



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1
6600 MELOY DRIVE, SUITE 134
FORT BENNING, GEORGIA 31905



PECP-SCR-H

1 Sep 2007

SUBJECT: Fort Benning CPAC Staffing Update 9-2007

1. This publication is issued to ensure the Fort Benning Commanders, managers, supervisors, and employees are kept informed of employment and staffing issues. Future updates will contain updated information on specific employment topics (i.e., compensation, recruiting procedures, travel entitlements, classification issues, NSPS implementation information, etc.) and will be issued on a monthly basis.

This document is an apercu of articles written by CPAC staff [members] as well as information excerpted from various sources which include, but is not limited to, the Government Executive Newsletter, FedWEEK, the Federal Manager's Daily Report, and the ABC-C Newsletter.

2. **Pumping Public Service.** Donald Rumsfeld wants to save the public service. When the former Defense secretary left office late last year, some observers assumed he would devote his time to quickly pumping out a memoir of his tenure in the Bush administration -- and perhaps the rest of his career at the highest levels of the federal government.

But a spokesman told the Associated Press in mid-July that Rumsfeld's real passion at the moment was setting up a foundation to attract people to public service. "He's deep into that," the spokesman said. He's not the only one. This year has brought a flurry of efforts to pump up government as a career choice. The proposal to establish a national civilian university known as the Public Service Academy won the support of none other than presidential candidate Hillary Clinton and a bipartisan group of other senators. And as of mid-July, the measure was up to 60 co-sponsors in the House.

The Office of Personnel Management continues to roll out its series of TV ads touting the virtues of federal employment. As of early this summer, the ads had aired in 17 markets across the country.

In early July, the House approved a measure that would provide loan forgiveness of \$5,000 for college graduates who go into public service. Also, if graduates made 10 years' worth of repayments on their loans while serving full-time in

1 Sep 2007

government agencies or the nonprofit sector, their outstanding debt would be forgiven.

Shortly after the House acted, the Partnership for Public Service, a nonprofit dedicated to grooming the next generation of government leaders, introduced a proposal to create a Roosevelt Scholars program that would provide graduate school scholarships to qualified students in exchange for two years of service to the government.

All of these efforts, of course, are predicated on the notion that the exodus of baby boomers from the senior levels of government will leave agencies bereft of talent.

"America faces a looming crisis in public service leadership," the proponents of the Public Service Academy say on their Web site. "National disasters such as 9/11 and Hurricane Katrina, along with our struggle against international terrorism, have highlighted the importance of public service and exposed our civic vulnerability. As the baby boomers retire, the statistics will only get worse." But these efforts also assume that young people need to be enticed into public service. Forgive me -- and I say this as someone facing the fact that he's no longer what you'd call young -- but there is a certain amount of baby boomer vanity to the notion that young people must be convinced of the need to serve their fellow citizens.

After all, research suggests that the generation of people coming out of college is pretty civic-minded when it comes to considering future careers. Last year, research by the Partnership for Public Service showed that 42 percent of college juniors and seniors were extremely or very interested in working for the federal government. That was nearly the same percentage as people who expressed high interest in large private companies or small firms.

Those figures indicate that the federal government doesn't need an "ask not what your country can do for you" call to inspire the next generation of civil servants. It needs to plan for specific openings in specific occupations at specific agencies. Some of the recent proposals recognize this. OPM, for example, is targeting its ads to areas -- such as Rochester, N.Y. -- that are home to educational institutions churning out the kind of graduates Uncle Sam needs to fill key jobs. The Partnership for Public Service's scholarship proposal would be aimed at filling critical needs, based on the organization's research about the kinds of employees that agencies will be looking to hire in future years.

1 Sep 2007

Baby boomers at federal agencies don't need to worry that America's youth won't heed the call to service -- and they might not even need to add a lot of sweeteners to convince the next generation of workers to devote at least part of their careers to government work. Mostly, they just need to let people know exactly where to find outlets for their civic energy.

3. **Hitting the Ceiling**. A specialist in the Congressional Research Service is drawing renewed attention to the issue of crowding at the top of the federal pay scale. Curtis Copeland, a specialist in American national government at CRS, told members of a House subcommittee Tuesday that ceilings limiting maximum compensation are creating compression at the high end of pay schedules, and cases where the officials in one system are paid as much as higher-ups in another. And while pay compression is not a new issue, it is a growing problem, testimony from the hearing indicates.

In 1991, for example, Cabinet secretaries and others at the top of the Executive Schedule were paid 28.2 percent more than employees at the top of the Senior Executive Service scale. But in 2007, top Executive Schedule salaries were only 11 percent more than those of the highest paid SES employees working under certified performance appraisal systems, Copeland said. In fact, top SES employees earned the same salaries as deputy Cabinet secretaries, senators and members of the House -- those in level II of the Executive Schedule. Last year, the Government Accountability Office found that employees in the Executive Schedule are losing buying power. Using the gross domestic product price deflator, GAO found that Cabinet secretaries make 27 percent less than they did in 1970.

Compression is beginning to affect the upper reaches of the General Schedule as well, Copeland said. Under current law, base and locality pay for employees under the GS system cannot exceed level IV of the Executive Schedule, which stands at \$145,400 nationwide, he said. As a result, GS-15 employees at steps 7 through 10 in nine locality pay areas are unable to receive full pay increases, he said.

Pay compression also has caused GS-15 salaries to bump up against the first levels of SES pay, said Linda Springer, director of the Office of Personnel Management. "You have people in GS-15 who don't find it particularly attractive to move to the SES level," she said.

"The primary drivers behind this cascading set of pay compressions appear to be limits on [Executive Schedule] salaries and the linkages between the [Executive Schedule] and other pay systems," Copeland said.

A 1989 ethics reform law includes two provisions under which pay rates for officials under the Executive Schedule can be set, including one that provides for a quadrennial review of such salaries by a Citizens' Commission on Public Service and Compensation. But the commission was never established, largely because initial funding was rescinded in a 1994 appropriations act, Copeland said. He recommended that Congress begin to re-examine pay compression and connections among federal pay systems "to avert even more pay compression problems in the future." Such an examination has not been conducted since the 1989 ethics reform law was enacted, he said.

Copeland also brought to light reports that federal employees are paid more than their private sector counterparts. He pointed to one article published last month in the Asbury Park (N.J.) Press that concluded that federal workers are paid almost 50 percent more than employees in the private sector.

But Copeland cautioned that there is an established process for comparing GS pay rates to those outside government. Such comparisons are administered by OPM and use data from the Bureau of Labor Statistics. "That process has been examined by top compensation experts in academia and elsewhere, and found to be valid and reliable," Copeland said, concluding that federal and nonfederal pay comparisons outside of the congressionally authorized process are much less precise.

OPM reviews "have found consistently that federal pay lags behind the private sector by as much as 50 percent in some localities," Copeland said.

4. **Flash Mentoring**. Well-intentioned mentoring programs aimed at connecting federal executives with promising up-and-comers in government sometimes have trouble getting off the ground.

Executives are busy people who struggle to make the lengthy time commitments that formal programs demand. Formal mentoring programs often require both potential mentors and learners to fill out lengthy applications, complete training and pledge regular meetings with each other over the course of many months. Many executives decline to participate. They don't want to make a time commitment they can't meet, they worry that they will end up with a bad match, or they don't like the way the program is structured.

Scott Derrick, a founding member of 13L, a group of mid-career federal employees who explore leadership issues, pondered that problem. If the goal of mentoring programs is to provide employees with an opportunity to learn from executives, one-on-one, what is another way to make that happen?

1 Sep 2007

Derrick came up with a concept he calls "flash mentoring." The idea is informal, one-time meetings between successful executives and mid-career workers. They meet for an hour, perhaps over coffee or lunch, to confidentially discuss career development and personal growth. The participants can get a lot out of such sessions without all the bureaucracy and hard-to-meet commitments of more formal programs.

"Developing options that provide for short-term commitments to mentoring might indeed increase the participation of those individuals who feel that they generally do not have sufficient time to devote to traditional mentoring programs," Derrick explains. "Flash mentoring allows senior managers to participate in giving advice and passing along valuable knowledge and experience without having to make a long-term commitment. For some of those managers, participating in a flash mentoring session can also hopefully show them that serving as a mentor doesn't have to be burdensome."

An hour is enough time for participants to learn at least one thing they can apply to their careers. And the relaxed settings encourage executives to share their real-world experiences. The mentors and mentees focus on particular topics, such as identifying worthwhile learning experiences, building trust and respect with colleagues and bosses, balancing work and personal life, discussing time-saving tips, taking personal responsibility for job satisfaction, and exploring career development strategies.

A mid-level worker can set up a flash mentoring session on his or her own by identifying an executive and asking for a meeting. People who run more formal mentoring programs in federal agencies can create a second informal option. Executives also can volunteer to meet with rising stars through organizations such as federal executive boards.

Derrick doesn't imagine that flash mentoring will replace longer-term mentoring relationships. "To be sure, most people would probably agree that traditional long-term mentoring arrangements have advantages and disadvantages compared to this flash mentoring approach," he says. But the approach does provide another way for executives to share the lessons of their professional lives with workers moving up in the federal government.

You can learn a lot in an hour.

5. **Credit for Employees on Workers Comp.** The rules governing service credit for federal employees have enough exceptions and variations to bewilder even the most experienced Personnelist. However, the chances of one of them

1 Sep 2007

knowing what's creditable are better at OPM than anywhere else in government. Still, there are moments when even they get it wrong. In this particular instance, it took a case at the Merit Systems Protection Board to change the way that credit is given for one small group of employees and retirees.

In *Hatch v. Office of Personnel Management*, the MSPB found that an annuitant who worked four hours a day and received OWCP benefits for the other four hours while he was on leave-without-pay should have been treated as a full-time employee for retirement purposes. Their decision rested on the fact that the employee was given a full-time appointment and was using LWOP as provided under 5 U.S.C. 8332. Although Mr. Hatch was a CSRS retiree, OPM concluded that the same rule should be applied to FERS retirees.

In Benefits Administration Letter 07-103, OPM stated that an employee with a full-time appointment **and** in receipt of OWCP benefits who works part of the day **and** is on approved LWOP for part of the day will now be given full-time credit. However, if an employee is not under a full-time appointment (e.g., part-time flexible or limited tour), the usual part-time rules apply. Also the MSPB decision does not apply to reemployed annuitants.

Recognizing that they are in no position to identify every annuitant who would be entitled to benefit under the hatch decision, OPM has asked agencies to review their payroll files (and well as any other records they may have kept) and send them a list of names with identifying information. They can then begin the work of recomputing the annuities of those former employees.

If you fit into this category and are entitled to additional service credit, get in touch with your former agency and ask them to make sure that you are included in any list they send to OPM.

6. **Table of Penalties is a Guide Court Tells Fired Fed.** Senior Immigration Inspector whose termination for "Inappropriate Conduct of a Sexual Nature" was sustained by an arbitrator was unsuccessful in his bid to persuade the appeals court to overturn his firing. (*Rosado v. Department of Homeland Security, Bureau of Customs and Border Protection*, C.A.F.C. No. 2007-3116 (nonprecedential), 8/8/07)

Some eleven years into his employment, a female supervisor accused Rosado of sexual assault. This led to an investigation by the agency and eventually Rosado's termination. (Opinion p. 2. For readers wondering what exactly it is that he did, join the club. The court's decision does not go into any details.)

Rosado opted to challenge his termination through arbitration. The arbitrator held a 2-day hearing and found that five of the six specifications were proved by the agency, and that removal was a reasonable penalty, even though the agency's table of offenses and penalties suggested that a 30-day suspension for similar offenses. (p. 2)

In his court appeal, Rosado challenged the deviation from the agency's table of offenses and penalties, argued that the table was binding, and that the deciding official failed to adequately explain imposing a more severe penalty. He asked the court to overturn the termination and reduce the penalty to a 30-day suspension. (p. 3)

The Federal Circuit, in its decision upholding the agency and the arbitrator, had this to say about the table of penalties argument: "The content of the agency's table of offenses and penalties clearly indicates that it is only a guide and was not meant to be binding on the agency. The description of offenses is incomplete and quite broad, and accompanied by a range of possible penalties." (pp. 4-5) It helped the government's case that the accompanying instructions described the table as "exemplary only, a guide, and not a set of mandatory rules." (p. 4)

The court reasoned that the table of penalties was therefore only one of many factors to be considered in determining an appropriate penalty, and that record includes a worksheet used by the deciding official that showed she had considered the *Douglas* factors. Finally, given the seriousness of the charge, "there is no question that the agency's decision to terminate Rosado was reasonable...." (p. 5)

7. Considering Prior Discipline in the Selection Process: Can You or Can't You? This article is written by Bob Gibson, so the references to "I" pertain to him as an author. Mr. Gilson is a consultant with a specialty in working with and training Federal agencies to resolve employee problems at all levels. Both before and since retiring, Mr. Gibson has negotiated on behalf of Federal clients. A retired agency labor and employee relations director, Bob has authored or co-authored a number of books dealing with Federal issues.

Using prior disciplinary actions in the selection process in Federal employment raises some interesting questions.

The Office of Personnel Management (OPM) doesn't mention the topic anywhere. The Merit Systems Protection Board (MSPB) endorses and encourages reference checks but doesn't say much at all about what you do with

1 Sep 2007

derogatory information if you get it. EEOC, in several cases, finds no discrimination in considering prior discipline but only mentions it in passing.

I am willing to bet there are very few if any Agency staffing policies that address the issue. For your information, the discussion is limited to an internal placement action, not new hires and so I've got to discuss all this in the context of merit staffing and it's lingo. At the risk of being accused of turning over another rock, let's do it and take a look and see what kind of critters are under it.

Qualifications

There is some staffing jargon you must get by to figure this out so here goes. Qualifications Standards (issued by OPM) are the minimum requirements a person must meet to be even considered for a job. These mostly address experience and education and are generally backed up by an application and, if the employee is a Fed, by whatever's on the person's Official Personnel Folder (OPF) (contents closely regulated by OPM). Now I know I don't get out much, but I've never seen a job announcement that said anything like, "If you've been fired or disciplined, you can't have this job"! I know, I know, there is suitability but I'll come to that.

Selective Placement Factors

Agencies may add, with OPM's approval, Selective Placement Factors that may be used to screen out people with or without certain skills or abilities. These may include such things as language fluency, experience with a specific software program, and so on based on a demonstrable need for the skill. Agencies may also screen out people who have or lack specific physical conditions or abilities. For example, I doubt the Border Patrol would qualify a sightless person to be a helicopter pilot (although that condition apparently doesn't dissuade states from issuing drivers' licenses to a number of people with whom I've shared the road.) Again, I don't think it's routine (or ever happens) that one of these ever relates to discipline.

Quality Ranking Factors

Another consideration which won't qualify or disqualify you for a job but may get you a leg up is a Quality Ranking Factor. Beyond run of the mill experience and education that gets you considered, these factors move you up the list. These may also include language facility or knowledge of a software program when management considers it a "nice to have" versus a "must have". If you've seen discipline listed as a negative quality ranking factor, please let us know.

Crediting Plans and Selection Criteria

So the way it works is that minimum qualifications and selective placement factors are applied to applications to get a list of the Minimally Qualified. Then Agencies apply a Crediting Plan, which may include Quality Ranking Factors, and compare applications until a list of "Best Qualified" applicants are identified. The next step is for a selecting official or panel (in some Agencies) to apply a final screen called Selection Criteria (usually developed by the manager filling the job) to decide who gets the job. Again, I've never heard of either a Crediting Plan or Selection Criteria that listed discipline as a factor.

So, let's say I've been suspended a few times (most readers would say the charges would have to have involved disrespectful conduct). I don't have to list the suspensions anywhere in my application. The manager who gets the call for my reference says I'm an average or better performer and come to work on time (in DC, I'd be on the BQ list every time) but neglects to mention the discipline. So I keep getting selected and suspended, selected and suspended. Finally, a manager takes MSPB's advice and does a fairly complete reference check including looking at my OPF and finds those suspensions which like diamonds are forever (at least in an OPF). So what's the manager to do?

In 2005, the MSPB issued a study called "Reference Checking in Federal Hiring: Making the Call". The Board addressed the legal issues in background checking relating to the Privacy Act and liability for defamation involving reference providers. For more on this, see Steve Opperman's recent excellent series of articles on reference checks. What the Board never addressed is how this information may be used. (See, for example "When You're the One Being Asked for a Reference"; "References: An Art, Not a Science")

Suitability Determinations

Quoting OPM:

Suitability refers to identifiable character traits and conduct sufficient to decide whether an individual is likely or not likely to be able to carry out the duties of a Federal job with appropriate integrity, efficiency, and effectiveness. Suitability is distinguishable from a person's ability to fulfill the qualification requirements of a job, as measured by experience, education, knowledge, and skills. Suitability actions include the following:

- Cancellation of eligibilities
- Debarment
- Removal

1 Sep 2007

A non-selection for a specific position is not a Suitability action unless one or more of the above actions is taken. (My Emphasis)

OPM's suitability regs can be found at 5 CFR 731

Most of the authority is delegated to Agencies to determine new hire suitability but little is said about current employees. It appears that Agencies could find internal applicants unsuitable for certain positions in the Agency but that's different from not picking them because of a checkered disciplinary record, or is it? One thing is clear. Employees who are determined by an Agency to be unsuitable have a right to appeal that decision to MSPB.

So How Does this All Come Down?

A manager is considering the elite who made the best qualified list. We must recognize that the frequently disciplined are generally less likely to make it in most cases but could. Interviews are conducted, criteria are applied and it comes down to Peter, Paul and Mary. All have similar experience and education. All could do the job. All were rated level 4 on a 5 level system for the past three years and have gotten performance awards at one time or another. Paul was suspended for three days four years ago for using one of Uncle's computers to view porn. Mary got a reprimand last year for failing to call in an absence after being counseled twice for the same thing over an eight month period. The job requires extensive computer use and reliability is very important to the manager.

Only Peter is squeaky clean. I say we pick Peter. So, what you do think?

General advice on handling personnel problems may not be applicable to specific situations. Be sure to check with your servicing HR Specialist for guidance on your particular personnel situation.

8. **When Bad Supervisors Happen to Good People**. This article is written by Mr. Steve Opperman, so references to "I" pertain to him as an author. Steve Oppermann is an HR&EEO Consultant/Trainer with GRA, Inc. Mr. Oppermann served as Regional Director of Personnel for GSA and advised and represented management in six agencies during his Federal career.

"If I could make a bar graph to chart the subjects on which I get e-mail every week, one subject would tower over the others: managers. You have bad managers, you could do a better job than your own manager. You are a new manager and don't know what you're doing. You are a new manager and just want a little respect. You are a new manager and you miss your old non-

1 Sep 2007

managerial job. You wish your company offered your managers some training. You wonder whether training would actually help. You want to go home and hide under the covers." [Washington Post columnist Amy Joyce, as quoted in the National Academy of Public Administration (NAPA) report titled "First-Line Supervisors in the Federal Service..."] (emphasis added)

In Part 1 of this series, I talked about the fact that many FedSmith.com readers who have responded to my articles have expressed concern about what they see as ineffective supervisors. In this article, I'm going to focus on what the NAPA report called "The Price of Poor Supervision" and related topics.

The NAPA report stated, albeit in language less colorful than Ms. Joyce's, that:

"It is difficult to quantify the precise cost of supervisory deficiencies, but even a small deficiency could result in a loss of billions of dollars. Data indicate that this problem involves more than 'a small percentage' and real costs could be considerably larger. Without solid programs for identifying, developing, and managing first-line supervisors, agencies pay an enormous price in several ways:

Job performance suffers. As key managers where the work gets done, supervisors are critical to agency mission accomplishment. They may be the most important factor in their individual work unit's performance and productivity."

I would go even further, postulating that supervisors *are the most important factor* in their work unit's performance and productivity. And that cuts both ways: good supervisors can be the driving force behind excellent group performance and productivity; bad supervisors can have just the opposite effect.

"Poor supervision drives good employees away. Reports from OPM, MSPB, and others have noted the impact of poor supervision on moral and turnover. Also, undesired turnover...adds recruitment and training costs."

The idea that poor supervision drives good employees away is by no means confined to the Federal sector. For example, a Gallup report dated April 19, 1999, found that "*employees don't leave companies, they leave managers and supervisors*. The impact that a supervisor has in today's workplace can be either very valuable or very costly to the organization and the people who work there." (emphasis added)

Tim Rutledge, Ph.D., in a May 1, 2006, article chimed in:

"It's a well known truth that people don't leave companies, they leave supervisors. Supervisors are the most important ingredient in the overall employment experience. Their behaviour will create either engaging or disengaging employment experiences for their staff..."

Clearly, front line supervisors are critical to their employees' perceptions of their jobs. And employees are highly attuned to how their supervisors use power. Organizations that want to keep their top performers will also want to assess supervisory candidates for how they're likely to use power. As long as such assessments are left out, the door is open for the boss from hell to waltz in.

'Nearly all men can stand adversity. If you really want to test a man's character, give him power.' --Abraham Lincoln"

Dan Woolridge captured similar thoughts in "The Boss from Hell":

"Rapport with the boss largely predicts risk for depression and other psychiatric problems in the workplace,' says Brad Gilbreath of Indiana University-Purdue University in Fort Wayne. His study, published in the journal *Work and Stress* and reported in *Psychology Today* this month, found that a *worker's relationship with the boss was almost equal to his relationship with his spouse when it comes to the impact on his well-being*. A rewarding job or even good relationships with coworkers cannot compensate (for) a negative relationship with the boss. (emphasis in original)

The Gallup surveys and Brad Gilbreath's work confirm that the number one reason for employee turnover and, perhaps, the *number one reason for lower than expected work productivity is not workers, but bosses*. It also appears that poor boss performance may affect the long term health of company employees, and that will become a financial issue." (emphasis added)

The third and final item NAPA noted under the heading "price of poor supervision" was:

"Problems that require third-party intervention increase. Supervisory behavior impacts the number of grievances and complaints filed by non-supervisory employees. The cost for resolving these issues can be very significant."

Sometimes the number of grievances and complaints in a work unit increases because the *supervisor tries to do the right thing*, such as dealing with performance and conduct problems; I advise supervisors that morale usually improves when the situation has been resolved. However, supervisors can also

trigger grievances and complaints *by behaving in an inappropriate manner and/or by tolerating those who do so*. I believe that, as a general rule, if morale declines in an organization productivity is likely to follow it downward, so I always tell supervisors that it is in their best interest to maintain a consistently high level of morale.

Where do some supervisors go wrong?

I'm convinced that the overwhelming majority of supervisors (like non-supervisory employees) come to work each day intending to do a good job.

Sometimes, as astute FedSmith.com readers have observed, the "system" fails after the supervisor has been selected, when higher levels of management do not provide adequate training and guidance and/or fail to stand behind a supervisor who appropriately attempts to deal with problems in the workplace.

Other times, the system fails earlier – namely, in the selection process. As noted in the earlier article, NAPA found that often the agency places more value in its crediting plan on the technical aspects of the job than on its supervisory component. When that happens, the selection process is more likely to identify the best technical candidates than the candidates with the best experience or potential to be an effective supervisor.

What kinds of supervisory behaviors most antagonize subordinates? According to a *Baltimore Sun* article from April 26, 2006:

"...the fact remains that bosses have some across-the-board behaviors that drive employees wild. Witness a recent online survey by DDI and its partner Badbossology.com. When asked what they'd fire their bosses for, the 1,062 respondents complained about *bosses they couldn't trust, bosses who micromanaged them, bosses who didn't give them opportunities to grow and bosses who took credit for employees' work and ideas*.

Treating employees with little or no respect is probably the No. 1 complaint workers have about their supervisors, experts say. Some bosses belittle employees' ideas, refuse to delegate work, (and) rarely ask employees what they're thinking..." (emphasis added)

Here is a little parable from Charles Hopkins' article "New Supervisor: Prepare for Your Changed Role," parts of which hit uncomfortably close to home for me:

1 Sep 2007

"George spent several years as an auditor in his company's internal auditor's office. He was known for his expertise and dynamic character. His supervisor and others rarely challenged his findings. He knew that his conclusions would be accepted, giving him a rather high opinion of himself as an auditor. He had all the answers.

Because of his excellent track record, he was selected to be the chief of his unit when his supervisor retired. He felt comfortable that he could handle the job without any problems.

However, when he actually took over, he found that his people did things differently than he did. He felt that, since they did things differently, they must be wrong. He wasn't willing to see other ways of doing things. For example, he had developed a writing style that seemed to work for him. It was flowery, using very bureaucratic language. Consequently, he felt that the way he always wrote was the best. And he was going to make sure that all his auditors would write the same way. He became very demanding, correcting their audit reports and making them do them over many times before he was willing to accept them. Plus, he treated them as if they were incompetent.

George soon found himself alienated from his employees. They avoided him as much as possible. When they were faced with having to redo their reports, they grudgingly rewrote them with as little contact with him as possible. Reports started coming in late. This further enraged George, which led to his calling meetings where he severely chastised his employees. It all became a vicious cycle."

I first became a supervisor, as a section chief, at the age of 27 with only four years of experience in the Federal government, so I was selected more on potential than experience, and had a huge amount to learn. In an office of about eight employees, two of my new subordinates contested my selection, so it was a good thing that tact and diplomacy were among my few skills.

Like "George," I had trouble learning to delegate authority and responsibility to subordinates. I, too, was very comfortable with my writing skills and style and was convinced that my editing of draft documents improved the quality of the written products that left our office. In theory that wasn't a bad thing, but what often happened was that I changed the drafts of my subordinates so much that they couldn't even recognize them, which was more about my ego than about developing their skills.

1 Sep 2007

I only supervised one employee at a time in each of my next two jobs, so while I'm sure I inadvertently made those two people suffer mightily, at least the harm I could do was limited by the small size of my staff.

In my next position I supervised about a half-dozen personnelists, followed by a job which required me to supervise more than twice that many and one, as Regional Director of Personnel, in which I supervised 25-30 employees through four branch chiefs.

When a reorganization eliminated our region, among others, I jumped to another agency, where I initially supervised about six classification specialists, assistants and clerks; then more than a dozen staffing and classification specialists, as well as processing assistants and administrative staff. At the end of my career, I was back to supervising one person, which may not have been coincidental.

In the early years, most of my errors as a supervisor were made out of ignorance, which is far more excusable than the ones later in my career, when I typically knew what to do and how to do it but didn't always have the intestinal fortitude to take prompt and effective corrective action when conduct or performance problems arose. Another major flaw was that I did not "manage by walking about" as General Electric's Jack Welch used to advocate. I was also inconsistent in holding staff meetings, often canceling them when another priority would pop up, and I was not nearly as good as I should have been in responding to questions/issues raised by employees. What I learned, belatedly, is that an employee who asks a supervisor a question or raises a concern actually expects an answer, and in a timely manner at that.

In the next article, I'll discuss not just what I learned from my own long, checkered career as a supervisor and manager, but also what knowledge I gained from my various supervisors over the years. I will also attempt to defend my theory that one can learn just as much about effective supervision, if not more so, from a bad supervisor as from a good one.

General advice on handling personnel problems may not be applicable to specific situations. Be sure to check with your human resources advisors for guidance in your particular personnel situation.

9. **Do You Have an Estate Plan?** The most common answer to that question still seems to be "No, but I'll get around to it."

A recent survey by Lawyers.com indicates that, although more than half of adults 18 and over have at least one component of an estate plan, no one component of an estate plan is owned by even 50% of the survey sample.

The following percentages of estate plan ownership were found:

- Traditional wills.....45%
- Living wills or advance medical directives.....41%
- Power of attorney for health care.....38%
- Durable power of attorney (for finances).....36%
- Living trust.....31%

The good news is that if all the folks who don't have complete or partial estate plans live to their life expectancy, they most likely will indeed "get around to it." Where the potential problem lies is in the fact that if they die earlier than expected, their heirs could have a mess on their hands.

It is true that you can control the disposition of your property by the way in which you hold ownership and by beneficiary designations. However, an estate plan can tie up loose ends and provide additional piece of mind.

10. Stock Market Volatility and Your Retirement Funds: How Did TSP Investors React Last Week? Most readers have money in the Thrift Savings Plan and many readers watch the daily performance of their TSP funds.

That can be a dangerous habit. Some readers undoubtedly try to time the market by selling their TSP stock funds just before they take a dive and buying back their shares just before they head back up. That plan sounds simple. In practice, it is probably about the same as heading back to Vegas for one more chance to win back the money you lost the last time you tried to win money there.

Unfortunately, as we have pointed out before, TSP investors have behaved like many stock market investors. They buy high and sell low. When the market takes a big dip, some who own TSP stocks decide it is time to sell and move their money into safer assets--usually the G fund. That is not a guess; there is plenty of statistical evidence to demonstrate that TSP investors have been moved to sell their retirement assets after watching the stock market go down (See, for example, "Your TSP Stocks Dropped in February: Did You Learn Anything?")

1 Sep 2007

But, while federal employees are generally not skilled in the art of investing in the stock market, they are generally intelligent, well-educated people and can learn quickly--especially when not learning can cost a great deal of money.

This month (August), the stock market has been on a roller coaster ride. Headlines in financial articles have been screaming about triple digit losses for the Dow Jones Industrial Average. Other articles portray Americans losing their homes because of rising rates with adjustable mortgages. Foreign stocks followed a similar pattern with major concerns about funds losing large amounts of money as a result of a credit crunch and losses in the housing market. Check out the daily return rates for the TSP stock funds and you will see some days with big a big drop in the value of some funds. The I fund was down for six of the nine trading days so far in August.

With all the panic and fear spreading through some quarters of the markets, one might expect that federal employees would again be cashing in their TSP funds and loading up on the super-safe G fund to ride out the storm that was (and still is) enveloping the market.

But that didn't happen. There were investors who took money out of the TSP stock funds. But, by way of comparison, way back on March 5th, 2007, TSP investors took \$1.7 billion out of the three TSP equity funds (the C fund, the S fund and the I fund) in one day. The TSP folks processed 34,000 interfund transfers in that one day.

The reason is simple. The stock market was falling fast. Investors panicked. The I fund dropped 21 cents on March 1st. It went down another 28 cents on March 2nd. It fell another 41 cents on Monday, March 5th. Obviously, many TSP investors saw their retirement plans swiftly disappearing along with their TSP fund balance and they decided to save what was left of their money and put it into the bond funds.

Despite the turmoil, and the rash of redemptions, the I fund, as an example, closed out the month of February at \$22.55. But, at the end of March, it was still up to \$23.13. Despite the panic, the hoopla, and the dramatic drops, the I fund finished up ahead of where it was at the end of February.

This time around, TSP investors did not act as quickly to sell their stock funds. Last week, according to the experts at the TSP, a total of \$822 million was transferred out of the three equity funds. While \$822 million is a big number, it amounts to less than 1% (.69%) of these funds. Moreover, the largest daily number of interfund transfers last week was about 16,000.

So what does the future hold? As always, no one knows. But keep in mind that volatility such as we have seen recently is not that unusual as a bull market advances in its later stages. The stock market hit a high of 14,000 (the Dow Jones Industrial Average) in mid-July. A 10% drop is not unusual with a market that has been going up for awhile. The current bull market started back in 2002. It has gone down at least 10% only once since that time (in 2003). It is likely that there will be a drop to a lower level, based on what often happens with stock markets in the past, but the valuation of stock prices are becoming more attractive.

Those TSP investors who decide to try and time the market to buy at low prices and sell at high prices are apt to find the task is not easy--just as it is not easy to beat the odds for the gaming tables in Las Vegas or Atlantic City or Biloxi. Generally, those investors that diversify their portfolios and keep a balance between stocks and bonds will do better over the long run than those that try to buy and sell in anticipation of a market rising or falling. (See, for example, "The Emotional Investor")

But it's your retirement money and your future and your decision as to how to invest your hard-earned dollars. Enjoy the ride.

11. **Applying for a Promotion or a New Job? Don't Make These Mistakes on Your Resume.** There are many more résumé mistakes than the eleven that are listed below. However, these 11 are some of the most common and most egregious.

Listing responsibilities rather than skills and results. This is perhaps the biggest problem with résumés and applications, whether they are for federal jobs or for private sector jobs. When you tell someone the duties for which you were responsible, all they know is what you were supposed to do. They do not necessarily know the specific skills you used in executing those responsibilities, nor do they know what results you achieved. In short, they won't know if you were the best, the worst, or just average in your position.

Not being specific enough as to what you have accomplished. The more concrete information you can include in your résumé, the better it will be. Try to measure as many of your accomplishments as you can. If an innovation you introduced saved the government money, how much did it save? If you reduced processing time for cases, by what percentage did you reduce it?

Not including keywords. As more and more résumés and applications are submitted electronically, or are scanned by a computer, the importance of using

the correct keywords increases. A keyword is a noun (or noun phrase) that describes a skill or an area of knowledge that is needed in the job for which you are applying. You will find the keywords for a position in the "duties and responsibilities" area of the job description.

Ignoring soft skills. Many résumés and applications list "hard" job specific skills, almost to the exclusion of transferable, or "soft", skills. Your ability to communicate, or to work well with difficult people, or to effectively negotiate, can be just as important to the hiring official as your technical skills.

Omitting required information. This can be an issue for people who have never before applied for a federal job. A federal application requires information that is not found on a typical private sector résumé. A résumé or application without the required information often will not be considered. When applying for a federal job, the "How to Apply" section lists the required information.

Using an objective, rather than a career summary. An objective is a waste of space. It tells the employer what you are interested in. Do you really think that employers care what you want? No, they are interested in what they want! Take the space that an objective would take in your résumé and fill it with a career summary. A good career summary is a brief (three to four sentence) summary of your career that contains a lot of keywords. A good career summary will make the hiring official want to read further.

Including outdated or irrelevant information. All information in your résumé or application should be relevant to the job for which you are applying. If you are applying for a job that is somewhat different than your current job, it is up to you to draw a connection for the résumé reviewer, so that they will understand how your skills will fit in their organization. In addition, there is no requirement (as there was with the old SF-71) that you list everything you ever have done. Most résumés go back ten or fifteen years.

Being overly modest. Although your mother probably told you that modesty and humility were virtues to be cultivated, she was not thinking of résumé writing when she told you that. Do not assume that a résumé reader understands the skills you bring to the table, or the results you achieve; spell them out. Bragging is OK as long as you are telling the truth.

Exaggerating or lying. On the other hand, do not stretch the truth or lie. This is important everywhere, but it is even more important in a federal résumé or application. Background investigations are conducted for almost all federal positions, and any untruths are likely to be uncovered. Lying on an employment

1 Sep 2007

application is the most common reason newly hired federal employees are fired during their probationary period.

Assuming the reader will make connections. The person who reviews your paperwork will not be a mind reader. Be as clear as you possibly can about how the items you include in your résumé or application relate to the duties of the job for which you are applying. This is very important. A résumé reviewer may review dozens of résumés over the course of the day and their eyes may have just about glazed over by the time they pick up yours.

Using a format that makes it difficult for the hiring official to identify your skills, results and responsibilities. Speaking of eyes glazing over, nothing can cause it more easily than a poorly formatted and organized résumé. This is more important for paper résumés than electronic ones, but the proper formatting can make it easier in both cases for reviewers to identify your strengths and skills.

12. **Dance to the Music**. This article is written by John Grobe. References to "I" pertain to him as an author. Mr. Grobe is a retired federal employee with over 25 years of experience in Federal human resources and President of Federal Career Experts, a training and consulting firm that specializes in Federal employee retirement and career transition issues.

There was a song from the early 70s with the line "If you dance to the music, you've got to pay it to the piper (ask your momma)." Now, I'm not sure how much momma knows about Social Security and Medicare, but, just recently, the Social Security and Medicare trustees said just about the same thing.

Every spring (it was late April this year) the trustees issue their report that warns us (and presumably our elected representatives as well) of when the trust funds will become insolvent. This years trustee's report indicated that Social Security would become insolvent in 2041, with Medicare hitting insolvency in 2019.

The trustees even gave us an idea of the tax increase or benefit cuts that would be necessary to avoid insolvency. For Social Security, a payroll tax increase of 1% would do the trick. Payroll taxes are divided equally between employees and employers, so this would result in both the employee and employer tax rates increasing from 6.2% to 6.7%. Social Security payroll taxes are paid out of the first \$97,500 of earnings (2007). If taxes are not raised and other solutions (e.g., private accounts, raising the retirement age, etc.) are not enacted, benefits would have to be cut 13%.

For Medicare, the payroll tax would need to be doubled, or benefits would have

1 Sep 2007

to be cut by 51% to avoid insolvency. That would mean that today's 2.9% tax (1.45% each for employees and employers) would become a 5.8% tax (2.9% each for employees and employers). There is no limit as to the salary out of which Medicare taxes are taken.

Congress and the President will be required by law to address the projected Medicare shortfall in the 2009 budget. Unfortunately, address it is all they are required to do; there is no requirement that they fix it. They are not required to do anything about Social Security.

What can we do to have an impact on the decisions that will be made (sooner or later) in Congress? We can contact our Congresspeople and let them know our thoughts on the current situation and our suggestions for fixing it. I know that doesn't sound like a lot, but it's something every one of us can do.

13. **The Definition of "Disability" Under the Rehabilitation Act.** In a recent case decided by the U.S. Court of Appeals for the First Circuit the standard for what constitutes a "disability" under the Rehabilitation Act was highlighted. In *Rolland v. U.S. Postal Service*, No. 06-2536 (1st Cir. June 28, 2007), the Court of Appeals found that because the employee failed to establish that he was disabled, he was not subject to protections under the Rehabilitation Act and could not proceed with his case. There are many Federal laws that define "disability," but the Rolland case emphasized that the Rehabilitation Act's definition of disability is the most stringent.

In 1994, while working as a forklift operator, the employee suffered an on-the-job injury resulting in a ruptured disc. Not long after the employee returned to work, he experienced substantial pain and limitation of movement. The Postal Service assigned the employee to a light-duty position as a forklift operator's assistant. In 1997, the Postal Service reviewed the employee's physical status and offered him a permanent "rehabilitation position" as a mail handler. The employee obtained the "rehabilitation position" through the Postal Service's workers' compensation program.

In 2002, the employee filed a complaint of disability discrimination against the Postal Service, alleging that he was denied overtime hours. An EEOC administrative judge denied the employee's claim. The EEOC Office of Federal Operations upheld the administrative judge's decision. Thereafter, the employee filed a Rehabilitation Act complaint in federal district court. The trial judge at district court decided that the employee was not disabled within the meaning of the Rehabilitation Act. The U.S. Court of Appeals affirmed the trial judge's decision.

1 Sep 2007

The court of appeals rejected the employee's primary argument as to why he was "disabled" under the Rehabilitation Act. The employee contended that he was "disabled" because the Postal Service had assigned him to a "rehab job" in accordance with the Federal Employees Compensation Act ("FECA"). Unfortunately for the employee, being deemed "disabled" under the FECA did not necessarily mean that he was "disabled" under the Rehabilitation Act.

Indeed, the court of appeals pointed out that the definition of "disability" under the Rehabilitation Act is the "more demanding" and "exacting" than the definition under FECA. Additionally, since passage of the Americans with Disabilities Act of 1991 ("ADA"), the private sector equivalent to the Rehabilitation Act, the U.S. Supreme Court has further narrowed the definition of "disabled."

To be "disabled" under the Rehabilitation Act, the employee must have had an impairment that substantially limited him in a major life activity. Although the employee had difficulty bending, stooping, twisting, and sitting for extended periods of time, he could nonetheless mow his yard, vacuum, walk, lift up to 20 pounds, and perform household chores such as laundry, mowing the lawn, and load the dishwasher. The employee could also perform all the duties of his job as a mail sorter. Therefore, the court of appeals decided that his impairment (back pain) did not "substantially limit" him in a major life activity.

This case points out that being designated as "disabled" under one statute does not necessarily satisfy the definition of "disabled" under the Rehabilitation Act. If an employee satisfies the definition of "disabled" for Social Security benefits, workers compensation, veterans benefits, or disability retirement from the Office of Personnel Management, there is no guarantee that the employee will be covered under the Rehabilitation Act. In addition to having a more "exacting" definition of "disabled" in the text of the statute, the federal courts have imposed further restrictions on who is "disabled." In the last Congress, legislators attempted to amend the ADA and expand the definition of "disability" in the ADA Restoration Act. Although the reform failed to progress through Congress, it is anticipated that sponsors in the current Congress will reintroduce the ADA Restoration Act in this legislative session.

This information is provided by the attorneys at Passman & Kaplan, P.C.

14. **GSA Raises Lodging Per Diem**. The General Services Administration announced in early August that it will raise the standard lodging per diem next fiscal year for federal employees who travel within the continental United States.

1 Sep 2007

The new rate will be \$70 per night, up from \$60 in fiscal 2007, according to an announcement in the Federal Register. The meals and incidental expenses per diem will stay at \$39.

GSA developed the higher rate from lodging industry estimates of average nightly cost. The new rates apply for fiscal 2008, which will begin Oct. 1. Although the standard per diem applies to locations within the continental United States, most metropolitan centers have their own, often higher, per diem allowances. In areas such as Manhattan and Washington, D.C., per diem allowances vary by season.

The Washington per diem, for instance, will be \$201 per night for lodging in 2008, except for next July and August, when it will be \$154 per night. Meals and incidental expenses will be \$64 per day year-round.

GSA also designated two Virginia towns as nonstandard areas. Both Abingdon and Blacksburg were previously classified as standard areas. The per diem for Abingdon will be \$72 per night for lodging and \$49 for meals. The per diem for Blacksburg will be \$77 per night, with \$54 for meals and incidentals.

The complete set of per diem rates for fiscal 2008, broken down by location and season, is available at GSA's Web site.

15. Failure to Sign Medical Release. On July 6, 2007, in *Vickers v. Powell*, Chairman, Federal Deposit Insurance Corporation, No. 06-5016, the United States Court of Appeals for the District of Columbia Circuit determined that a Merit Systems Protection Board (MSPB) decision, finding appellant's refusal to sign a medical release form that did not protect her privacy interest was a firing offense, was arbitrary and capricious. The court vacated a decision granting summary judgment for the FDIC on a hostile work environment claim.

Appellant, for years, had a strained relationship with her direct supervisor which, she claimed, caused her to need medical leave for stress and depression. The supervisor requested that appellant sign two forms authorizing the release of her medical information, but she refused because they lacked sufficient safeguards to protect her privacy.

When appellant's supervisor retired, her new supervisor sent a letter demanding that she sign the forms and warning that failure to do so would "be grounds for disciplinary action up to and including removal."

Appellant again refused to sign either form and was then removed.

1 Sep 2007

Appellant at first appealed to the MSPB, denying any wrongdoing and countering the accusations with affirmative defenses of discrimination and retaliation. Appellant alleged 13 incidents that make out her hostile work environment claim, including incidents by her first supervisor as well as his replacement. While the MSPB rejected the FDIC's charge that appellant wrongly refused to sign one of the release form because it "was blank as to the name of the doctors/clinics [that] these forms would be sent and to whom the information would be released," it did fault appellant for not signing the second form and, therefore, upheld the termination. The MSPB also rejected appellant's affirmative defenses. Although Board decisions are generally reviewed by the Court of Appeals for the Federal Circuit, see 5 U.S.C. § 7703(b)(1), "mixed cases" that involve discrimination claims are reviewed in federal district court, see 5 U.S.C. § 7703(b)(2). The district court here granted the FDIC's motion for summary judgment against appellant on all of her claims. The district court also rejected appellant's harassment claim, finding that the allegations were untimely.

On appeal, the D.C. Circuit determined that the Board's affirmation of the FDIC decision to fire the appellant was arbitrary and capricious in that the Board held, without explanation, that appellant was within her rights to refuse to sign a release form because it did not disclose where her medical records might be sent, but was wrong to refuse to sign an exam form, which had the same flaw. The court found that to protect her privacy, both forms should have specified the particular agency or point of contact. Further, the D.C. Circuit reversed the district court's judgment on the hostile work environment claim, finding it was timely filed.

The Supreme Court has held "provided that an act contributing to the claim occurs within the filing period, the entire time period of the hostile environment may be considered by a court for the purposes of determining liability." *National Railroad Passenger Corp. v. Morgan*, 536 U.S. 101 (2002). In other words, so long as at least one of the acts that contributed to the hostile environment occurs within the filing period, other acts that did not occur within the filing period may also be considered. The D.C. Circuit stated the key inquiry for purposes of determining which acts are time-barred is "whether the acts about which an employee complains are part of the same actionable hostile work environment practice, and if so, whether any act falls within the statutory [filing] time period." The appeals court held it need not consider an incident if it had no relation to the other acts.

The district court below determined that alleged incidents by the replacement supervisor were not part of the hostile work environment claim created by the first supervisor.

The D.C. Circuit, however, disagreed that the allegations against the second supervisor were so different in kind that they were not part of the same hostile work environment, finding that he was "perpetuating the environment by condoning the same." The court further held that routine personnel actions such as a supervisor's retirement cannot be the type of "intervening action[s] by the employer" that would sever the earlier incidents from the more recent incidents constituting the hostile environment claim. While the court found it "can easily imagine circumstances in which a change in managers might affect a hostile work environment claim," it saw nothing in this case to suggest the succession in supervisors was in any way intended to address the ironment.

* This information is provided by the attorneys at Passman & Kaplan, P.C., a law firm dedicated to the representation of federal employees worldwide.

16. **More Contracting Restrictions Approved.** The House has passed an appropriations bill covering the Agriculture Department and certain other agencies (HR-3161) that, like prior recent versions, bars contracting out studies in rural development or farm loan programs. The White House has issued a statement of opposition but has never vetoed predecessor bills over similar language. Meanwhile, both the House-passed version of a measure covering EEOC, among other agencies, and the Senate committee-passed version (HR-3093 and S-1745) would cut off money for a pilot project for a contractor-operated call center there, presumably meaning that the work would be brought in-house. And the House-passed DoD appropriations bill (HR-3222) would continue requirements that for functions employing 10 or more workers, the in-house bid must be based on an most efficient organization and the contractor would have to prove savings of at least \$10 million or 10 percent to get the work, and that the contractor could not gain an advantage by offering health insurance to which it contributes less than the government contributes toward the FEHB. Similar language is pending in several other bills.

17. **Feeling Special.** This article is written by Tammy Flanagan. References to "I" pertain to her as an author. Ms. Flanagan is the senior benefits director for the National Institute of Transition Planning Inc., which conducts federal retirement planning workshops and seminars. She has spent 25 years helping federal employees take charge of their retirement by understanding their benefits.

Most federal employees fall under either the Civil Service Retirement System or the newer Federal Employees Retirement System. But within these systems there are special retirement provisions for law enforcement officers, firefighters

and air traffic controllers. For these employees, the rules to qualify for retirement are different, as are the calculations used to compute benefits.

This week, I'll look at some of these differences. If you have specific questions that aren't answered, please add your thoughts in the comment section that follows the column and I will address them in a future column.

Rules and Requirements

First, let's look at the specific factors affecting law enforcement officers, firefighters and air traffic controllers.

Minimum Age and Service Requirements						
	LEO		FF		ATC	
	Age	Service	Age	Service	Age	Service
CSRS	50	20	50	20	50 Any	20 25
FERS	50 Any	20 25	50 Any	20 25	50 Any	20 25
Mandatory Retirement						
	LEO		FF		ATC	
CSRS	57 (with 20 years minimum service)		57 (with 20 years minimum service)		56 (with 20 years minimum service)	
FERS	57 (with 20 years minimum service)		57 (with 20 years minimum service)		56 (with 20 years minimum service)	

Now, here are some other important factors to remember:

- An employee in one of these special groups must meet both the age and service requirements at the time of separation to be eligible for retirement. For example, if Lydia decides to resign at 42 with 20 years of law enforcement service, she will be eligible for a deferred annuity at 62 if she is covered under CSRS or at her minimum retirement age if she is covered under FERS. She is not eligible to begin receiving her benefit at 50 since she left federal service before she reached her 50th birthday. Her benefit would be computed under regular CSRS or FERS computation rules, not the more generous law enforcement computation.

- Mandatory retirement does not apply to employees who are eligible for retirement under the special provisions but who are not currently occupying a law enforcement officer, air traffic controller or firefighter position.
- There is no reduction for age for special group retirements.

Here are some online resources on eligibility requirements:

- CSRS and FERS Handbook, Chapter 46, Special Retirement Provisions for Law Enforcement Officers, Firefighters, Air Traffic Controllers and Military Reserve Technicians.
- Law Enforcement and Firefighters, CSRS, Retirement Facts #14
- Federal Employees Retirement System: An Overview of Your Benefits FERS Computation

Law enforcement officers and firefighters contribute an extra 0.5% of salary toward CSRS and FERS to qualify for their enhanced benefits. So do air traffic controllers covered under FERS.

Here's a chart on calculating your benefits if you're in one of these types of positions under FERS:

FERS LEO / ATC / FF Computation						
1.7%	x	20 (or less if transFERS)	=	34% (or less if transFERS)	x	\$ High-Three
						= \$
1.0%	x	Remaining years/months	=	%	x	\$ High-Three
						= \$
						Total Annual FERS Annuity
						\$

You'll also receive a special retirement supplement until age 62 that approximates the Social Security benefit you earned in federal service. After you reach the minimum retirement age, if you have earnings from wages or self-employment that exceeds the Social Security annual exempt amount, your supplement will be reduced or stopped.

A very quick way to estimate the supplement is to use the following formula:

Years of civilian service under FERS / 40 x Social Security benefit payable at age 62

You can get an annual Social Security personal benefits estimate at the Social Security Web site.

Also remember that you are entitled to an annual cost-of-living adjustment on your FERS basic retirement benefit, regardless of your age.

CSRS Computation

For air traffic controllers, the general formula for CSRS retirement is used to compute the basic annuity; however, a minimum benefit is guaranteed. Once a controller has completed 20 years of service, he or she is guaranteed to receive the greater of:

- 50 percent of high-three average salary; or
- The basic annuity computed under the general formula based on all years of service.

A controller who owes a redeposit of retirement contributions will not be entitled to the guaranteed 50 percent unless he or she pays the redeposit.

For law enforcement officers and firefighters under CSRS, the following formula applies:

CSRS LEO/FF Formula						
2.5%	x	20	=	50%	x	\$ High-Three
						= \$
2.0%	x	Remaining years/months	=	%	x	\$ High-Three
						= \$
						Total Annual CSRS Benefit
						\$

TSP Tax Issues

Since there are tax issues related to Thrift Savings Plan withdrawals, be sure to take the time to understand the tax consequences of your decisions. If you receive a TSP distribution before you reach age 59½, in addition to the regular income tax, you may have to pay an early withdrawal penalty equal to 10 percent

of any portion of the distribution not transferred or rolled over. The additional 10 percent tax generally does not apply to payments that are:

- Paid after you separate from service during or after the year you reach age 55.
- Made because you are totally and permanently disabled.
- Paid as substantially equal payments over your life expectancy.
- Annuity payments.
- Ordered by a domestic relations court.
- Made because of death.
- Made in a year in which you have deductible medical expenses that exceed 7.5 percent of your adjusted gross income.

You might want to postpone your TSP withdrawal until you reach 59½ or later, unless you are covered by one of the exceptions listed above. If you are going on to other employment, you may want to transfer your TSP account to your new employer's retirement plan so that you could access the money without penalty if you retire from your second career during or after the year you reach age 55. If you would like to estimate your monthly payments based on substantially equal payments over a life expectancy or an annuity payout, use the calculators located on the TSP Web site.

18. **Dealing with Possible Employee Intoxication**. This article is written by Bob Gibson, so the references to "I" pertain to him as an author. Mr. Gilson is a consultant with a specialty in working with and training Federal agencies to resolve employee problems at all levels. Both before and since retiring, Mr. Gibson has negotiated on behalf of Federal clients. A retired agency labor and employee relations director, Bob has authored or co-authored a number of books dealing with Federal issues.

The varied definitions and indicators existing when someone is under the influence of alcohol or other substance present some critical challenges for today's manager. The wide spread use of prescription drugs both legally and illegally complicates things further. Political correctness, the Rehabilitation Act, and a growing general fear of correcting employee misconduct add even more fuel to the fire.

So you ask, what's the path through the maze?

First, do you have a published local policy on substance abuse? If not, look at this one from a government laboratory. It covers the bases and makes all the

1 Sep 2007

necessary points while satisfying the thought police from various would-be inputters:

"The Laboratory is interested in the well-being of its employees and places great emphasis on maintaining a safe and efficient work environment. The achievement of this goal depends on the active cooperation of all employees. Employees are expected to have the same concern for personal safety and the safety of their fellow employees as they have for the performance of their work. The Laboratory recognizes that alcoholism and chemical dependency are illnesses which can be treated, and the Laboratory is prepared to offer assistance to affected employees. Employees who use or traffic in illegal drugs, abuse alcohol and/or controlled substances pose unacceptable risks to the safe and efficient operation of the Laboratory. In addition to jeopardizing employee safety and/or impacting on performance, conduct and reliability, substance abuse is illegal and could lead to criminal prosecution."

Do a search and replace, substituting your organization's name wherever you see Laboratory and you have a handy-dandy ready-made policy. (It is in bold type to make it easier.) If you can't resist the urge to mess with the other language in the paragraph, keep your changes to things like small dog to puppy or happy to glad lest you lose all meaning.

Next, a key question that needs an answer is, are there medical standards for the position the employee holds? If the answer is yes, the Agency has the authority to direct a fitness for duty examination whenever it has a reasonable basis to believe covered employees present a risk to themselves or others based on observable behavior.

Most Feds who do physical work and/or security work are likely to have such standards but don't assume, ask. I worked in an Agency that should have developed medical standards for its employees but didn't for a variety of not very good reasons. The Office of Personnel Management must approve Agency medical standards so if you're in human resources at the Agency level and think doing it is a good thing, call OPM and find out the requirements you must meet.

Next, if there are no medical standards for the position you're dealing with, don't give up. First find out if there's an Agency policy, directive, regulation, guide, chapter, instruction, memorandum, letter or other appropriately named instrument that addresses the issue. If so, follow it. If not, consider the plan outlined below.

Hold up! Before you start down the steps: Remember if you used to know or read carefully if you never knew:

ONE, only competent medical authority is qualified to conduct a medical examination relating to intoxication and render a judgment that medical attention is required.

TWO, upon completion of medical evaluation, management makes the determination as to the appropriate course of action after considering all facts bearing on the individual case at hand.

Read ONE again! Got it? If not, read ONE again!

Hold up again! You need to have some information handy.

The list of essential information every supervisor or manager should have on his or her Blackberry, Palm, iPhone; in the rolodex (Luddite!); under the glass on your gray metal desk (Dinosaur!); or committed to memory includes:

- Who you call if things get out of hand e.g., first responders such as security, police, fire rescue, etc.
- Nearest government (preferably) or other emergency (and walk-in) medical facility in proximity to work. Keep the phone # and contact person name (if available).
- Who in your organization, if anyone, is supposed to provide advice and assistance (can we even hope to add HELP?) with such matters.

OK, Here are the steps!

Step 1: The supervisor determines problem exists based upon an employee's deteriorating job performance and difficulty performing essential or peripheral job functions, abnormal behavior, problems getting along with co-workers, signs of acute intoxication, or the smell of alcohol on the breath.

Step 2: The supervisor removes the employee from any safety-sensitive or security-sensitive activities, pending an assessment of the potential problem.

Step 3: The supervisor identifies the general nature of the employee's impairment that may be impacting the work. This may include:

A mental, emotional, or substance abuse problem is suggested by

- General decline in job performance;
- Absenteeism;
- Tardiness;

- Interpersonal difficulties, including difficulty getting along with co-workers;
- Emotional outbursts;
- Other behaviors that are not consistent with the staff member's past behavior or professional conduct.

Acute intoxication with alcohol or another drug is suggested by sudden development of

- Odor of alcohol or marijuana on the breath;
- Speech that is slurred, rapid, or inappropriate;
- Tremor or shaking;
- Loss of coordination;
- Belligerence or inappropriate affectionateness;
- Blood-shot eyes; wide or pinpoint pupils;
- Skin flushed;
- Altered mental status.

Step 4: The supervisor takes appropriate action, based upon circumstances.

If the employee appears violent or may be at risk for harming self or others, contact the identified first responder. If employee appears acutely ill, call an ambulance.

If no emergency exists, but employee appears acutely intoxicated, during regular business hours, the supervisor should:

- Summon another supervisor or responsible employee to witness the affected employee's behavior, physical appearance and response to the supervisor's questions and/or instructions.
- In the presence of a witness, confiscate any intoxicating substance the employee may have visibly (don't search unless you know the search rules) in his/her possession, giving him/her a receipt describing the contents, if known, and quantity. If the employee is reluctant to surrender the evidence, request assistance from first responders. This may sound drastic but are you willing to face the family of someone killed in an auto accident who you believed intoxicated but let drive away?
- The supervisor may either take the employee, or have the employee taken to the nearest Federal medical facility or one with which the Agency has established a relationship. Assistance from first responders may be
-

1 Sep 2007

- required in the event of transportation problems or when an employee becomes uncooperative.
- Call the identified advisor, helper and get advice or help.
- Arrange safe transport of the employee home upon completion of the evaluation, if required
- Document the incident thoroughly in writing and notifies HR and the people in the chain who need to know.

Step 5: The supervisor should contact EAP directly if the supervisor suspects the employee has a mental, emotional, or substance abuse problem. Get the next swtpeps from the EAP person you contact.

Step 6: Follow up. Get and stay in touch with whoever in the organization can help stay on top of the situation or assist you with next steps.

Institutional Denial

If your office is in denial about the need for what's discussed above, you have work to do. If you are a supervisor or manager at any level from high to real, get on board or face the music if there's incident within your sphere of influence and your only answer to those doing the post incident investigation is "But he was such a nice guy?" In these matters CYA in advance isn't only good small p politics, it may literally save someone's life.

As usual, I am solely responsible, in this case in addition to those agencies from which I borrowed material from, for the contents of this article.

General advice on handling personnel problems may not be applicable to specific situations. Be sure to check with your servicing HR Specialist for guidance on your particular personnel situation.

19. **Estate Planning Issues for Unmarried Couples**. Traditionally, when a man and a woman lived together and held themselves out to the world as husband and wife for a certain period of time, the law of the state in which they resided recognized them as husband and wife despite the lack of a formal marriage. There is no set amount of time, as common law marriage is a creature of evolution, not statute, and every state developed different laws in that regard.

Most states no longer recognize common law marriages. However, if a couple meets the requirements for a common law marriage in a state that does recognize common law marriages, and the couple then moves to a state that does not have common law marriages, the new state will usually recognize the "common law" marriage. For example, if a couple lived in the District of Columbia, a jurisdiction recognizing common law marriage, and met the requirements for a common law marriage, and then moved to Maryland or Virginia, which does not recognize common law marriage, both Maryland and Virginia will recognize the couple as being married. Eight jurisdictions, D.C., Alabama, Colorado, Iowa, Kansas, Montana,, Rhode Island, South Carolina and Texas essentially allow common law marriages now, while Georgia, Idaho, Ohio, Oklahoma and Pennsylvania allow common law marriages formed in the past. Utah requires such marriages to be recorded and New Hampshire recognizes them only at death.

Creating a common law marriage is not as simple as living together. The indispensable elements are (1) "holding out as husband and wife." and (2) cohabitation. "Holding out as husband and wife" means that the parties communicate to the world that they are husband and wife through their actions, such as the woman taking the man's last name, filing joint federal and state income tax returns, naming the other on beneficiary forms, medical forms, etc. Mere cohabitation does not, by itself, constitute a common law marriage in any state. The fact specific nature of common law marriages creates disputes when those facts, such as the intentions of the couple, or statements made to friends and family, are in controversy.

The United States Constitution requires every state to accord "Full Faith and Credit" to the laws of its sister states. Thus, a common-law marriage that is validly contracted in a state where such marriages are legal will be valid even in states where such marriages cannot be contracted and may be contrary to public policy.

There is no such thing as common-law divorce. Once the couple is married under any law, they are married and can only be divorced by use of the Courts as provided by the state they are living in at the time of the divorce.

20. Nonappropriated Fund (NAF) Human Resources (HR) for Supervisors Course. The NAF HR for Supervisors Course is highly recommended for supervisors who supervise at least 3 NAF employees. The course is 4.5 days (36 hours) long and is intended to help the supervisor in performing his/her HR management duties.

1 Sep 2007

Priority for attendance will be given to new (less than one year of supervisory experience) supervisors; however, all NAF Supervisors are eligible for the course. The course includes the following modules:

- Placement and Staffing
- Hours of Work
- Leave and Attendance
- Benefits and Workers' Compensation
- Performance and Evaluation
- Incentive Awards Program
- Training and Development
- Position Management and Classification
- Business Based Actions
- Labor
- Effective Discipline
- Grievances & Appeals
- EEO
- Health and Safety

The course includes lectures, class discussions and exercises. There is a pre and post test administered at the beginning and end of the course.

The NAF HR for Supervisors Course will be conducted **24-28 September at the Benning Club from 0800 to 1645 daily**. Supervisors interested in attending the course are required to register in the Civilian Human Resources Training Application System (CHRTAS). The point of contact for this course is Ms. Deborah Burns who may be reached at 545-2833.

21. **Posting of CPAC Publications.** For your convenience, the Fort Benning CPAC Staffing Update, indices thereto, and Tips and Tidbits publications have been posted to our website. Once logged in, select Bulletins in order to peruse all issuances disseminated over the last 13 months.

22. **Looking for a Retirement Tax Haven? You Might Find it Close to Home.** When John Jazdcyk retired in 2004 from his management job at a Green Bay, Wis. **Procter & Gamble**) plant, he and his wife, Susan, debated whether to move full-time to their vacation home on Lake Mullet in Cheboygan, Mich. Then they learned that Michigan exempts \$81,840 a year in private retirement income per couple, in addition to Social Security, from its 3.9% state income tax. Wisconsin, by contrast, taxes private retirement payments, as it does salary and other income, at 5.6%. "Whenever taxes can be avoided, I feel better," says new Michigan resident Jazdcyk, 59.

Accepted wisdom: Tax-averse retirees should move to Florida or Nevada, which have no state income or estate taxes. But what if you don't worship the sun or relish a long-distance move? In recent years other states, too, have been lavishing tax goodies on retirees, including affluent ones. With a little research you might discover your own retirement tax haven is close to home.

Most states don't tax Social Security benefits. Three states with broad income taxes (Illinois, Mississippi and Pennsylvania) exempt all private and public pension payouts, including withdrawals from individual retirement accounts, from their taxes. More than a dozen other states exempt some annual dollar amount of seniors' income--from private pensions, IRAs and sometimes other non-wage sources.

With all these special breaks the best tax locale for a retiree isn't necessarily the same as for a working stiff, particularly when high real estate levies in some income-tax-free states are considered, says Thomas Wetzel, president of Retirementliving.com, which tracks taxes by state. In addition to Florida and Nevada, seven states--Alaska, New Hampshire, South Dakota, Tennessee, Texas, Washington and Wyoming--have no broad income tax.

New Hampshire has no sales tax either, which would seem to make it an ideal New England retirement retreat. Except New Hampshire taxes investment income, as does Tennessee, which can be significant if your financial assets are mostly in non-retirement accounts. Worse, according to a recent National Association of Home Builders study, New Hampshire's real estate taxes are among the highest in the nation, at a median 1.6% of home value, double Massachusetts' median rate.

Even if you are years away from hanging it up, it makes sense to consider taxes in your retirement planning now. "If your taxes are a lot lower, your retirement funds are going to go further," reasons Don R. Weigandt, 60, a managing director at JPMorgan Private Bank in Los Angeles, who is considering following the well-worn trail to Nevada himself when he retires.

Your tax outlook could affect not just how much you save, but how. Example: A growing number of workers have a choice between contributing pretax dollars to a traditional 401(k) or funding a newfangled Roth 401(k). You put after tax dollars in the Roth, meaning you get no deduction now. But when you retire, withdrawals don't count as taxable income.

A Roth is a good deal for young workers whose tax rates are likely to rise. But what if you're fiftyish, paying California's hefty top 10.3% state income tax rate

and likely to retire to a state that doesn't tax pensions? In that case grabbing the deduction now, when your combined federal-state tax rate is higher, probably makes more sense than forgoing a current deduction to open a Roth.

Is a Roth 401(k) Right For You?

There are other reasons that tax planning should start well before you collect your gold watch. Stock options and deferred compensation require special handling since, if you move, your old state might pursue you for taxes on these-- particularly if that old state is New York or California.

Do you hold your employer's stock in a workplace retirement account? It may be better to cash out the stock portion than to roll it into an IRA, since gains in employer stock are taxed at the lower federal capital gains rate, which now tops out at 15%. By contrast, withdrawals from a regular IRA are taxed as ordinary income, at a federal rate as high as 35%.

The Jazdcyks sold big blocks of P&G stock to take advantage of this provision and made sure to do so before leaving Green Bay. Why? Wisconsin exempts 60% of capital gains from tax, reducing the effective Wisconsin tax on gains to 2.6%, versus the 3.9% they now pay on long-term gains in Michigan, explains the couple's CPA, Stephen Bigge of Virchow Krause & Co. in Green Bay.

Here are some tax issues to consider:

Social Security

Better-off seniors generally pay federal taxes on 85% of their Social Security benefits. But only 15 states still tax any of these benefits, and some of those are dropping or cutting their taxes. Wisconsin will end its tax next year. Missouri is phasing out its tax by 2012 and Iowa by 2014. The greediest states? Seven that follow the feds in taxing up to 85% of Social Security benefits. Among the offenders are Minnesota, with a top state rate of 7.85%, and Rhode Island, at 9.9%.

Private pensions and IRAs

Good news: You can now accumulate large amounts in a pretax retirement account while working in a high-tax state and then move to a state that doesn't tax pension withdrawals without worrying about tax collectors from your old state coming after you. In 1996 Congress ordered states to stop pursuing most former residents for taxes on pensions. This stops California from going after a former

resident who is living in Reno, Nev. when he taps an IRA or draws a pension from Procter & Gamble. The 1996 law protected employees; last year Congress extended it to cover former partners (e.g., lawyers and accountants), too. Warning: This still doesn't keep your old state from taxing deferred compensation paid out to you in a lump sum. It does, however, protect deferred compensation received in equal installments over ten years or more.

If you retire to a state that provides a limited annual exemption for private pensions, try smoothing out your income to take maximum advantage of it. New York exempts \$20,000 a year in pension income per person, beginning when a resident turns 59 ¹/₂. An older New Yorker who isn't receiving any other pension should consider taking out \$20,000 a year from his pretax IRA and rolling the money into a Roth IRA, suggests New York estate lawyer Bruce Steiner.

Public pensions

Retired government employees get even better state tax treatment than private pensioners. In addition to the nine states without income taxes and three that don't tax any pension income, another seven (Alabama, Hawaii, Kansas, Louisiana, Massachusetts, Michigan and New York) exempt all federal, state and local pensions from tax. In fact, only five states (California, Indiana, Nebraska, Rhode Island and Vermont) don't provide public pensioners with any special breaks.

This favored tax status dates back to a time when (unlike today) state and local workers weren't well paid and received relatively small pensions. Rather than cut their own retirees bigger checks, the states gave them tax breaks. But in 1989 the U.S. Supreme Court ruled a state couldn't exempt its own pensions and not federal government ones. It's still legal for states to favor their own retirees over those who worked for other states, and a handful do. Kansas, for example, gives a full exclusion for Kansas pensions but none for pensions earned working for other states.

Other income breaks

Many states give old folks higher standard deductions or personal exemptions--for example, an extra \$4,200 per couple exemption in Arizona and Michigan. Plus, a handful give seniors large breaks for income from virtually any investment. A two-year-old break allows Georgians 62 and older to exclude from taxable income \$60,000 per couple (rising to \$70,000 per couple in 2008) of interest, dividends, capital gains, rents, pensions and annuities.

Substantial deductions are also available to folks who contribute to 529 college savings plans, as many grandparents do. Deposits in these plans aren't deductible on federal returns. But South Carolina, West Virginia, New Mexico and Colorado allow an unlimited deduction--up to total taxable income--for contributions to the 529s they sponsor. (While 529s are mostly marketed by financial service companies, all but one are legally sponsored by an individual state.) New York allows couples a \$10,000 per year deduction for contributions to its plans. Pennsylvania allows each individual taxpayer to deduct \$12,000 per child a year in contributions to any state's 529. You can check on your own state at savingforcollege.com.

Real estate taxes

Forty states exempt a certain amount of the value of a resident's primary home from real estate tax, and many of them provide an even larger exemption to old folks. So, too, do some local governments. (Warning: Some of these "homestead" breaks aren't automatic--you have to apply for them.) While exemptions have been growing, they haven't generally kept pace with fast-rising assessments, causing heartburn for real-estate-rich seniors.

Florida is the current center of retiree real estate tax angst. A law in place since 1995 keeps the assessment on a primary residence (not a vacation home) from rising more than 3% a year. But that isn't much help to retirees moving to the state now or current Florida residents who move, since houses are reassessed to market value when sold. In January Floridians will vote on a new scheme that would exempt 75% of the first \$200,000 and 15% of the next \$300,000 of a primary home's value from tax, for a maximum \$195,000 exemption. Current homeowners could choose between the new exemption plan, which includes no limit on annual assessment increases, and the existing one--a \$25,000 exemption and the 3% cap.

The new exemption tilts protection to those with less-valuable properties. "They're saving the rich people who already live here and throwing the rich people who don't already live here off the bus," observes Clearwater, Fla. tax lawyer Alan Gassman, who intends to opt for the 3% cap. Thanks to that cap, his home, worth \$1 million, is taxed as if it were worth \$598,000.

Estate taxes

Twenty-three states and the District of Columbia impose their own estate or inheritance taxes on money left to anyone other than a spouse (*see map*). While the federal estate tax doesn't, generally, hit estates of \$2 million or less, most of

who supervise at least 3 appropriated fund DAC employees. The course is 40 hours long and is intended to help the supervisor in performing his/her HR management duties. In addition to teaching the participants about HR regulations and processes, the course introduces them to the automated HR tools. Completion of this course can enhance the supervisor's confidence and performance. The course includes the following modules:

- Overview of army CHR (includes coverage of Merit System Principles and Prohibited Personnel Practices)
 - Staffing
 - Position Classification (includes an introduction to CHR automated tools such as CPOL, ART, Gatekeeper and FASCLASS)

- Human Resource Development
- Management Employee Relations
- Labor Relations
- Equal Employment Opportunity

The course includes lectures, class discussion and exercises. There is a pre and post test administered at the beginning and end of the course. The course does not address supervision of non-appropriated fund (NAF) or contractor employees. The final course for the fiscal year is scheduled for **17-21 September 2007 and will be conducted from 0800 to 1630 in building #6, classroom #225.** The point of contact for this course is Ms. Stephanie Carpenter, Fort Benning CPAC, 545-2681.

24. **Past Practice: What Constitutes It?** The issue of past practice confounds an Agency's ability to implement changes as the practice of the past, expected by employees and accepted by both employees and management, becomes the "rule". Take for instance a scenario where employees have been permitted to take smoke breaks every hour where the labor management agreement may not permit additional time beyond routine breaks for employees to be away from their jobs for smoke breaks. In this case, clearly the practice of the past has become the rule [as it has become the established procedure]. Accordingly, it becomes very difficult to simply eradicate the habitude.

In *SSA, Mid-America Program Center*, 9 FLRA 229 , 82 FLRR 1-1539, past practice is defined as "a matter affecting conditions of employment that has been consistently exercised for an extended period of time, and followed by both

1 Sep 2007

parties, or followed by one party and not challenged by the other, over a substantially long duration.”

In terms of the definition cited above, it is obvious that some of the phrases are vague....."consistently exercised"..... "extended period of time"..... "substantially long duration." Unfortunately, there is no precise answer to what these phrases mean. Notwithstanding the importance of mutually agreed upon operational definitions, of more importance in determining whether past practice has been established is whether or not the practice *occurs most of the time*. For example, the daily use of microwave ovens in a break room for five months could be deemed a past practice.

Over time, these conditions of employment, which are personnel policies, practices and matters affecting working conditions, *may* become a past practice. Simply because an action has occurred over time does not necessarily make it a condition of employment. For example, if employees have been swimming in the installation lake after work for the past three years, swimming in the lake would still not be a condition of employment since it does not relate to working conditions.

Management's knowledge and express or implied consent is not necessarily a formal acknowledgment by management of the practice. Rather, it is merely an awareness that the event is occurring with no action being taken to terminate it. By not stopping the condition, management is, in essence, consenting to it.

Also of note, is the question of authority. Who is viewed as representing the Agency when it comes to establishing a past practice? The answer to this question is also important as a carelessly established practice could needlessly trump all the careful work that goes into crafting a labor agreement.

Generally speaking, supervisors cannot unilaterally stop an established past practice. The only exception to this is if the past practice is illegal in which case the practice must be stopped immediately, the union given notice of the change, the reason for its immediate termination, and an opportunity to bargain over the impact and implementation of the change.

Please contact your servicing HR Specialist at the CPAC for a determination as to whether an action constitutes past practice. If applicable, in order to correct this dilemma a request to change the personnel policy, practice or working condition will be initiated.

1 Sep 2007

25. **RPA and ART Workshop**. The Fort Benning CPAC HR specialists are available to conduct RPA and ART desk-side walkthroughs and/or workshops to assist managers/supervisors and new DCPDS account holders with accessing and using DCPDS, ART, initiating RPAs, creating Gatekeeper Checklists, forwarding and tracking RPAs, generating reports and printing SF 50s. Training can be accomplished via individualized sessions or activity specific workshops upon request. If you desire training of this nature, please contact your servicing HR specialist to arrange for scheduling.

26. **Job Aids Available on the Web**. Lotus ScreenCams (how-to-movies) are available to assist DCPDS users with DCPDS, Army Regional Tools (ART), Oracle 11i and other automation tools. ScreenCam movies ART Logon, Ghostview, Gatekeeper, Inbox Default, Initiating an RPA, Logging On, Navigator, RPA Overview and RPA Routing are available on the web at: <http://www.chra.army.mil/>. Click on HR Toolkit and then click on the name of the movie to download or play it. Managers/supervisors and administrative personnel responsible for initiating RPAs are encouraged to review this site and check out these new tools. ART Users Guide has been updated and provides descriptions of and instructions for using tools available in ART, including such tools as Employee Data, Inbox Statistics (timeliness and status information about personnel actions), Organization Structure (information about positions in various organizational elements), and many more tools. It is

intended for use by managers, resource management officials, administrative officers, and commanders as well as CPAC and CPOC staff members. There is both an on-line and downloadable Word version (suitable for printing).

In addition, to the ART Users Guide, there is a Defense Civilian Personnel Data System (DCPDS) Desk Guide which provides how-to information about tasks and functions that end users might need to perform in DCPDS, such as initiating a Request for Personnel Action (RPA) and creating a Gatekeeper Checklist. The ART Users Guide and the Desk Guide can be accessed from the CHRA web page at: <http://www.chra.army.mil/>, by clicking on HR Toolkit. In addition to these tools the Fort Benning CPAC staff is available to assist you in accessing DCPDS, ART, initiating RPAs, creating a Gatekeeper Checklist, forwarding and tracking RPAs, generating reports and printing an SF 50. If you have any questions or need assistance, please contact your servicing HR specialist to arrange a time so we can come to your office to help you.

1 Sep 2007

27. **Emergency Contact (Next of Kin) Database.** Information on the Emergency Contact Database is located on the Civilian Personnel on Line (CPOL) website <http://www.cpol.army.mil/>. It can be accessed from the CPOL homepage by clicking on the link for "Emergency Guidance and Resources," and then clicking on "Emergency Contact Database" Managers need to keep reminding their civilian employees of the need to have their current emergency contact information on file in the Emergency Contact Data Base. In addition, supervisors and managers are required to conduct periodic validations, with employees, to ensure the accuracy of their data. If assistance is needed, please contact project e-mail account at echelp@asamra.hoffman.army.mil.

28. **Fort Benning CPAC Homepage.** Please log on to our website at <https://www.benning.army.mil/Cpac/Index.htm>. If you have suggestions on ways to improve or recommendations for information to add, please contact the undersigned.

*BLANCHE D. ROBINSON
Human Resources Officer
Fort Benning CPAC
Phone: 545-1203 (Coml.); 835-1203 (DSN)
E-Mail:
blanche.d.robinson@us.army.mil*