

# The HR Advisor

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## DoDEA Human Resources

### NSPS Update

The Department of Defense Education Activity (DoDEA) second NSPS performance cycle concluded on September 30, 2009. During October and November, twelve DoDEA pay pool panels reviewed employee/rating official assessments and recommended ratings. The DoDEA Performance Review Authority, Dr. Shirley Miles approved the overall pay pool outcomes in December 2009 and performance awards were effective January 3, 2010. If you have any questions regarding NSPS, please email them to [DoDEA.NSPS.Inquiries@HQ.DoDEA.edu](mailto:DoDEA.NSPS.Inquiries@HQ.DoDEA.edu)– NSPS Inquires on the GLA.

Number of Employees Rated	1876
Average Rating of Record	3.26
Average Share Assignment	1.66
Overall Share Value	2.2257%
Average Payout as % of Base Salary	3.48%

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### Administrative Grievance System (AGS)

Who Can File? Non-bargaining union employees can grieve on their own behalf (in some cases employees can file as a group).

Informal Problem Solving Process: Employees may choose not to take this route and invoke the formal grievance process.

An employee presents a work related problem, either orally or in writing, to their supervisor before filing a formal written grievance. If the problem directly involves the supervisor, the employee may present it to the next level supervisor in writing. Clearly indicate that it is a grievance; clearly describe the matter( s) being grieved; and specify the personal relief or corrective action being sought. If the individual supervisor who receives the grievance does not have the authority to resolve the grievance, that supervisor must forward the grievance to their supervisor.

Formal: A written grievance where a problem is not resolved during the problem-solving process. The employee can choose to bypass the problem solving process and invoke the formal grievance process with the designated deciding official (or any official designated to accept grievances on behalf of the deciding official). The grievance must be signed, dated, and contain a detail statement of the specific issue(s) and the specific remedy sought.

Deciding Official: The deciding official shall fully and fairly consider the grievance and issue a written decision with supporting rationale for the decision. The deciding official shall issue the decision no later than 60 calendar days from the filing of the grievance. If the deciding official fails to render a decision within 90 calendar days, the grievant may request review by the next higher management level, if any, within DoDEA. For information on the Administrative Grievance process, please contact a LMER Specialist at 703-588-3990, or DSN 425-3990

### Did You Know:

An educator who is currently serving on a Not to Exceed (NTE) appointment and will be PCSing back to the United States with their sponsor at the end of the school year can apply as a CONUS hire applicant. The one year break in service requirement only applies to educators who are serving on a permanent appointment. The educator could be hired for the upcoming school year depending on the educators areas of certification and available vacancies.

An educator who is currently residing in the overseas area and is not serving on a permanent appointment can apply for worldwide placement for DoDDS educator positions. If selected, the educator would not be eligible to receive the same entitlements of an educator selected from the United States. The selectee would only receive first duty station travel to the new assignment and would not be eligible to receive LQA.

## Negotiated Grievance Procedure (NGP)

The negotiated grievance procedure is established to provide unit employees with an opportunity to raise matters of concern or dissatisfaction for informal and , where appropriate, formal consideration and resolution.

**Step 1. Informal:** The unit employee(s) and/or their Association representatives should present any grievance informally to the supervisor within seven (7) calendar days to reducing a grievance in writing. The supervisor should arrange for a meeting within five (5) calendar days the informal presentation of the grievance, to fully discuss the matter and to attempt informal resolution.

**Step 2. Formal:** The unit employee or their Association representative must present the grievance in writing, to the appropriate supervisor within fifteen (15) calendar days of the act or incident giving rise to the grievance.

**Step 3.** When the grievance has not been resolved at Step 2, the grievant or their Association representative may submit the grievance to the Principal, within ten (10) calendar days from the date they received the Principal's written decision. Following receipt of the Step 3 grievance, the Principal shall forward the grievance and a copy of the Step 2 decision to the Area District Office, with a copy of the forwarding letter to the grievant. A final decision will be rendered in writing within (20) days from its receipt.

## January 2010 Federal Benefits Pay Changes

Employees are reminded that they are responsible for reviewing their Leave and Earnings Statement (LES) each pay date to ensure proper deductions have been withheld to avoid errors for which they could be indebted. It is especially important to review the LES received for the first two pay dates in January as they reflect any change and/or elections that were made during the Federal Benefits Open Season and toward your Thrift Savings Plan (TSP), both regular and/or Catch-up contributions. Deductions/changes began as early as the pay period ending January 2, 2010, which were reflected in the pay received on January 8, 2010.

Employees electing TSP Catch-Up contributions for calendar year 2010 with an effective date of December 20, 2009, should have seen these deductions in the pay received on January 8, 2010. This also applies for any TSP regular contribution elections/changes with an effective date of December 20, 2009.

The Flexible Spending Account (FSA) and Federal Dental/Vision Insurance Program (FEDVIP) benefit period began January 1, 2010, for calendar year 2010. Elections made for both these programs during the open season were reflected in the pay received on January 8, 2010. Federal Employees Health Benefits (FEHB) open season elections/changes were effective January 3, 2010, and the first deduction is reflected in the pay received on January 22, 2010.

It is important to review your earnings statement each pay period. You are in the best position to determine if the information is accurate and represents your elections. Employees should check their LES to verify elections/changes are reflected correctly and report any discrepancy within three (3) pay periods after the effective date of the change to the DoDEA HQ Benefits Unit. Failing to notify the Benefits Unit of discrepancies or that an election or change did not take effect could result in the election not being processed as notifications of any discrepancy must be made within reasonable timeframes. Notifying the Benefits Unit months after the effective date is not considered timely notification. Employees are encouraged to review every LES to ensure all deductions are correct for each and every pay period pay is received.

If you find your deductions or appropriate changes are not accurate or did not take effect, please notify the DoDEA HQ Benefits Unit immediately by email at [Benefits@hq.dodea.edu](mailto:Benefits@hq.dodea.edu). Please provide a complete explanation of the discrepancy, missing or incorrect deduction/information. Also be sure to include a telephone number where you can be reached during the day.

## LQA Reconciliation

Living quarters allowance (LQA) for an eligible employee is initially authorized based on his/her annual rental lease agreement and an estimated amount for utilities. After one year in economy quarters, employees are required to reconcile their LQA expenses within 45 days after reaching the one-year anniversary. Employees should submit a SF-1190, "Foreign Allowances Application, Grant and Report," LQA Reconciliation Worksheet, and copies of bills/receipts for all utilities claimed for the entire first-year period to their servicing Defense Logistics Agency (DLA). Please note that if the receipts are in a foreign language, employees are required to identify in English on each receipt, the appropriate utility (e. g. electricity, water, garbage disposal, etc.).

Upon receipt of an employee's LQA reconciliation submission, actual LQA expenses will be compared to the amount of LQA that was authorized and paid for the first year in new quarters. If actual expenses exceeded the amount the employee was paid, the employee will be paid the difference up to the maximum allowable. If the actual expenses are less than the amount paid, the employee will be indebted for that overpayment. In either case, the employee's current LQA authorization will be adjusted to reflect actual expenses. No further reconciliation will be required for the same residence unless requested by the employee or by management.

## LQA Upon Separation or Transfer

The Department of State Standardized Regulations and the Department of Defense Manual 1400.25-M governs authorization and payment of allowances. When an employee is separated while assigned to a post at which LQA has been granted, the grant shall terminate at the end of the last day of his/her employment. When an educator separates, eligibility for allowances terminates on the teacher's last duty date. As an alternative, temporary quarters subsistence allowance (TQSA) may be paid for a period not in excess of one month prior to final departure from the post. In order to allow teachers some flexibility in arranging pack-out and port calls prior to their last day of employment, DoD Manual 1400.25-M allows for the continuation of either LQA or TQSA for up to 14 days, or the date of departure, whichever is earlier, for a teacher to await authorized transportation, if appropriate documentation is provided by the transportation office. The intent is to allow educators some flexibility in arranging pack-out days and port calls after the end of the school year. Therefore, as long as the educator submits a request for the continuation of LQA or TQSA for 14 days or less after the last day of the school year, the extension of allowances may be authorized through the date of departure.

When an employee is transferred from a post where LQA has been granted, the grant shall terminate as of the following dates, whichever is earliest: (a). the date immediately preceding the effective date of the employee's predeparture temporary quarters subsistence allowance grant, except that the agency head may continue LQA for a period of 5 days following commencement of the temporary quarters subsistence allowance grant if a determination is made that it is necessary for the employee to vacate existing quarters in order to meet lease requirements for cleaning and repair; (b). the date the employee commences travel under the transfer, or combined leave and transfer order; or (c). the effective date of transfer, when no travel by the employee under the transfer is involved.

In order to avoid any unnecessary overpayment of LQA, employees separating or transferring are reminded that it will be necessary to promptly submit a request to terminate his/her LQA through the DAPS on line system.



## Federal Employee Leave Programs

### What is the Voluntary Leave Transfer Program?

The Voluntary Leave Transfer Program offers Federal employees a way to donate their leave to fellow employees with personal or family medical emergencies.

### How to qualify for the VLTP?

To qualify, you must be experiencing a personal or family medical emergency and be expected to be in a non-pay status for at least twenty-four (24) hours due to a medical emergency.

### How do I apply to become a leave recipient?

Applicants should contact their servicing Labor Management Employee Relations (LMER) Office or Servicing Human Resources Specialist for the appropriate forms.

- **DoDDS** – Voluntary Leave Transfer Program (VLTP) Leave Recipient Application for Public Law Positions.
- **DoDDS/DoDEA (non educators)** – DD Form 2539, Voluntary Leave Transfer Program, Leave Recipient Application.

**DDESS** – OPM 630, Application to Become a Leave Recipient under the Voluntary Leave Transfer Program.

### If you have Questions about the VLTP

- DoDDS employees - contact your servicing LMER Office.
- DDESS employees - contact your servicing Human Resources Specialist.
- HQ DoDEA employees – contact LMER Section, HQ DoDEA Human Resources Directorate.

## Family and Medical Leave Act

Under the Family and Medical Leave Act (FMLA), most Federal employees are entitled up to 12 workweeks of unpaid leave during any 12-month period. To qualify, employees must have 12 months of service and need the leave for one of the following reasons:

- the birth of a son or daughter of the employee and the care of such son or daughter;
- the placement of a son or daughter with the employee for adoption or foster care;
- the care of spouse, son, daughter, or parent of the employee who has a serious health condition; or

a *serious health condition* of the employee that makes the employee unable to perform the essential functions of his or her positions.

An employee may use the 12 weeks of FMLA leave intermittently and/or ask to substitute accrued leave, consistent with applicable regulations, for any unpaid leave under the FMLA. A 30 days advance notice of the leave is required, if foreseeable. Medical certification must be submitted with a request for leave under the FMLA. Upon return from leave, the employee must be returned to the same position or to an "equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment." An employee who takes FMLA leave is entitled to maintain health benefits coverage. An employee on unpaid FMLA leave may pay the employee share of the premiums or pay upon return to work. Contact your servicing LMER Office or servicing human resources specialist for additional information and application procedures.