

USERRA RETURN TO DUTY TECHNICIAN CHECKLIST

The USERRA Return To Duty (RTD) Technician Checklist assists New York National Guard Federal Technician Employees who entered military service in ABSENT – UNIFORMED 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.

INDIVIDUAL INFORMATION

Name:	
Phone Number:	Email:

EMPLOYEES RESPONSIBILITIES

Initials:	<p>I understand it is my responsibility to contact my supervisor to coordinate my physical return to duty prior to my return to work, and complete and submit this form within 14 days of release from military duty. Failure to do so will result in a delay of my civilian pay, potential debt accrual, and potential delay or loss of benefits. I also understand it is my responsibility to contact payroll in order to keep current on any allotments or garnishments if applicable. I understand the following time limits to report back to federal civilian position under Uniformed Services Employment and Reemployment Rights Act (USERRA):</p> <p>a) Military service of 1 - 30 days - must report back to work at the beginning of the next regularly scheduled workday after release.</p> <p>b) Military service of 31 - 180 days - must notify supervisor of intent to return no later than 14 calendar days after release.</p> <p>c) Military service of more than 180 days - must notify supervisor no later than 90 days after release</p>
Initials:	I must provide REFRAD orders or a DD-214 indicating discharge or pending discharge from military service under HONORABLE conditions.

SUPERVISORS RESPONSIBILITIES

I understand it is my responsibility to ensure my employee completes this form no later than 14 days after returning from military duty. I also understand I must send this completed form and the employee's REFRAD orders or DD 214 to the Wing Remote (ANG) or to HRO (ARNG), or my employee may experience delayed pay, accrue debts, and a delay or loss of benefits. I can access MyBiz in order to ensure the Return to Duty SF50 is processed for my employee.

Supervisors Name:	Supervisors Signature:
Supervisors Phone Number:	Supervisors Email:

RETURN TO DUTY

Initials:	I understand the term “Return to Duty” refers to the administrative personnel action processed to initiate my return to a regular pay and duty status as a federal civilian employee. If I list this date incorrectly on this form, and the action is processed as such, I understand that any required corrections may cause debts and/or delays in pay and benefits.
Initials:	My order end date is: _____ and I attached a copy of my REFRAD orders and/or DD 214 with this checklist.
Initials:	<p>I can elect to return to duty prior to my military service ending only if I am on terminal/transition leave pending separation or release from military service. If I am not on terminal/transition leave, returning to duty while on military orders may cause a dual-compensation issue. I have attached DA31 (Army) or AF988 (Air) with approved leave.</p> <p>I would like to return to duty before my order ends using approved terminal/transition leave. I would like to return to duty effective: _____ DA31 (Army)/ AF988 (Air) is attached.</p>

Initials:	<p>I understand federal employees returning from military duty in support of Title 10 contingency operations established under Executive Order 13223 are entitled to up to five days (one workweek) of excused absence, referred to as Presidential Leave. I understand that in order to be eligible for presidential leave, military service must have been for 42 consecutive days or more, AND I must not have taken Presidential leave within the last 12-months.</p> <p>Select one of the following options for Presidential Leave based on the criteria above:</p> <p>_____ I AM NOT eligible for Presidential Leave</p> <p>_____ I AM eligible for Presidential Leave. I understand that Presidential Leave must be used consecutively, and immediately upon my Return to Duty, but prior to my Return to Work date. This means I will be Returned to Duty in order to code “LV” in ATAAPS, but will not physically report to my work station for the 5 consecutive business days following my RTD.</p>
Initials:	<p>I understand that my LWOP status for military duty (KG in ATAAPS) cannot exceed the end date of my military duty. If I wish to exercise USERRA and request a Return to Duty effective date that is not prior to or immediately following my military duty end date, I understand that HRO must process a personal LWOP action (KA in ATAAPS) effective the day after military duty ends, through my chosen Return to Duty date. I understand that I can take paid leave during personal LWOP if I choose to do so.</p>
RESERVIST DIFFERENTIAL	
Initials:	<p>I reviewed and understand the following information:</p> <p>Under 5 United States Code (USC) 5538, employing agencies must pay differential payments to eligible federal employees who are members of the Reserve or National Guard called or ordered to active duty under specific provisions of law. Federal agencies must provide a payment – a “reservist differential” – equal to the amount by which an employee’s projected civilian “basic pay” for covered pay period exceeds the employee’s actual military “pay and allowances” allowable to that pay period. Qualifying legal authorities include: 10 USC 331, 10 USC 332, 10 USC 333, 10 USC 688, 10 USC 12301(a), 10 USC 12302, 10 USC 12304, 10 USC 12304a, 10 USC 12305, 10 USC 12406.</p> <p>If I qualify for Reservist Differential, and I believe I earn more as a federal employee than I do as a military member, I must complete the Application for Reservist Differential (RD) Payments (located at the end of this checklist) and submit it with required documentation to my Wing Remote (ANG) or HRO (ARNG) as soon as possible.</p>
MILITARY BUYBACK FOR RETIREMENT CREDIT	
Initials:	<p>I understand that periods of Absent-US directly affect my federal retirement. I must initiate and complete a military deposit prior to separating from federal employment if I want this period of military service to be creditable towards my federal retirement.</p>
Initials:	<p>I would like to buyback this period of LWOP to receive credit towards my retirement and authorize the HRO to start the process.</p>
Initials:	<p>I DO NOT want to buyback this period of LWOP and understand I will not receive credit for this time towards my retirement.</p>
THRIFT SAVINGS PLAN (TSP)	
Initials:	<p>I reviewed and understand the following information:</p> <p>If I was contributing to my civilian TSP upon entering an Absent US period, I can request to receive retroactive TSP matching and/or make up missed contributions upon my return to duty, to include missed catch-up contributions. If I wish to do so, I must provide my Wing Remote (ANG) or HRO (ARNG) with the Application to Request TSP Matching And/Or Missed Contributions (located at the end of this checklist) along required documentation within 60-days of my Return to Duty.</p> <p>The 1% automatic agency contributions are payable upon Return to Duty regardless of whether I choose to request matching and/or to make up missed contributions. HRO will request this upon my Return to Duty.</p>

Initials:	<p>Select ONLY ONE of the following options</p> <p>_____ I did NOT contribute to TSP as a Uniformed Service Member while on active duty but would like to make retroactive contributions to my civilian TSP account for my current LWOP/RTD</p> <p>_____ I DID contribute to TSP as a Uniformed Service Member while on active duty and I understand that my retroactive contributions and election will be reduced but I would still like to make up any available retroactive contributions to my civilian TSP *Military LESs covering the period of active duty are attached.</p> <p>_____ I do NOT intend to make retroactive contributions for this period of active duty.</p>
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THRIFT SAVINGS PLAN LOAN

Initials:	<p>Select ONLY ONE of the following options</p> <p>_____ I DID owe on a TSP loan upon entering Absent US but I PAID IT OFF prior to my Return to Duty</p> <p>_____ I DO owe on a TSP loan and I understand payments towards this loan will resume upon my Return to Duty</p> <p>_____ I DID NOT HAVE a TSP loan upon entering Absent US</p>
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FEDERAL EMPLOYEE'S HEALTH BENEFITS (FEHB)

Initials:	<p>Select ONLY ONE of the following options</p> <p>_____ I SUSPENDED my FEHB upon entering Absent US and I want to REINSTATE it immediately to the same plan. I understand HRO will complete an SF 2810 with and send it to my FEHB carrier to process this request. I understand the effective date of my reinstatement of FEHB will be at the beginning of the pay period in which I return to duty.</p> <p>_____ I SUSPENDED my FEHB upon entering Absent US and I want to WAIVE REINSTATEMENT because I am eligible for Transitional Tricare (TAMP) for 180-days after military service ends. I understand I must complete the Waiver of Immediate Reinstatement of FEHB (located at the end of this checklist) and I included it with this checklist. I understand that my FEHB must be reinstated by HR effective no later than the day following my TAMP expiration.</p> <p>_____ I called the Army Benefits Center-Civilian (ABC-C) and CANCELLED my coverage OR, I was NOT ENROLLED in FEHB upon entering Absent US. I understand if I want to enroll, I have 60-days from my Return to Duty, or expiration of TAMP coverage (if eligible) to do so. If I fail to enroll within that timeframe, I must wait until FEHB Open Season, or until I experience a Qualifying Life Event. HRO cannot do this for me, nor can HRO retroactively enroll me if I forget. I can enroll through the Government Retirement and Benefits (GRB) Platform by visiting https://abc.army.mil/abc/ and clicking on "Login to GRB Platform" or by calling ABC-C at 1-877-276-9287. I understand FEHB coverage begins on the first day of the pay period AFTER the date I enroll. It is my responsibility to determine when I must enroll to avoid gaps in coverage.</p> <p>_____ I KEPT my FEHB upon entering Absent US and I want to leave my coverage as is. If I kept my FEHB while on contingency orders at no cost to me, I understand that I will be responsible for paying my portion again immediately upon RTD.</p> <p>I understand I have 60-days from my Return to Duty date to make changes to my plan if I wish. I can make changes through GRB by visiting https://abc.army.mil/abc/ and clicking on "Login to GRB Platform" or by calling ABC-C at 1-877-276-9287.</p>
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FEDERAL EMPLOYEE'S GROUP LIFE INSURANCE (FEGLI)

Initials:	<p>I understand the following information:</p> <p>If I am not enrolled in FEGLI, this is not applicable to me. If I am enrolled and coverage was terminated due to exceeding 12 or 24 months in a non-pay status, HRO will immediately reinstate my previous coverage upon my Return to Duty.</p> <p>I must remain in a pay status for four months following my Return to Duty date in order to be eligible for another 12-month period of free coverage. If I enter a non-pay status within the next four months, the previous 12-month period will resume; I will not be eligible to start a new period.</p>
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FEDERAL EMPLOYEE'S DENTAL AND VISION INSURANCE PROGRAM (FEDVIP)

Initials: I reviewed and understand the following:

If I am not enrolled in FEDVIP, this is not applicable. If I am enrolled, it is my responsibility to contact BENEFEDS at 1-877-888-3337 upon my Return to Duty to verify the status of my enrollment, and ensure premium payments resume. HRO cannot coordinate FEDVIP enrollment, **HRO cannot reinstate FEDVIP coverage for me.**

FLEXIBLE SPENDING ACCOUNTS (FSA)

Initials: I reviewed and understand the following:

If I am not enrolled in an FSA, this is not applicable. If I am enrolled, it is my responsibility to contact FSAFEDS at 1-877-372-3337 to notify them of my Return to Duty. If my account was frozen during my Absent US period, and I am returning within the same benefit period in which I left, FSAFEDS will recalculate my monthly allotments based on the number of pay periods remaining in the benefits period. **HRO cannot enroll, terminate, or change allotments for me.**

FEDERAL LONG TERM CARE INSURANCE PROGRAM (FLTCIP)

Initials: I reviewed and understand the following:

If I am not enrolled in FLTCIP, this is not applicable. If I am enrolled, it is my responsibility to contact LTCFEDS at 1-800-582-3337 and coordinate payment of premiums. **HRO cannot do this for me.**

NATIONAL GUARD ASSOCIATION OF THE UNITED STATES (NGAUS) DISABILITY INSURANCE

Initials: I understand that by checking this box, it is my responsibility to notify the NGAUS provider (ReliaStar) of my Return to Duty. I also understand that it is my responsibility to ensure NGAUS coverage and premiums are correct on my LES and I must immediately report any discrepancies.

BENEFICIARY FORMS

If you don't have a designation on file, then the funds will be distributed according to the order of precedence. Please fill out a new beneficiary form for each fund and attach with your USERRA RTD checklist:

- SF1152 – Unpaid Compensation (Last paycheck and annual leave remaining balance)
- SF2823 – FEGLI (Life Insurance)
- SF3102 – FERS (Retirement)
- TSP 3 - TSP

TSP 3 Beneficiary Form Needs To Be Sent Directly to TSP not to the HRO. Employee needs to mail form to Thrift Savings Plan P.O. Box 385021 Birmingham, AL 35238 or fax it to 1-866-817-5023

EMPLOYEE SIGNATURE

My signature acknowledges that I read, understand, and personally completed this checklist, and I understand the implications of my entries.

I included the following documents with this checklist (check all that apply):

- _____ DD 214 and/or REFRAD orders (required)
- _____ Approved Terminal/Transitional Leave Form DA31(Army) AF988 (Air)
- _____ Request to Buyback this LWOP
- _____ Request For TSP Matching and/or to Make Up Missed Contributions
- _____ Military LES's for TSP Matching (if applicable)
- _____ Request to Waive Reinstatement of FEHB to Use TAMP
- _____ Application for Reservist Differential (RD) Payments
- _____ Beneficiary Forms

Employee's Signature: _____	Date: _____
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Members Name: _____

Members SSN: _____

Effective Date of RTD: _____

REMOTE DESIGNEE USE ONLY

Complete/check off each item to verify completion:	Completed By: _____												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20px; height: 15px;"></td><td>SF-52 attached</td></tr> <tr><td style="width: 20px; height: 15px;"></td><td>Ending Orders or DD214</td></tr> <tr><td style="width: 20px; height: 15px;"></td><td>Terminal/transition leave slip DA31/AF988</td></tr> <tr><td style="width: 20px; height: 15px;"></td><td>Military LES'</td></tr> <tr><td style="width: 20px; height: 15px;"></td><td>SF3102, SF2823, SF1152</td></tr> <tr><td style="width: 20px; height: 15px;"></td><td>TSP-3 Designation of Beneficiary</td></tr> </table>		SF-52 attached		Ending Orders or DD214		Terminal/transition leave slip DA31/AF988		Military LES'		SF3102, SF2823, SF1152		TSP-3 Designation of Beneficiary	
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HRO USE ONLY

Complete/check off each item to verify completion:	HRO Specialist Signature: _____																				
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	Supervisor Approved Signature/Date: _____																				

WAIVER OF IMMEDIATE REINSTATEMENT OF FEHB

I, _____, was discharged from military service on _____, and I qualify for Transitional TRICARE (TAMP) until _____.

CURRENT EMPLOYEES: I understand, pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), I have a right to reinstatement of my Federal Employees Health Benefits (FEHB) coverage the beginning of the pay period I am restored to my civilian position under the provisions of 5 CFR part 353 or similar authority. However, I hereby clearly understand and waive my FEHB coverage until _____. (You may select any date between the date you are restored to your civilian position and the date after your Transitional TRICARE (TAMP) coverage ends).

I fully understand that until my FEHB enrollment is reinstated, I will not be eligible for any health benefits that would have been available to me under an FEHB plan. I also understand that HR must reinstate my FEHB coverage with an effective date NLT one day after my TAMP ends.

If I canceled my FEHB via GRB or by calling ABC-C, I understand that it's my responsibility to re-enroll via GRB or by calling ABC-C. HRO Cannot do this for me, nor can HRO retroactively re-enroll me if I forget to reinstate my FEHB once TRICARE coverage ends. I understand FEHB coverage begins on the first day of the pay period AFTER the date I re-enroll. It is my responsibility to determine when I must enroll to avoid gaps in coverage. I understand that canceling FEHB for any reason other than Tri-care may affect my eligibility to continue FEHB in retirement.

Employee Name: _____

Employee Signature: _____

Date: _____

REQUEST FOR TSP MATCHING AND/OR TO MAKE UP MISSED CONTRIBUTIONS

Date: _____

Name: _____

SSN: _____

Home Address: _____

(Please confirm that your correspondence address is updated in MyPay – DFAS will mail your letter and any information to the address listed there)

LWOP Effective Date: _____ RTD Effective Date: _____

Did you contribute to your civilian TSP prior to entering an Absent US status?

- No – you are only eligible for the 1% automatic agency matching – you are not eligible for additional matching or make-up contributions – you do not need to complete this form
- Yes – you are eligible for TSP matching and/or make-up contributions; go to next question

Did you contribute to your military TSP while on orders?

- No – you are eligible to make up employee contributions to your civilian TSP account that you missed as a result of performing military service. While making up these missed employee contributions, you will also receive any agency matching (up to 5%) that you would've received had you been in a civilian pay status. If you want to make up missed contributions, it will be a separate deduction from your normal TSP contributions
- Yes – you are eligible to receive up to the 4% of additional agency matching, or up to the matching percentage that you would've contributed to your civilian TSP had you been in a civilian pay status (example: if you only contributed 3%, that is the maximum matching you can receive).

Please select an option below and provide the required documentation as listed:

- I would like to request to make up missed TSP contributions and have included the required documentation with this form.
- I would like to request the additional agency matching and have included the required documentation with this form.

REQUIRED DOCUMENTATION - MUST BE SUBMITTED WITH THIS FORM:

- ___ DD 214 or Orders (to include any modifications)
- ___ Military LESs spanning the Absent US period

****This form and required documentation must be submitted to HRO (ARNG) at ng.ny.nyarnng.list.mnhf-buybacks@army.mil, or Wing Remote (ANG) within 60-days of Return to Duty****

Request for Military Service Deposit (Buyback)

Name: _____ Today's Date: _____

SSN: _____

Email: _____ Phone: _____

BACKGROUND: Periods of Absent-US will directly affect your federal retirement. You must initiate and complete a military deposit prior to separating from federal employment if you want this period of military service to be creditable towards your federal retirement.

Please list the current Active Duty tour for which you are applying:

Active Duty orders began: _____ Active Duty orders ended: _____

You must provide the below supporting documents for the above timeframe along with this form:

DD214/Orders

If you saved all of your Military LES's while LWOP please provide them for faster processing on estimated earnings:

Leave & Earnings Statements (Military)

Do you have any other period of service you would like to buyback?

Yes

No

If yes, you must provide the below supporting documents for all timeframes you are interested in buying back along with this form:

DD214/Orders

For HRO use only:

Military Orders

LESs (Military)

LWOP/RTD SF50s

Eligible timeframe(s): Yes

No

Reason (if no): _____

Remedy Ticket Sent to DFAS:

Ticket #: _____

Date: _____

Send Military Buyback requests to HRO at ng.ny.nyarnng.list.mnhf-benefits@army.mil (ARNG), or Wing Remotes (ANG)

Application for Reservist Differential (RD) Payments

Name: _____ Today's Date: _____

SSN: _____

Email: _____ Phone: _____

BACKGROUND: In order for HRO to determine if you are entitled to the Reservist Differential Program, you must provide us with copies of your military orders, all Military LES's for the active duty period, all Civilian LES's for the active duty period, and technician time cards for the active duty period. HRO is unable to accept partial application packages or begin the RD process until a complete package is received.

Please list the Active Duty tour for which you are applying:

Active Duty orders began: _____ Active Duty orders ended: _____

You must provide the below supporting documents for the above timeframe along with this form:

- Leave & Earnings Statements (Civilian)
- Leave & Earnings Statements (Military)
- Military Orders/DD214
- Technician Time Cards

For HRO use only:

- Military Orders
- Tech Time Cards
- LESs (Civilian)
- LESs (Military)
- DCPDS input
- Eligible to apply: Yes
- No

Remedy Ticket Sent to DFAS:

Ticket #: _____

Date Sent: _____

Reason (if no): _____

