HRO

HRO-11-11
15 November 2011

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AGR and Technician Personnel

Combined Federal Campaign (CFC) (11 Oct – 18 Nov):

"50 Years of Caring" is the theme for the CFC 2011 Campaign. The Lincoln/Lancaster County CFC campaign will be conducted from 11 Oct – 18 Nov 2011. The 2011 Goal is 100% asked and $300,000 in contributions. This is our opportunity to make a difference.

The CFC is the largest workplace charity campaign in the country. It allows federal employees and military personnel to contribute to local, national and international non-profit organizations. Technicians and AGR personnel are eligible to contribute by payroll deduction or a one-time cash donation. Traditional personnel may contribute a one-time cash donation. Last year the ARNG contributed $10,039 and the ANG contributed $11,579. The total given by Federal Employees and Military Members to the Lincoln/Lancaster Campaign was $296,681 (Just over a 1% decrease from 2009).

Brochures and Pledge cares will be made available by the 2011 CFC Key-Workers:
CW3 Greg Reicks - ARNG
LtCol Allen Simpson and SSgt Doug Carlson – ANG

For more information about the CFC please visit: Lincoln/Lancaster County CFC website www.cfclincoln.org or the National Campaign website at www.opm.gov/cfc.

Technician Personnel

Technician Branch Staff:		
Technician Branch Manager	MAJ Paul Borzekofski	x7116
Classification/Manpower	SMSgt Deb Burling	x7125
Recruitment, Staffing & Pay	Ms. Denise Anderson	x7109
Benefits & Services	Ms. Deb Tankesley	x7118
	MSgt Jody Schmidt	x7127
Training / Career Development	Ms. Diane Voichoski	x7126
	SSG Tonya Wagner	x7129

Information Site (NEGUARD HRO website): www.neguard.com/HRO/index.html

Links and information are provided for you: MyBiz/MyWorkplace, MyPay, EBIS, Union Agreement, OPM for insurance, leave, OWCP - Workers Comp, pay tables, PAA, Training, Compatibility and many other technician areas of interest.

Federal Length of Service Awards (Nov):

10 Years:	Dennis R. Hatfield
	Jason D. McCord
15 Years:	Leslie L. Durr
25 Years:	Bret A. Allgood
	Gregory M. McBride

Federal Employee Retirements: None

Voluntary Leave Transfer Participant:

The following employee has been approved to become a leave recipient under the Voluntary Leave Transfer Program due to medical emergency: Waylon M. Lippold, WG-08, Parachute Rigger at CSMS

Employees who would like to voluntarily donate annual leave may submit their OPM donor forms to the Human Resources Office, ATTN: HRO-Tech Svcs. An OPM Form 630-A is used when the employee is in the same agency as the donor and an OPM 630-B when in a different agency. Air Guard and Army Guard are considered different agencies. Forms can be located at the HRO website, Technician Branch under Voluntary Leave http://www.neguard.com/HRO/Technician%20Branch/index.html
POC: MSgt Schmidt X7127 and/or Deb Tankesley, X 7118.

Federal Holidays (2011 & 2012):

Federal law establishes the following public holidays for Federal employees.
Holidays on OPM: http://www.opm.gov/Operating_Status_Schedules/fedhol/2012.asp

2011
24 Nov 11 – Thanksgiving Day
25 Dec 11 – Christmas ** Sunday rule applies for ILO holiday.
1 Jan 12 -- New Years Day ** Sunday rule applies.

2012
16 Jan - Martin Luther King, Jr. Birthday
20 Feb – Washington's Birthday
28 May – Memorial Day
4 Jul – Independence Day
3 Sep – Labor Day
8 Oct – Columbus Day
11 Nov – Veterans Day ** Sunday rule applies.
22 Nov – Thanksgiving Day
25 Dec – Christmas
1 Jan 13 - New Years Day

When a holiday falls on a non-workday for an employee covered by a compressed work schedule and the actual holiday date is not a Sunday, the last regularly scheduled workday preceding the holiday is the employee's in lieu of holiday.

If an actual holiday date falls on Sunday for employees whose basic workweek is Monday through Friday the Monday immediately after is the legal holiday. For employees covered by a compressed work schedule (i.e. Tuesday – Friday) the holiday is the first regularly scheduled workday following the Sunday holiday as the in lieu of holiday off. Actual date holidays are 4 Jul, 11 Nov, 25 Dec and 1 Jan each year.

FEGLI Premium Changes for 2012:

The Office of Personnel Management (OPM) is announcing changes in premiums for certain Federal Employees' Group Life Insurance (FEGLI) categories. These include changes to premiums for Option B (most age bands), Option C (all age bands). There will be no change in premiums for Basic Employee or Option A coverage. Review block # 27 of your current SF-50 and/or EBIS at www.abc.army.mil to check your coverage and current cost. More information at www.opm.gov/insure

The new FEGLI premium are as follows:

Option B Premium per $1,000 of Insurance

Age Band	2012 Biweekly	Current
Under 35	$0.02	$0.03
35–39	$0.03	$0.04
40–44	$0.05	$0.06
45–49	$0.08	$0.09
50–54	$0.13	$0.14
55–59	$0.23	$0.28
60–64	$0.52	$0.60
65-69	$0.62	$0.71
70-74	$1.14	$1.03
75-79	$1.80	$1.43
80 and over	$2.40	$1.83

Option C Premium per multiple of Insurance

Age Band	2012 Biweekly	Current
Under 35	$0.22	$0.27
35–39	$0.29	$0.34
40–44	$0.42	$0.46
45–49	$0.63	$0.60
50–54	$0.94	$0.90
55–59	$1.52	$1.45
60–64	$2.70	$2.60
65-69	$3.14	$3.00
70-74	$3.60	$3.40
75-79	$4.80	$4.50
80 and over	$6.60	$6.00

PAA (Performance Appraisals) 2011/2012:

All performance appraisals for 2011 that were to be closed out 30 Sep 11 should be accomplished NLT 30 Nov 11. A hard copy of the 2011 appraisals should be forwarded to HRO, ATTN: Tech Svcs. Technicians should have a new 1 Oct 11 – 30 Sep 12 plan started NLT 30 Nov 11.

Regulations: TPR 430 and NENG Supplement

1. Plans should be started on newly hired employees: (para 2-5)
   a. Plans should be prepared within their first 30 days.
   b. Those in tenure group "2" on a trial/probation period will have their appraisal start the date of hire.
   c. Conduct an assessment not later than between the 9th – 10th months of employment to determine continued employment for permanent status . Should during the trial period an employee be considered for removal the supervisor should contact the HRO-Tech Svs Specialist.
   d. At the end of 12 months from the hire date the employee will be given an official appraisal.
   e. The next appraisal will be longer or shorter depending on if 120 calendar days have been performed prior to 30 Sep XX for the employee to be rated in the next established cycle of Oct – Sep XX..
2. Those plans not established 120 days prior to 30 Sep 11. (Para 2-7)
   a. Establish the plans as soon as possible. The 120 day count begins when the plan is approved.
   b. For those returning from military deployments (started in 2010) the appraisal start date will be the date of their RTD.
   c. For those approved inside the 120 days prior to 30 Sep 11, the beginning date of the appraisal will still be 1 Jan 2011. The ending date will be 120 days or the last day of that month. The appraisal effective date will need to be changed to the day after the appraisal end date.
   d. If did not accomplish a plan able to end on 30 Sep 11, the appraisal will be due on the date projected and next year will end on 30 Sep 12 to fall in the annual plan cycle.
3. What happens (we have learned):
   a. If a higher level reviewer wants changes made to a plan, they are not able to input the information directly to the plan. The changes will need to be communicated in the return e-mail or directly to the supervisor.
   b. The supervisor should in most cases be the owner of the plans once they are approved.
   c. When an employee or supervisor moves positions the plans do not transfer. The losing supervisor would input assessment comments ("Other assessments" tab) , notify employee and under "Plan details" change the rating official. Once this is accomplished the plan, with e-mail notification, will transfer to the new supervisor.
   d. If someone leaves (resigns, retires) and the plan was approved the supervisor will need to "close" the plan. Keep in mind if you may want to copy and paste before closing. If the employee did not have an approved plan you can "delete" the plan.
4. What the PAA does not do: (According to NGB DCPDS Bulletin)
   a. Notify employees, rating officials or higher level reviewers when interim assessments are due
   b. Notify employees, rating officials or higher level reviewers when a closeout assessment is required due to change in rating official or change in duties level reviewers when a plan needs to be closed and a new one started or when a transfer of the plan is needed due to change in rating official or change in duties
   c. Notify employees, rating officials or higher level reviewers when annual appraisals are due
   d. Notify employees, rating officials or higher level reviewers when an employee does not have a current approved plan
   e. Notify employees, rating officials or higher level reviewers when a trial/probationary period is completed and the performance plan needs an appraisal (this plan will not be on the Appraisal Cycle)
   f. Notify employees, rating officials or higher level reviewers when an employee leaves the Agency (resignation, transfer to other agency, retirement, etc.) that an open plan needs to be closed
   g. Notify employees, rating officials or higher level reviewers when a plan has not been completed, approved or when a plan over a year old has not had an appraisal
   h. Will not update the Self Service Position Hierarchy when a change in rating official or higher level reviewer is accomplished
   i. When a change in Self Service Position Hierarchy is completed, it will not change the rating official or higher level reviewer on a plan that has been started, nor will it notify the employee, rating official or higher level reviewer of the change in the Self Service Position Hierarchy

DCPDS and info on "How to " are located at www.neguard.com/HRO/Technician%20Branch/index.html

TSP Limits and Catch-up Contributions for 2012 :

The elective deferral limit for 2012 is $17,000. The allowable "catch-up" investments for those 50 or older for 2012 is $5,500. Changes are completed on EBIS at www.abc.army.mil and effective the beginning of the next pay period and input.

You need an Account Number and PIN to view your account, change distribution between funds, allocation of contributions or print a participant's statement. The HRO or Finance Offices do not have access to your accounts and are unable to advise you on how much is in your account.

To check if you have a designation of beneficiary (TSP-3), on file at TSP you need to review your annual or quarterly participant statement. In the upper right corner it will indicate "yes" or "no". If you want to submit a TSP-3, it is located on website and forward to the address located on the back of the form.

If you contributing to civilian and military TSP ensure you do not exceed the IRS deferred limit.
For more information review the site www.tsp.gov and check out "Whats New" under "Plan Information: and "Current Information".

Federal Benefits Open Season (14 Nov - 12 Dec 2011):

Open season for federal benefits is here! The dates are 14 Nov – 12 Dec 2011. This is the time that you are able to make changes such as enrollment, cancellation, or change to a different health, dental, and/or vision plan. In addition, if you participate in flexible spending account and/or want to begin participating this is the time. Information on these programs are located at the bottom of www.opm.gov/insure. Bring your lunch and learn brief will be held on 30 November at the ANG Base in the Civil Engineering Classroom. The 1-hour briefing will start promptly at 1130 hrs. Otherwise questions or concerns don't hesitate to contact the Technician Benefits Branch.
POC: Benefits & Services

PEC Centrally-Funded Courses:

Follow the link for the list of FY 2012 PEC Centrally-funded courses:
http://ngne-j6noc-nma7/Directorates/J1/AGR%20Branch/AGR%20Training/Forms/AllItems.aspx?RootFolder=%2fDirectorates%2fJ1%2fAGR%20Branch%2fAGR%20Training%2fProfessional%20Education%20Center%20%28PEC%29&FolderCTID=&View=%7b9E314A03%2d267A%2d4E3F%2d98D0%2d2CC0A6FD2B0E%7d

Click "FY 12 PEC funded mandatory courses."
POC is Diane Voichoski at X7126.

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Human Resources Information Systems (HRSIS)

HRSIS Staff
SMSgt Mike Courtney – HRSIS Manager - x7122

Current Self Service log in statistics:
As of 15 Nov 11 – a total of 78% of all Technicians have logged into either/both My Biz/My Workplace. This percentage needs to be at 100% so the Performance Appraisal Application will function properly. If you have not logged in, do so today @ https://compo.dcpds.cpms.osd.mil/

Performance Appraisal Application (PAA)
Many of you have now logged into either My Biz or My Workplace, and are working in the PAA part. One reminder to all of us, in order for PAA to work properly, every Technician must have their work email address entered in their account so the notification process will work as designed. If you are not receiving an email informing you that an action requires your attention or something is being completed with your PAA Plan or Appraisal, then you need to verify that your email address is entered into your account.
In order to do that, log into the DCPDS Portal @ https://compo.dcpds.cpms.osd.mil/
Open the My Biz or My Workplace application and look for "Update my Information" link. The block to enter your work email address is right on that screen. Be sure to save your update. I would then go back in and ensure the update was applied to your account by navigating back to that update screen and verifying your email address is there.

If any of you are receiving the following error while trying to complete an appraisal on an employee, please see the following recommended fix:
The error – "The Start Date for this Job Objective cannot be earlier than the Appraisal Period Start Date of (NG_PAA_OBJ_START_DATE_LT). What this error is trying to tell us is the date on one or all of the Job Objectives is before the start date of the Plan that was created. The PAA system will not allow you to continue with an Appraisal until you fix these dates.

How do you fix this? Be sure to verify the Plan start date and then go into each Job Objective and correct the dates to match the Plan Start date. That will fix this error. Please contact SMSgt Mike Courtney if you encounter any PAA system errors or questions.

Information regarding the PAA in DCPDS along with instructions on how to navigate this new Appraisal application is located at this URL under the Performance Management Section.
http://www.neguard.com/HRO/Technician%20Branch/index.html
Please be sure to check with HRO if you have any questions regarding PAA.

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State Personnel

HRO-SP Staff

HR Manager	Ms. Kari Foote	x7130
HR Assistant/Benefits	Mr. Tim Diedrichsen	x7131
HR Assistant/Payroll	Ms. Jessie Bockelman	x7132

Address Changes

Don't forget to contact the Human Resources office as soon as you have a change of address.

Contact human resource personnel for an address change form. Complete this form, making sure everything is legible, and return it to the Human Resources as soon as possible. You can attach a scanned copy of the form to an email and send it to Tim or Jessie. You can also fax the form to HR. Please call HR before faxing the form.

Employees need to submit address changes so important information or documents from insurance companies, the benefits office or the retirement office is delivered to their correct home address and money is not wasted on postage.

Direct Deposit Changes

Employees should contact Human Resources as soon as they know there will be a change in their direct deposit information. A new direct deposit form will need to be completed so that HR has enough time (one to two weeks) to make changes. Be sure to leave old accounts open until pay has started depositing into the new account(s). When using multiple accounts for direct deposit of wages please make sure to include the new account information as well as previous account information, which will still be used for direct deposit in the future, on the form. If you have questions contact one of the HR staff.

Remember to attach a voided check, or some other type of verification if using a savings account, that states the correct Routing Number to use for direct deposit. A **deposit slip** from your checkbook or savings account book **should not be used**. Contact your financial institution if you have questions about the correct Routing Number to use.

Dependent Status Change – Terminating Coverage

Please be sure to notify the State Human Resources Office (in the TAG Building) as soon as you know of a status change event for a dependent that may need to be dropped from your state insurance plans. Paperwork can be completed up to 30 days in advance of the date of the event. Paperwork needs to be completed **within 30 days** after the status change event. If the 30-day period covers parts of two months, you'll want to get the proper forms and have them completed before the end of the first partial month in order to have insurance coverage, and the premium, end at the end of that month.

As an example, if a dependent turns age 26 on May 22, paperwork could be submitted anytime from April 22th to May 31st, or up to 4 weeks in advance of the status change, to drop the dependent off of your coverage as of May 31st (June 1st would be the first day the dependent would no longer have coverage; the premium would go down for the month of June **if** the coverage level was changing - from Family to 2-Party, as one example).

If paperwork was received in June the premiums would be reduced at the end of June. If a dependent is no longer eligible (as in this example), coverage officially terminates at the end of the month in which a status change event occurs, but premiums will continue to be deducted until the end of the month in which completed paperwork is received by the State HR Office in the TAG building. It's best to turn in the paperwork in person so you know when the paperwork has been received by the HR Office.

Even if there won't be a change in the premium amount for the insurance, Human Resources should be notified so **COBRA** coverage can be offered. There is only a small window of time to take advantage of COBRA coverage so it is important to notify Human Resources soon after a status change, if not before.

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AGR Personnel

Army and Air:
The AGR Office Staff:

LTC Shelly Herrod, AGR Manager (402)309-7117

SFC Daniel Mitchell, Human Resources Assistant, (402)309-7115

- Army Staffing- vacancy announcements, SF 52
- Army Travel- AGR travel, DTS
- Mob Aug/FTE Orders and Tracking
- Initial Tour Continuation Boards
- Good Conduct Medals
- Air Vacancy Announcements, SF 52
- Air staffing and AROWS Orders

SFC Christine Gonzales, Personnel Sergeant, (402)309-7073

- Army Appointments, Separations and Retirements
- AGR Pay and Entitlement Issues
- Reassignments
- ADOS In-Processing
- Air AGR Appointments and Reassignments

Army:

TRICARE Retired Reserve – For the first time, members of the Retired Reserve who are not yet age 60, the so-called "gray area" retirees, can purchase TRICARE health coverage for themselves and their eligible family members with the Sept. 1, 2010 launch of TRICARE Retired Reserve (TRR). Retired Reservists may qualify to purchase TRR coverage if they are under the age of 60 and are not eligible for, or enrolled in, the Federal Employees Health Benefits (FEHB) program. They must also be members of the Retired Reserve of a Reserve component and qualified for non-regular retirement. For instructions on how to qualify for and purchase TRR go to www.tricare.mil/trr.

Pay and Entitlement Documents – The following documents are required to be sent thru HRO for processing on all AGRs: Promotion orders, special pay orders, allotments, TSP forms, CSB Redux, DA Form 5960 (BAH), SF 1199, W4, DA 4187 (Selling leave, meal collection and confinement and sick-in-hospital for more than one day, DA Form 4836 Extensions,

Mob Augmentee – Mob Augmentees who are continuing on orders in FY 12 need to submit the following documents to the AGR Branch: 350-11, MEDPROS printout, completed DA Form 1058-R, APFT and Height/Weight within 6 months, updated DA Form 5960. Females must have a pregnancy test within 15 days of the start of a tour renewal. Mob Augmentees can register themselves in the AGR leave tracking system. This is the preferred method for the AGR Branch to track leave. The DA Form 31 is still required to be printed and forwarded to Mil Pay.

DTS – Please input LOA's to your DTS authorizations. The instructions were sent out by WOC Guenther via e-mail with an example of how to input the LOA to your authorization. Travel description is required when completing DTS authorizations. Anticipate a reduction in AGR Travel in FY12. POV mileage may be limited based on FY12 funds.

Meal collection via 4187 – If you are attending a School or Annual Training where meals are available, you need to complete a 4187 collecting your BAS for the period that meals were available. This 4187 needs to be sent to HRO and we will send to pay for processing.

OCONUS – If you are going OCONUS, please let HRO know ASAP so we complete the OCONUS orders process. We need to know about your travel OCONUS NLT two weeks before traveling.

PCS – If you are completing a PCS move, you will need to coordinate with HRO and the Offutt TMO to complete this process.

DD 214 – These need to be electronically signed. You must coordinate with HRO to complete this with SFC Gonzales.

Leave Tracking System – When you move duty positions to another organization, please log into the leave tracking system and go to my account. Once there, scroll down and select the drop down next to change user group to update your organization. This will change your approving officials for your leave requests.

Air:

TRIWEST Online Referral / Authorization Submission: All registered providers on the secure provider portal at www.triwest.com now have the ability to submit referrals / authorizations online. In most cases, the online requests, complete with a status available to the referring provider, the servicing provider, and the TRICARE beneficiary occur immediately. To take advantage of this and other benefits, you must become a registered user of the secure provider portal. Just go to the "Register Now" section on the www.triwest.com/provider to sign up to enjoy the following benefits. **Temporary AGR** employees must keep their CAC and all dependents ID cards current. Maintaining current CAC keeps DEERS enrollment and ensures medical / dental benefits are not interrupted. POC is SFC Effle, (402) 309-1572.

Active Duty Dental Program: Effective 1 August 2009, the Active Duty Dental Program insurance is United Concordia. United Concordia was awarded the contract to oversee ALL Active Duty Dental Services. Your care no longer goes through MMSO, but rather, DIRECTLY through UCCI Dental. The website: www.addp-ucci.com further explains how to utilize the program. POC is SFC Effle, (402) 309-1572.

AGR Dental Updates in DDS Web: Message from Cynthia M. Anderson Adams, MSgt, USAF, Individual Medical Readiness Program Manager, NGB/SGPR Office of the Air Surgeon. POC is LtCol Mary Mild, (402) 309-1496.

I have been getting several phone calls and e-mails in regards to the AGR's civilian exams being updated into DDS Web. The AGR's at remote bases (ANG members living outside of the 50 mile catchment area of an AD MTF/DTF) should be bringing in an SF 603 from their civilian dentist (AFI 47-101, 5.4.1.2) and this is considered a military exam through their ADDP (Active Duty Dental Plan) provider. So, even though they are seeing a civilian dentist, it is considered their Military Dental Exam.

AGR's are entitled to benefits that include care and treatment that we should be monitoring and have a complete medical and dental chart on all AGR members ensuring that they are deployable. Also, I know the AFI states to give a member the SF 603 prior to them going to see their civilian dentist, but we know that our members go directly to see their providers and let us know once they return. Please have your members get a copy of the dental treatment for each visit from their providers and either fax, e-mail, or hand walk into your clinics. This way, your dental clinic will have a complete dental record on all of your AGR members.

Cynthia M. Anderson Adams, MSgt, USAF, Individual Medical Readiness Program Manager
NGB/SGPR Office of the Air Surgeon
3500 Fetchet Ave Andrews AFB, MD. 20762
DSN: 278-8567, COMM: 301 836-8567, cynthia.adams@ang.af.mil

Transition Assistance Advisor: If you are planning to retire or resign from the AGR program, contact Bonnie Bessler at (402) 309-1543, bonnie.bessler@us.army.mil. Bonnie serves as our Transition Assistance Advisor and provides vital assistance and guidance on future VA benefits, programs and medical claims you may qualify for. This service is open to ALL military personnel regardless of branch of service, active or reserve.

Leave Carryover: The 75 Day Leave Carryover is extended to 30 September 2013. Visit the following web site for more information: http://ngne-j6noc-nma7/Directorates/J1/AGR%20Branch/Leave/75%20day%20Leave%20Accrual%20Carryover%20extended%20to%20September%2030,%202013.pdf

Paternity Leave: The policy concerning Paternity Permissive is: http://ngne-j6noc-nma7/Directorates/J1/AGR%20Branch/Leave/Paternity%20Leave%20Policy.pdf

Child Care Fee Assistance: The Childcare Subsidy Benefit Program: Used to assist any active duty personnel with childcare costs by providing payments directly to federal childcare centers located throughout the United States. Direct questions on eligibility and application for the subsidy should be addressed to the GSA Heartland Finance Center at (816) 823-4578 or via email: army.childcare@gsa.gov. Childcare providers should contact GSA's External Services Division for a complete application package and information regarding participation in The Air Childcare Subsidy Benefit Program.

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Equal Employment Office/Diversity/Organizational Development

(Point of contact for the following information is LaVonne Rosenthal, 309-7108.)

No FEAR Act Notice

The following information was retrieved from the Office of Personnel Management's (OPM) website (http://www.opm.gov).

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Pub. L. 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Pub. L. 107-74, Title I, General Provisions, Section 101(1).

The Act also requires this agency to provide this notice to Federal employees, former Federal employees and applicants for Federal employment to inform you of the rights and protections available to you under Federal antidiscrimination, whistleblower protection and retaliation laws.

Antidiscrimination Laws
A Federal agency cannot discriminate against an employee or applicant with respect to the terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status or political affiliation. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b) (1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 633a, 29 U.S.C. 791 and 42 U.S.C. 2000e-16. If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin or disability, you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with your agency. See, e.g., 29 CFR § 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (see contact information below). In the alternative (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through your agency's administrative or negotiated grievance procedures, if such procedures apply and are available.

Whistleblower Protection Laws
A Federal employee with authority to take, direct others to take, recommend or approve any personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law and such information is specifically required by Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs. Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel at 1730 M Street NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site -- www.osc.gov.

Retaliation for Engaging in Protected Activity
A Federal agency cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protections laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections or, if applicable, the administrative or negotiated grievance procedures in order to pursue any legal remedy.

Disciplinary Actions
Under the existing laws, each agency retains the right, where appropriate, to discipline a Federal employee who has engaged in discriminatory or retaliatory conduct, up to and including removal. If OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

Additional Information
For further information regarding the No FEAR Act regulations, refer to 5 CFR 724, as well as the appropriate offices within your agency (e.g., Center for Equal Employment Opportunity, Center for Human Capital Management Services, or Office of General Counsel). OPM's specific antidiscrimination policies relating to equal employment opportunity and prohibited personnel practices have been physically and electronically posted throughout OPM. Additional information regarding Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC Web site--www.eeoc.gov and the OSC Web site-- www.osc.gov.

Existing Rights Unchanged
Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands or reduces any rights otherwise available to any employee, former employee or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

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