

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA TECHNICIAN CHECKLIST

The USERRA Return To Duty (RTD) Technician Checklist assists WV National Guard Federal 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 for appropriate processing.

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. SSAN:	3. Technician Unit:	
5. Street 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 be terminated from employment.

Restoration Periods

Upon release from military service, you have a specific time limit to report back to or reapply for your technician position:

- 1) Less than 31 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 apply for reemployment no later than 14 days after release.
- 3) More than 180 days, must apply for reemployment 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 pay and allowances from the unexpired portion of your military service.

Initials	Select and Initial ONLY ONE option and include an effective date.	
	I ELECT to Return to Duty. I have been released or am pending release from military service under honorable conditions and within the time period(s) listed above.	Effective Date:

III. PRESIDENTIAL LEAVE

Technicians returning from Title 10 military duty in support of (ISO) Global War on Terrorism (GWOT) such as Operations Enduring Freedom, Iraqi Freedom, Noble Eagle, or any military operation subsequently established under Executive Order 13223 are granted five days of excused absence each time Technicians 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 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 use 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.

Initials	Select and Initial ONLY ONE option:
	I DID NOT service in support of a contingency and therefore Presidential Leave is not authorized for me upon my Return to Duty.
	I understand the Presidential Leave conditions and requirements and will make the necessary coordination for its use.

IV. EARNED LEAVE

You will resume earning leave as normal effective on your 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 TPR 630, Leave and Absences for details on how to request leave restoration(s).

Lump Sum Payout

If you returned to duty prior to the end of the period covered by the lump-sum payment, you are required

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.

To manage your pay information (i.e. Address, Direct Deposit, LES delivery, and Allotment information) you will need to access the DFAS My Pay Web Site at <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 EMPLOYEE'S GROUP LIFE INSURANCE (FEGLI)

FEGLI coverage, whether cancelled or not, will resume effective on your RTD date.

Initials Select and Initial **ONLY ONE**:

I DO NOT HAVE FEGLI.

I understand my FEGLI coverage becomes active upon my Return to Duty.

VII. FEDERAL EMPLOYEE'S HEALTH BENEFITS (FEHB)

FEHB coverage will resume effective on your RTD date. If your FEHB was previously cancelled per your request, was automatically terminated after having exceeded the 24 month or simply did not have FEHB prior to you entering military service, you may elect to waive, reinstate or enroll in FEHB. If electing to cancel your FEHB, you must submit a Standard Form (SF) 2809 along with this checklist.

Reinstatement/Enrollment

You have 60 days after returning to duty to reinitiate or enroll in FEHB. You must complete and submit a SF 2809.

Waiver

You may waive FEHB reinstatement/enrollment due to military TRICARE coverage so long as you complete and submit the *Waiver of Immediate Reinstatement of FEHB* form and a SF 2809 for cancellation. You will 31 days before and 60 days after coverage ends to (re)enroll in FEHB.

Waiver

Upon returning to duty/reemployment, you may waive FEHB reinstatement/enrollment due to military TriCare coverage so long as you complete the *Waiver of Immediate Reinstatement of FEHB* form.

Initials

I DO NOT have FEHB.

Initials Select and Initial **ONLY ONE** option

I ELECT TO CONTINUE my current FEHB coverage.

I ELECT TO ENROLL/REINSTATE FEHB coverage and understand I must complete and submit a SF 2809 with this checklist.

I ELECT TO WAIVE FEHB coverage at this time and understand I must complete the **Waiver of Immediate Reinstatement of FEHB** form.

VIII. FEDERAL EMPLOYEES DENTAL and VISION INSURANCE PROGRAM (FEDVIP)

FEDVIP Contact

You must contact BENEFEDS Customer Service by email at Service@BENEFEDS.com or call (877) 888-FEDS (877-888-3337) to coordinate all payment requirements and/or reinstatement requests. Additional information can be found at www.benefeds.com.

Initials Select and Initial **ONLY ONE**:

I DO NOT HAVE FEDVIP.

I understand my FEDVIP options and will take the necessary steps as appropriate.

IX. RETIREMENT BENEFITS

You are eligible to make Military Deposits for military service which may potentially be creditable for periods of military service where you were in a nonpay status. In order to obtain federal retirement coverage for military service, an RI 20-97 (Estimated Earning During Military Service) must be completed by the HRO. In order to do that, attach a DD-214, and submit them it to the Human Resource Office.

These forms must be submitted to avoid Catch-62 (CSRS employees must make a deposit if first hired after October 1 1982; FERS must make a deposit for the time to be creditable). Contact your local Human Resources representative or the Human Resources Office for additional information and/or to receive the form.

Initials

I understand my Retirement/Military Deposit options.

X. THRIFT SAVINGS PLAN (TSP) LOAN

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.

Make-Up Contributions

You may elect to do make-up contributions to your existing civilian TSP account for the period of time(s) you missed as a result of your military service. You must complete the CNG Form 690-40, TSP Make-Up Contribution Request **within 60 days** of returning to duty.

For further information, contact 1-TSP-YOU-FRST (1-877-968-3778) or visit www.tsp.gov.

Initials Select and Initial **ONLY ONE**:

I HAVE A TSP LOAN. Please submit a TSP-41, Notification to TSP of Non-Pay Status.

XI. NGAUS

I am returning to duty and elect to reinstate my NGAUS coverage.

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 Orders (compatible notification) attached

Completed by:

HRO USE ONLY

Complete/check off each item to verify completion:

SF -52 attached Orders (compatible notification) attached
 FEHB code: _____ SF 2809 attached
 TSP Loan Annual Leave Lump Sum
 Military LES's Civilian LES's

Completed by: