duty, you may waive FEHB reinstatement or enrollment due to being enrolled in the **Transitional Assistance Management Program (TAMP)** through TRICARE. You must submit a new election through EBIS/ABC-C **within 31 days before or 60 days after the TRICARE coverage ends.** **Please note if you wish to keep/reinstate your FEHB and utilize TAMP as a secondary coverage DO NOT mark TAMP below. If you do, FEHB will be terminated.** ***Pre FEHB Col Debt***If you were serving on a contingency operation and elected to keep your health coverage, and a “PRE FEHB COL DEBT” appears on your LES, contact your HR Remote Designee immediately. Please note, if you are performing service in the uniformed services for a qualifying contingency operation, any pay period where you use any type of paid leave will result in the agency not paying for your share of the premium for that entire pay period. |
| Initials Select and Initial: |
|  | I understand my FEHB options and elect **ONE** of the following: |
| Initials Select and Initial **ONLY ONE**: |
|  | **I DID NOT have FEHB** coverage prior to Absent US. |
|  | **I elect NOT to reinstate FEHB** and understand it is my responsibility to have health coverage.  |
|  | **I elected to continue FEHB coverage while serving under Contingency (Title 10) at no cost:** Once I return to duty, I will resume paying my share of the premiums.  |
|  | **I elected to continue FEHB coverage while serving under Title 32 Military Service:** Once I return to duty, I am responsible for paying my portion of any unpaid premiums for that time period. Premiums are automatically deducted from my LES each pay period until completed, unless a different option is offered/ approved by DFAS. I will see two FEHB premiums deducted from my LES; one for my regular FEHB premium and one to repay the owed premium. |
|  |  **DO NOT MARK IF YOU ARE KEEPING FEHB:****I EL ECT TO UTILIZE my 180 day Transitional TRICARE (TAMP) benefits and I will elect FEHB coverage myself:** On the Absent US Checklist I elected to suspend my coverage. It is my responsibility to reinstate my FEHB through EBIS. Effective date will be the next pay period after my transaction was input into EBIS.\***Complete transaction in pay period prior to pay period TRICARE expires to prevent a break in coverage\*** |
|  |  **I elect to have the HRO reinstate my FEHB coverage upon Returning to Duty.** On the Absent US checklist I elected HRO to suspend my FEHB coverage upon entering military service. I understand that the HRO will reinstate my previous FEHB coverage within the effective date of my RTD.  |
|  | **Federal Employees Dental and Vision Program: FEDVIP** is separate from FEHB but does mirror the same coverage stipulations. You may elect to re-enroll in dental and/or vision coverage within 60 days of retuning to duty. To do so, you must contact Benefeds directly via email, phone, or online. Additional information can be found at [**www.benefeds.com**](http://www.benefeds.com) **or at 1-877-888-3337.** |
|  | **Federal Employees Flexible Spending Account Program (FSAFEDS:** Upon returning to duty, employees enrolled in any of the three Flexible Spending Accounts **must notify FSAFEDS immediately** of the change in employment status by calling 1-877-372-3337 or by visiting <https://FSAFEDS.com>. |

|  |
| --- |
| **VIII. RETIREMENT (MILITARY DEPOS IT)**You are eligible to make **Military Deposits** for military service which may potentially be creditable. In order to obtain federal retirement coverage for military service, you will need to contact your designated HR Remote and submit your **DD 214 / orders** to obtain and estimated earnings. Or save **All Military LESs** from that Absent time period and reduce the processing time by up to 6 months. These forms must be submitted in order to obtain credit for retirement purposes for the period on orders. Upon receipt of military estimated earnings, or all military LESs, forward documentation and DD214 to the HRO Benefits section at 518-786-4448 or 518-786-4681 for additional information.Upon returning to duty, you will have a two year grace period where no interest accrues. Beginning at the start of the third year, interest will accrue. **\*If the total deposit is paid in full prior to the end of the third year, no interest is due.**  |
| Initials |
|  | I understand my Retirement/Military Deposit conditions. |
| **IX. THRIFT SAVINGS PLAN (TSP)****TSP Missed Contributions:** You may make up any missed TSP contributions by contacting your HR Representative. The request must be made within 60 days of returning to duty. After the 60 days has passed, the request cannot be processed and will be returned without action. The agency will provide the associated matching funds as missed TSP contributions are made up. **Retroactive TSP Election:** Upon your return to duty, you are eligible to make a retroactive TSP election to the start date of your orders. This election can only be done when you either RTD or within 60 days of returning to duty. **Agency Automatic 1% Contributions and Matching Funds:**  You are entitled to the Agency Automatic 1% Contributions regardless of whether you were contributing to the TSP civilian account prior to entering Absent US status or to your military TSP account while on uniformed service. You are also entitled to restored Agency Matching Contributions for periods of military service if you have: 1. Contributed to your uniformed services TSP account from military basic pay, or
2. Elected to make up employee contributions when you returned from military service.

**\*Note:** Only contributions from your military basic pay are eligible to be matched on your civilian TSP account. Contributions from any special pay, bonuses, etc. that are not considered basic pay will not be counted towards the agency matching contributions.  **TSP Loans:** Any TSP Loan(s) and their appropriate pay deductions will resume effective on your RTD date. A TSP-41, Notification to TSP of Non-Pay Status form will be generated on your behalf notifying TSP of your RTD. **If you have a** **TSP loan and do not indicate that on this checklist, your loan may be declared a taxable disbursement by the TSP and the IRS will be notified.** **You must indicate below.** |
| Initials Select and Initial **ONLY ONE:** |
|  | I understand that I may make retroactive contributions and elections to my TSP account within **60 days** of my return to duty, and that my agency will make up missed agency contributions for eligible FERS employees. I need to contact HRO to indicate my desire to make retroactive TSP contributions and elections. |
|  | **I understand that my retroactive contributions and elections will be reduced if:** I contributed to TSP as a Uniformed Service Member while on active duty and that I am responsible for providing documentation of any TSP contributions while on active duty. \***Military LESs covering the period of active duty are attached.**  |
|  | I do **NOT** intend to make retroactive contributions for this period of active duty. |
| Initials Select and Initial **ONLY ONE**: |
|  | **I DO NOT HAVE** a TSP Loan. |
|  | **I HAVE** a TSP Loan and I wish to have TSP notified of my Return to Duty. |
| **X. NGAUS**The National Guard Association of the United States has announced a Special Open Enrollment exclusively for Technicians returning from deployment on contingency operations. This Open Enrollment election must be made within **30-days** of resumption of normal technician duties. **It is the Employee’s responsibility to contact or submit Form NG 76 to NGAUS and inform them of the change in status. You can contact NAGUS Customer Service at 1-800-537-5024.** |
|  |  **I do have** NGAUS Disability or Term Life Insurance and understand that it is my responsibility to notify them when a change in my pay status has occurred.  |
|  |  I have reviewed my leave and earning statement and **I am not currently enrolled** in NGAUS Disability or Term Life Insurance.  |
| **XI. TECHNICIAN SIGNATURE** |
|  **I have read and understand my USERRA options, benefits, elections, and conditions.** |
|  Signature: | Date: |
| **REMOTE DESIGNEE USE ONLY** |
| Complete/check off each item to verify completion:  SF 52 attached Military Orders  Members Military LES’ for TSP retroactive contributions **SF3102, SF2823, SF1152 Designation of Beneficiary** |  Completed by:  |
| **HUMAN RESOURCES US E ONLY** |
| Complete/check off each item to verify completion:SF -52 attached: Effective Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Military Orders (compatible notification)­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_TSP Loan – TSP-41 Submitted: Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­\_\_\_\_\_Reinstatement of FEHB SF 2810 Effective Date:­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_New enrollment SF 2809 Effective Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Make-Up TSP Contribution LES’s attached TSP 1% Agency Automatic Contributions LWOP date entered.FEGLI Code \_\_\_\_\_\_\_\_\_\_\_\_ Termination Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Updated Beneficiary Forms Signed and UploadedSCD Change Needed |  Completed by: |
|  Signature/Date: |
| Prior Military Service: | Federal Employment History: |