

Absent-Uniformed Service Benefits Election Form

Read this form carefully.

Failure to submit this form properly and on time may result in debt, overpayment, or loss/lapse in important benefits.

Supervisor Responsibilities: *Read and initial.***

- _____ Ensure your technician turns in leave slips before the pay date.
- _____ Ensure an SF-52 is submitted to initiate the personnel action along with the first 3 pages of this form and a copy of the technician's Orders.

***Consider requesting a HRO On-site Briefing if you have 10 or more technicians entering a period of active service. Email the NE National Guard Employee Benefits Section to coordinate.*

Technician Responsibilities: *Read and initial.***

- _____ Ensure you have properly coded ATAAPS to reflect any leave you intend to use prior to Absent-Uniformed Service.
- _____ Immediately notify your supervisor of your expected return from active duty.
- _____ It's your responsibility to submit any amendments or modification to your orders to HRO.
- _____ It is suggested you review the information from the USERRA Advisor available at:
<http://www.dol.gov/elaws/userra.htm>.
- _____ You are responsible to read the explanation of benefits (EOB) on pages 4-6.
- _____ It is your responsibility to submit all amendments or modifications of orders to HRO.

Employee Name: _____ Supervisor Name: _____

Duty Location: _____

Home Address: _____

Email Address: _____

Contact Telephone Number : (_____) _____

Note: Employees are responsible for providing notice of their deployment to their agency as far in advance as is reasonable.

I want to be: (Initial one, provide effective date, and review EOB #1)

_____ Placed on Absent-Uniformed Service, effective date: _____

_____ Separation- Uniformed Service, effective date: _____

Leave Status: (Initial & review EOB #2)

_____ I understand that prior to separation or being placed on LWOP-US I can use any of the following: Compensatory Time or Time-Off Award (Use first, if applicable), Military Leave, Annual Leave, Employee must coordinate with Supervisor.

Federal Employees Health Benefits Program (FEHB): (Review and initial only one election and follow any additional instructions, if necessary. Review EOB #3)

_____ I am not currently enrolled in FEHB.

_____ I elect to **SUSPEND** my FEHB.

_____ I elect to **CANCEL** my FEHB (employee must Call ABC-C at 877-276-9287 to have a Benefits Counselor process this request – HRO cannot do this) You have *60 days* from TRICARE notification to do this.

_____ I am on a contingency operations and elect to **CONTINUE** my FEHB.

_____ I am **NOT** on a contingency operation. I am entitled to up to 24 months of continued FEHB coverage. I elect to **CONTINUE** my FEHB and elect to pay for my FEHB by: **(initial one option)**

_____ Incurring a debt to be paid upon my return to civilian duty (on a pre-tax basis) for the first 12 months. If I choose to continue FEHB for an additional 12 months, my share will be 102% of the cost and it must be paid on a current basis.

_____ Making current payments on a continuing basis during my absence (after-tax). After the first 12 months, I will pay 102% of the cost; the final 12 months must be paid on a current basis.

Federal Employee's Group Life Insurance (FEGLI): (Review and initial election or if not enrolled or statement doesn't apply, mark N/A. Review EOB #4)

_____ I understand that my FEGLI coverage will continue for 12 months while in a non-pay status (Absent-US) at no cost. P.L. 110-181 allows employees to continue FEGLI enrollment for an additional 12 months, for a total of 24 months. If I choose to continue enrollment for the additional 12 months, I am responsible for paying both the employee and agency share of the premiums for basic and any Optional insurance. There is NO agency share.

_____ I elect to continue FEGLI coverage for 12 months.

_____ If I **separate** from employment, my FEGLI coverage will continue at no cost for up to 12 months or until 90 days after my military service ends, whichever date comes first, and then my coverage terminates with an automatic 31-day free extension of coverage and the right to convert to a private policy.

_____ If I have a **qualifying life event (QLE)** while on Absent-US, such as marriage, divorce, death of spouse, acquiring an eligible child, I must contact HRO no later than 60 days after the event if I wish to elect or increase Options B and/or C coverage as appropriate for the QLE. Option B is effective the first day the employee returns to pay and duty status. Option C is effective the date of the event, if reported during the required time-frame and before the coverage terminates after 12 months.

Thrift Savings Plan (TSP): (Review and initial **ALL** TSP statements):

_____ I understand that if I am restored to my civilian position under USERRA, I may make retroactive TSP contributions and elections, including missed catch-up contributions, if otherwise eligible. I understand that I will need to contact my employing office within 60 days of return to civilian duty to elect 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. I understand that if I contribute to my uniformed services TSP account while on active duty, I am responsible for providing ALL my military LES forms as documentation of those contributions.

_____ I **do or do not** (Circle one) currently have an outstanding TSP loan. I request that my employing office notify TSP of my non-pay status under USERRA so that my loan payments will be suspended. I understand that I cannot make a loan payment to my civilian account as a deduction from my military pay, and that the interest will accrue while my loan payments are suspended. I also understand that I must notify my employing office immediately upon return to civilian duty so they can notify TSP of the same, in order to avoid a taxable distribution.

NOTE: The TSP 1% automatic agency contributions are payable regardless of whether or not you make up missed TSP contributions.

Retirement: (Review and initial. Review EOB #6)

_____ I understand that if I am placed on Absent-US, death and disability benefits continue under my retirement system.

_____ I understand that a military deposit is required to receive credit for this period of military service toward civilian retirement, and the deposit must be paid in full prior to retirement.

Federal Dental and Vision Insurance FEDVIP: (Review, initial or if not applicable, mark N/A. Review EOB #7)

_____ I understand that in order to continue my FEDVIP enrollment, I must keep my premium payments current to avoid cancellation of my coverage; I may not incur a debt. I understand that it is **my responsibility** to contact a BENEFEDS Representative at 1-877-888-3337 to arrange accelerated deductions and to discuss and/or change my payment option. I also understand that if I change my payment option from payroll deduction, I must contact BENEFEDS on return to civilian duty if I want payment by payroll deduction reinstated. **HRO CAN NOT TALK TO BENEFEDS ON YOUR BEHALF.**

Flexible Spending Accounts (FSAFEDS): (Review, initial, if not enrolled, mark N/A. Review EOB #8)

_____ I am aware that I must notify FSAFEDS of my entrance on Absent-US as well as upon return to duty by calling 1-877-372-3337.

NGAUS Disability Insurance:

_____ **I am** or **I am not** enrolled in NGAUS.

Federal Long-Term Care (LTC) Insurance: (Review, initial, if not enrolled, mark N/A.)

_____ I understand that in order to continue my LTC insurance, I must keep my premium payments current to avoid cancellation of my coverage; I may not incur a debt. I understand that it is my responsibility to contact a LTC Representative at 1-800-582-3337 to discuss my payment options.

Differential Benefits: (Review and initial. Review EOB #11)

_____ I understand that I may request differential benefits, I must submit a separate application for law enforcement leave - 6323(b), contingency leave differential 6323 (d) or Reservist Differential (RD) payments to HRO. Requests may require all military LESs and civilian LESs, and technician time cards.

Acknowledgement: My elections for this period of military active duty are marked above and I understand my elections. I understand that I must notify my supervisor and benefits office when my tour is completed. I should review my LES and report any discrepancies I find within 2 pay periods of returning to duty.

TECHNICIAN SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE

Explanation of Benefits EOB)

1. While Performing Military Duty:

- ❖ Absent- Uniformed Service: You should request Absent- Uniformed Service if you intend to return to technician employment at the end of your tour. While on Absent-US you will accrue technician seniority and benefits, including military leave. You must request employment restoration from HRO in writing prior to the end of your Active Duty tour. You will retain reemployment rights under the Uniformed Services

Employment and Reemployment Rights Act of 1994(USERRA)—reference United States Code Chapter 43, Part III, Title 38, dated 13 Oct 94, URL <http://www.dol.gov/elaws/userra.htm>).

- ❖ Separation-Uniformed Service: You should request Separation-US if you do not intend to return to technician employment at the end of your tour. You will be separated from technician employment upon payment of current annual leave balances. You will not accrue technician seniority and benefits during your military tour, including death benefits other than FEGLI. Your FEGLI coverage will continue, at no cost to you, for 12 months from your separation date. You will retain restoration rights to technician employment according to USERRA. To restore, you must request restoration in writing from HRO 30 days prior to the end of your Active Duty tour. (Reference 20 CFR Part 1002.115, URL <http://www.dol.gov/elaws/userra.htm>).

Timeframes for Re-employment:

- Activated less than 31 days - First scheduled regular work day after orders end.
- Activated 31 to 180 days - NLT 14 calendar days after orders end.
- Activated more than 180 days - NLT 90 calendar days after orders end.

2. Leave Status:

Paid annual or military leave may be used while you are in an Absent-US status. To request leave while on Absent-US, submit a complete ATAAPs Leave Request. Submit copy of orders to technician supervisor. All paid leave must meet applicable legal, regulatory and administrative requirements. ****You are responsible for the entire amount of any and all premiums for all of your benefits (FEGLI, FEHB, etc.) if you receive any technician pay, including pay for leave, while you are in an Absent-US status. If the amount of pay is not enough to cover the amount of all of your premiums you will incur a debt.****

- 3 **Federal Employees Health Benefits (FEHB):** Leaving for military duty gives you several options depending on what type of military orders you are on.

If you are going on a Contingency Operation:

- a) You can elect to keep FEHB while serving on contingency operations at no cost for up to 24 months.
 - a. If you choose this option and want to use only the Transitional Assistance Management Program (TAMP) benefits** after deployment (for 180 days) – You must call the Army Benefits Center – Civilian (ABC-C) upon your return to duty in order to cancel your FEHB enrollment.
 - b. If you use any technician leave with this option you will be responsible for the entire amount of your FEHB premium for that pay period.

- b) You can elect to cancel FEHB. If you elect to cancel, you must call ABC-C at (877) 276-9287 to process the request. Your family will not retain FEHB eligibility in case of death if you choose this option. You can re-enroll after you return by calling ABC-C during the pay period prior to your TAMP benefits ending. You can also enroll by using the EBIS system.

- c) You can elect to suspend FEHB. If you elect to suspend, coverage will continue for 31 days. Coverage will be automatically reinstated upon your return unless you request to waive reinstatement to use TAMP/Post-Deployment TRICARE benefits. Your family will retain FEHB eligibility in case of death if you choose this option. **Non-contingency:** (i.e. military school, Active Duty tour, AGR tour, etc.)
 - a. You can elect to keep FEHB while serving on non-contingency military orders for up to 24 months. For premiums during the first 12 months, you will owe only the regular premium amount. During the remaining 12 months you will owe the government share as well as the individual share of premiums plus a 2 % processing fee. This total premium amount can be found at <https://www.opm.gov/healthcare-insurance/healthcare/plan-information/premiums/>(Select Non-US Postal Rates and look at the bi-weekly premium table under the “total premium” and add 2% to that cost).
 - b. You can elect to make current payments on a continuing basis during your absence (after-tax). Payments should be made by check or money order to “Deputy Director for Finance”. Your payment must have your name and social security number on it. Also include a brief letter explaining you are paying for your FEHB premium, and the dates (by pay period) that you are paying for. Payments should be mailed to: DFAS Cleveland, DFSN 8522, PO Box 99555, Cleveland, OH 44199-2056.
 - c. You can elect to incur a debt to be paid upon your return to civilian duty (on a pre-tax basis) for the first 12 months. Your premiums will be double-deducted upon your return. During the remaining 12 months, your share will be 102% of the cost and it must be paid on a current basis following the instructions in paragraph b above.

- d) You can elect to cancel FEHB. If you elect to cancel, you must call Army Benefits Center – Civilian (ABC-C) at (877) 276-9287 and speak with a Benefits Counselor to process the request. If you elect to cancel FEHB, your family will not retain FEHB eligibility in case of death. You can re-enroll in FEHB after you return by calling ABC-C during the pay period prior to my orders ending. You can also enroll by using the GRB Platform.

- e) You can elect to suspend FEHB. If you elect to suspend, coverage will continue for 31 days. Coverage will be automatically reinstated upon your return. Your family will retain FEHB eligibility in case of death if you choose this option.

4. Federal Employees Group Life Insurance (FEGLI): FEGLI coverage will automatically continue for 12 months while in a leave without pay status without any cost. You can elect to continue coverage for an additional 12 months, but you will be responsible for your share as well as the government’s share of the premium plus a 2% processing fee. If you elect to continue enrollment for the additional 12 months, you will be responsible to coordinate these payments directly with DFAS for that period of time. You must request payment information from HRO if this is your election. If FEGLI coverage is terminated, it is subject to a 31 day extension and the right to convert to an individual policy. FEGLI coverage will be automatically reinstated upon your return. If you are not enrolled in FEGLI, this will not apply to you.

- 6 **Retirement Service Credit:** Periods of Absent-US directly impact your technician retirement, whether you are under FERS. If you are under FERS, a deposit is required for credit toward retirement.

Instructions on how to make a deposit for your military service to be creditable towards your federal civilian retirement are available on the Army Benefits Center website, located at <https://www.abc.army.mil/retirements/FERSPost56.htm>. All deposits must be paid before your retirement date in order to be creditable.

7. **Federal Employees Dental and Vision Insurance Plan (FEDVIP):** You as the employee are responsible for contacting BENEFEDS at (877)-888-FEDS in order to notify them of your non-pay status from your technician position for military duty. If you call well in advance of entering a non-pay status, you can request accelerated payments which will be deducted from your paycheck immediately until the full amount has been reached. **HRO cannot call on your behalf.** If you do not set up accelerated payments, once BENEFEDS sees that you in a non-pay status (AUS), they will send you bills directly.

After not receiving 2 payments, BENEFEDS will terminate your coverage. If your coverage terminates, you will have 60-days to re-enroll once you return to a pay status.

If you have a **qualifying life event (QLE)** while on Absent-US, such as marriage, divorce, death of spouse, acquiring an eligible child, you must call Army Benefits Center – Civilian (ABC-C) at (877) 276- 9287 and speak with a Benefits Counselor no later than *60 days* after the event if you want to elect or increase Options B and/or C coverage as appropriate for the QLE. Option B is effective the first day the employee returns to pay and duty status. Option C is effective the date of the event, if reported during the required time frame and before the coverage terminates after 12 months.

8. **Flexible Health Care and/or Dependent Care Accounts (FSAFEDS):** Your agency will not withhold your allotment during the period you are on Absent-US. If you go on Absent-US and have not pre-paid your allotment, your FSA account will be frozen and you will not be eligible for reimbursement of any health care expenses incurred during that period until you return to pay status and your allotments are successfully restarted. However, if you have a DCFSA, dependent care expenses you incur during your leave that meet IRS guidelines for eligible expenses (i.e., you must incur the expenses in order to allow you and your spouse to work, or for your spouse to attend school full-time) may be reimbursed up to your account balance. When you return to pay status, your allotments will be recalculated based on the number of pay dates remaining in the Benefit Period.
- a. During your period of Absent-US, you can **continue coverage** that reflects your current election so that allowable expenses you incur during your period of Absent-US will be eligible for reimbursement. This can occur in one of two ways:
- *Prepay your election by accelerating your allotments prior to your period of LWOP.* Allowable health care expenses incurred during your leave will be eligible for reimbursement. *You may only elect to accelerate your allotments during your actual enrollment to your FSAFEDs account by choosing that option when you enroll.*
 - If you have a DCFSA, dependent care expenses you incur during your leave will not be eligible for reimbursement unless they meet IRS guidelines for eligible expenses. To meet these criteria, you must incur the expenses as a result of you and your spouse, if married, needing to work, looking for work, or attending school full-time during the leave. Eligible expenses maybe reimbursed up to your account balance.

- *Freeze your account.* You will not be eligible for reimbursement of any health care expenses incurred during that period until you return to pay status and your allotments are successfully restarted. You have until midnight Eastern Time on April 30 following the end of the Benefit Period to submit claims for eligible health care expenses incurred prior to your period of LWOP. If you return to pay status during the same Benefit Period your LWOP began, your allotments will be based on the number of pay periods remaining in the Benefit Period.
- b. You have the additional option of **canceling** your election for the remainder of the year and reducing your coverage to the amount deposited as of the start of your leave. Expenses you incur during your leave will not be eligible for reimbursement under any of your FSAs. To make a change, you must notify FSAFEDS anywhere from 31 days before to 60 days after the date of the event, using the Qualifying Life Event form or you may submit a QLE request via www.FSAFEDS.com by clicking on the Qualifying Life Event link under Enrollment and following the instructions.
 - c. If you are called to active duty for a period of **180 days or more**, you may want to request a Qualified Reservist Distribution (QRD) if you have a balance in your HCFSA or LEX HCFSA and think you might not be able to incur sufficient eligible expenses to deplete your account. Rather than forfeit those funds (remember the use-or-lose rule for FSA accounts), you can have your balance refunded to you. The drawback is that the distribution will be taxable wages, and you also give up your ability to submit eligible expenses for the remainder of the Benefit Period. You would request this by going to the Quick Links menu on the home page at www.FSAFEDS.com or by calling 877-FSAFEDS (372-3337). Simply complete and sign the form, then fax or mail the completed forms, along with a copy of your call to duty papers to FSAFEDS.

9. National Guard Association of the United States(NGAUS) disability insurance: You must notify the HRO if you are enrolled in NGAUS. HRO will notify ReliaStar to suspend your payments while you are on Absent-US. The disability portion of NGAUS will be discontinued while you are gone, and restored when you return. If you have Term Life coverage, it will continue for 90 days at no cost. You also have the option to make payments directly to ReliaStar to continue your Term Life or you can elect to suspend it while you are gone. All coverage will be reinstated upon your return.

11. Differential EOB: Reservist Differential is the difference between an employee's adjusted civilian basic pay (basic pay plus locality) and their military pay and allowances to include: basic allowance for housing (BAH), basic allowance for subsistence (BAS), family separation allowance (FSA), hostile fire pay (HFP), etc. Federal employee's called/ordered to active duty under one of the following authorities are eligible for Reservist Differential (RD), if they also have USERRA rights:

10 USC 331, 10 USC 332, 10 USC 333, 10 USC 688, 10 USC 12301(a) ***, 10 USC 12302, 10 USC 12304, 10 USC 12305, 10 USC 12406

If an employee believes he/she may be due RD, he/she must provide copies of military and civilian LESs for the entire period of active duty, along with the technician time cards (proving the employee was coded "KG"), their military orders, and their DD214 upon return to duty. HRO will then calculate the RD due (if any) and notify the employee. If RD is due to the employee, HRO will submit the RD packet to DFAS. See www.opm.gov/reservist for more information.

***Only(a) is qualifying. However, an employee called under one of these nine authorities who changes to 10 USC 12301(h) due to a **combat injury** continues to be eligible for RD.

5 USC 6323 (b) This law entitles employees who perform full-time military service as a result of a call or order to active duty in support of a contingency operation as defined in section 101(a)(13) of Title 10, an additional 22 days

of leave from his/her civilian duties. Title 5, United State Code, Section 6323 will be updated with this change.

Unlike the 120 hours of military leave for active duty, the employee is not authorized to retain both payments. Since the Reservist or National Guard member is excused from civilian duty, this means that the member/employee will be receiving concurrent pay from military and civilian employment. The gross amount of military pay received for any day(s), not-to-exceed 22-days per calendar year, must be deducted from the civilian compensation received for this excused period. However, if the military pay is greater than the civilian pay, the member/employee can retain that portion of the military pay that exceeds the civilian pay.

Reservists or National Guard members requesting this contingency leave must provide a copy of his or her military orders, a certificate of attendance and a leave and earnings statement(s) to the Customer Service Representative who in turn will provide information to the civilian payroll office. These documents in combination with civilian payroll records will become the basis for calculations. Specific guidance for this entitlement (including retroactive 2003 processing) and examples of the calculations for military contingency operations/law enforcement military leave are attached.

5 USC 6323(d) Contingency Operation Leave only applicable to Reserve and National Guard Technicians. Each Technician can use to 352 hours for certain overseas contingency operations. This type of leave does not allow for dual compensation. When used the Technician would receive their full civilian pay and militarily would be placed in and submit their request for leave through their servicing Customer Support Representative (CSR) in the finance office that handles their Technician pay.