

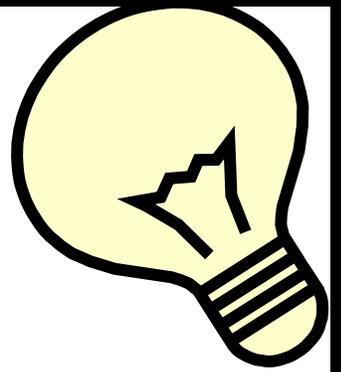
The

Illuminator

Shedding Light on the HR World

5-2012

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This publication is issued to ensure the Fort Benning commanders, managers, supervisors, and employees are kept informed of employment and staffing issues. Monthly issuances will contain updated information on specific employment topics (i.e., compensation, recruiting procedures, travel entitlements, classification issues, updates on USA Staffing, the newly deployed recruitment tool, etc).

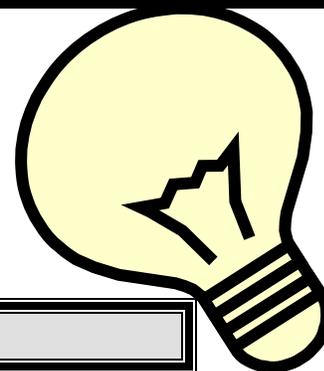
This newsletter is an apercu of articles written by CPAC staff [members] as well as information excerpted from various sources of personnel-related documents. While it is readily acknowledged that this information may be available through other media, this compilation is an attempt to provide a readily available source of information and to preclude our stakeholders from having to personally plunder through numerous personnel articles

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Retirement, Life/Health Insurance, TSP, Social Security and Such

Thinking of "Retiring" on Workers' Compensation Benefits? Think Twice! This article is written by Fred E. Beebe. It was not copyrighted; therefore, its use, without permission from the author is appropriate. Any references to "I" or "me" pertain to him as an author.

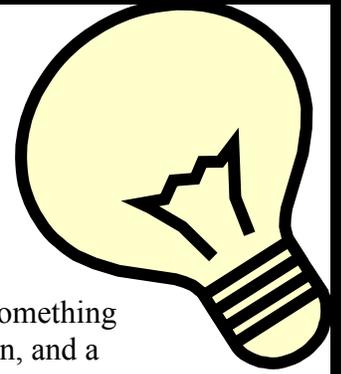
An employee with 28 years of service with the US Postal Service informed me that he was offered the opportunity by his Human Resource folks to either take "regular" retirement with OPM, or he could take the option to retire on OWCP benefits. OWCP benefits were considerably better, so he asked my advice. I informed him that OWCP is NOT a retirement program – it is a return to work program. That being said, I further stated that there is no time or age limit on receipt of Federal Workers' Compensation benefits and that some injured Federal workers receive compensation on the Periodic Roll for the rest of their natural lives. Does this make OWCP a "de facto" retirement program? Decide that for yourself.

Think twice and maybe three times before you choose to "retire" on OWCP benefits, because the rug may be ripped from under your feet and compensation and/or medical benefits terminated at any time. Anecdotally speaking, I have witnessed the termination of an 80 year old invalid residing in a nursing home because the current medical report stated that the accepted workers compensation injury had resolved. This unfortunate event occurs because OWCP is NOT a retirement program and is required by regulation to request annual medical evaluations of injured Federal workers who receive medical and monetary benefits as a consequence of the injury sustained while working for the Federal Government. If the injured worker ever recovers enough to work at least a sedentary job, or if their accepted condition resolves, OWCP attempts to get them back to work or terminates their benefits. The program has no expiration date, so even though it seems ludicrous to ask a physician if a person who is 70, 80, or even 90 plus years of age can return to work, it is a requirement of the Workers Compensation program. As an aside, there is legislation currently being considered which would prevent receipt of Workers Compensation benefits past Social Security retirement age.

In closing, my advice to Federal workers who have an on the job injury and are considering "retirement" on OWCP benefits – make your own choice as an American. If the OWCP benefits are better for you and you are authorized to choose between OPM and OWCP, consider all of the facts and ramifications of your choice and then decide. I would advise however, that folks do NOT remove their money from their OPM account. Just because it seems like the OWCP money will never end – you may find out the hard way that it can terminate.

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The TSP Two-Step. The Roth TSP two-step is a bit of a dance maneuver, something like its sibling, the Texas two-step. It requires a little skill, some coordination, and a desire to master the event.

You've received bulletins, emails, and highlights on the upcoming rollout of the Roth TSP. The issue that has been danced around, however, is how to determine whether it makes sense for you. There's a two-step (aha!) process to help you determine if you should participate in the Roth TSP, and if so, to what extent. The questions you're looking to have answered include:

Do I expect to be in a lower or higher tax bracket when I retire? (if it's lower, the Roth TSP may not be right for you.)

How much room do I have in my current tax bracket before any income adjustment would put me into a higher tax bracket?

If I contribute more to the Roth TSP and less to the regular TSP, how will that affect my paycheck?

Things You'll Need for TSP Two-step:

Recent Leave and Earnings Statement
2011 Tax Return
Lone Star Beer (optional)

The first step is to determine your taxable income which appears on Line 27 of your 1040 tax return. Do you expect any significant changes to this income, such as retirement, a promotion, a lump sum annual leave payout for 2012? Make any adjustments as necessary and then compare this number to the 2012 tax brackets (see tax brackets in the document below).

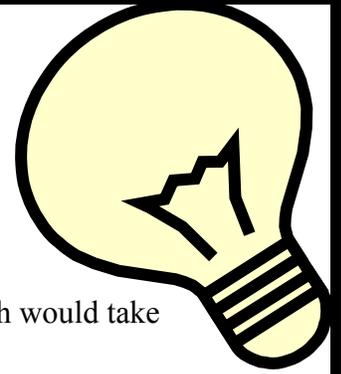
Where does your income fall within your current bracket? If you were to contribute the full \$17,000 to the Roth instead of the traditional TSP, that would increase your taxable income by \$17,000. Does that leave you in the same bracket?

Example: Your taxable income from line 27 on your married, filing jointly return is \$137,000. You are considering putting your entire \$17,000 contribution into the Roth TSP. This adds \$17,000 to your \$137,000 giving you a taxable income of \$154,000.

Within your current 25% bracket, the upper limit is \$142,700, meaning that \$11,300 of your income will be taxed at the 28% rate rather than the 25% rate. You might be fine

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with that, or you might want to contribute only \$5,700 to the Roth TSP which would take you to the top of the 25% bracket.

Keep in mind that your highest tax bracket rate is not the same as your effective tax rate which is the average of taxes paid within each bracket.

Now that you've determined how much you might be willing to contribute to the Roth TSP within tax limitations, it's time to calculate the effect that contribution will have on your net pay. This is where your leave and earnings statement comes in.

You can use one of the many online paycheck calculators (e.g., www.paycheckcity.com/calculators/standard.htm) to compare your current net pay with the impact of changing your TSP contribution to an after-tax contribution. This takes a little effort, because you'll have to enter each line item deducted from your gross pay. Rather than making your TSP contribution pre-tax as it appears on your leave and earnings statement, you'll make it an after-tax contribution which affects the bottom line of your paycheck.

Once you've entered your potential Roth TSP contribution on the paycheck calculator, along with your other deductions, your net pay will appear. If you think you can get by on the lower amount, you may want to go ahead with the Roth TSP contribution. Your final decision is whether you can live on the lower amount...and still afford the occasional Lone Star Beer.

Divorce Decrees. This article was written by Tammy Flanagan. It's spring, and love is in the air. I wish I could say that love and marriage last forever, but sometimes they don't. Divorces happen, and they can affect retirement benefits.

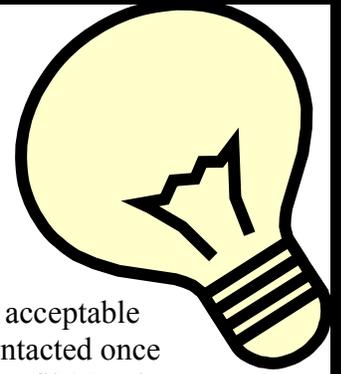
Here is a recent email I received from a retiree under the Civil Service Retirement System who is divorced from a current federal employee under CSRS Offset . This means the current employee is eligible for retirement under the same rules as other CSRS employees, but while she is employed, she is required to pay into Social Security. That reduces her CSRS contributions and ultimately will cause a cut (that's the "offset" part) to her CSRS retirement when she qualifies for Social Security after she retires.

Here's what the retiree wrote:

In all the retirement classes I took, and in my attempts to review Office of Personnel Management materials, and emails to OPM, I have not been able to learn what the process is when OPM contacts a person who is due court- ordered benefits.

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OPM has told me that the court order that I submitted 16 years ago is acceptable for processing. However, OPM will not tell me the process by which I am contacted once my ex-spouse retires. ... Does OPM notify me (given that the court order is on file)? Is it when my ex-spouse retires? When they are determining benefits for my ex-spouse? Or once the final benefits have been determined (including the apportionment)?

Here's what I told him:

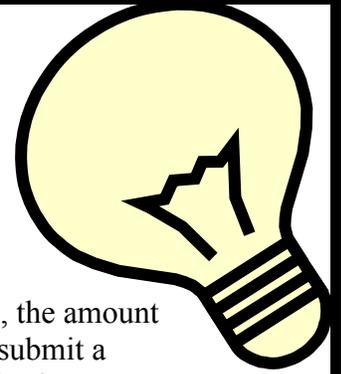
As the ex-spouse, it's up to you to apply for retirement benefits that were awarded to you as a result of your final divorce agreement. OPM will agree to use what is known as a "Court Order Acceptable for Processing" as the basis to divide retirement benefits and award survivor annuities under CSRS and the Federal Employees Retirement System. Private sector pension plans and state government plans use a Qualified Domestic Relations Order to perform the function of dividing retirement benefits, but OPM does not recognize QDROs.

Here's more information from OPM on Court-Ordered Benefits for Former Spouses <<http://gerp.govexec-media.com/portal/wts/cemcfOaOBj2baT3Fuio-nEa-B96N3c>> . It includes the following points:

- * A court order can apportion or divide a CSRS or FERS benefit as a result of a divorce, legal separation, or annulment of marriage. The court order must expressly direct OPM to pay a portion of the monthly CSRS or FERS benefits. The spouse's share must be stated as a fixed amount, a percentage or a fraction of the annuity, or by a formula whose value is readily apparent from the face of the order and information in OPM's files. The amount cannot exceed the amount payable to the retiree after deductions for taxes and insurance.
- * Payments to a former spouse from a retiree's annuity end with the retiree's death. For the former spouse to receive payments after the retiree's death, the retiree must elect, or the court order must provide for, a survivor annuity.
- * OPM authorizes payments in accordance with clear, specific, and express provisions of court orders acceptable for processing under the applicable provisions of law and regulation. If the order is not acceptable, the parties must return to state court to seek any necessary modifications.
- * Upon determining an order is acceptable, OPM will inform the former spouse that the court order is acceptable, the date when spousal benefits begin to accrue (if known), and the monthly benefit and formula used to compute it. If he or she disagrees, a clarifying court order must be obtained. OPM also will inform the employee, retiree, or other interested party that the former spouse has applied for benefits; the court order is

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acceptable for processing; the date payment will commence (if appropriate); the amount and formula. If an individual contests the validity or amount, he or she must submit a court order invalidating or amending the one the former spouse submitted. The former spouse should file the above information as soon as possible. Do not wait for the employee to retire, even if the spousal benefit begins years in the future. The former spouse and employee will be notified of the above information after the order is reviewed.

* A former spouse must apply in writing to be eligible for a court-awarded portion of an employee's annuity. No special form is required. If the former spouse is incompetent, a representative can apply on his or her behalf. Unless a court order is already on file at OPM, the application letter must be accompanied by a court-certified copy of the order directing payment from the employee's or retiree's retirement benefit, along with any other documents issued as part of the court action.

Five Retirement Tips. This article is written by Tammy Flanagan. Any references to "I" pertain to her as an author.

Earlier this year, I presented a webinar <<http://gerp.govexec-media.com/portal/wts/cemcfOaPkwebaUgyiivQvba-EPrtka>> for the Federal Long-Term Care Insurance Program called "Retirement: It's Not Too Early (or Late) to Think About It."

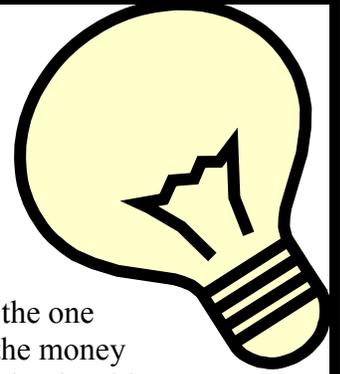
During the webinar, I discussed five tips for planning for your retirement. I thought I'd share them here.

Think about retirement from the first day on the job. If your goal is to retire financially secure and at an age when you will be young enough to pursue other interests, then it is never too early to consider how you will achieve that objective. It's very important to understand the workings of Social Security, a retirement savings account and a pension benefit long before you plan to reap the rewards from them. And it's also important to understand how these benefits work together. If you are a federal employee who's been covered under the Civil Service Retirement System or Federal Employees Retirement System for at least five years, you're already vested in a benefit that will provide a lifetime stream of income. The more service you have and the higher your salary, the more valuable this benefit will be for you at retirement.

Take the Thrift Savings Plan seriously. This may seem obvious, but 14 out of 100 FERS employees do not contribute to the TSP and there are close to 1 million outstanding TSP loans at any given time. More than half the TSP's total balance is invested in the government securities G Fund and almost one-fourth of all TSP accounts are invested 100 percent in the G Fund. This tells me more work needs to be done for employees to

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understand how to invest to meet their long-term financial goals. The TSP is the one benefit that is totally in your control: how much you save, where you invest the money and how you use it. That much control can be a blessing and a curse. It's good to be able to make decisions about investing your money, but it can be a bit frightening if you don't fully understand things like diversification, the magic of compounding, risk tolerance and rebalancing. The TSP website is an excellent resource to become educated about the investments available in the plan <<http://gerp.govexec-media.com/portal/wts/cemcfOaPkwebaUgyiivQvca-EPrtka>> and how they work.

Know what's in your official personnel folder. To get credit for all your federal service, your personnel records must provide proper documentation. You should keep your own copies of these records. That way, if anything turns up missing, deleted, lost, shredded, flooded, burned or otherwise destroyed, then you have your own records to show where and when you've worked. Treat these records as you would any other important documents that you maintain in your home -- preferably storing them in something fire-safe and easy to locate.

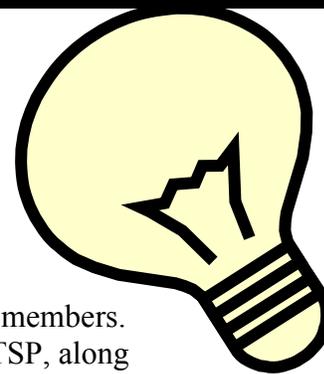
Also, remember that your service computation date for annual leave purposes may not be the same as your service computation date for retirement. To check on this, contact your human resources office to speak with a retirement specialist who can answer questions about your past federal service and help you find missing documentation. You also may request a retirement estimate from your benefits office if you are within five years of retirement eligibility. The estimate will include a review of your personnel file to make sure there are no discrepancies and all your past service will be creditable toward your retirement benefit.

Think about the what-if situations. No one wants to contemplate death, disability or the potential need for long-term care. But you should consider several questions in the retirement planning process: In the event of your untimely death, do you know how your family would be protected? How much life insurance do you have? Will your family continue to be covered under the Federal Employees Health Benefits Program? Do you understand the value of Social Security benefits for surviving spouses and children? What would happen to the money in your TSP account?

Federal employees have both long-term and short-term disability protection. The short term is simply sick leave. After 10 years of federal service, you will have earned six months of sick leave. If you are fortunate to be healthy enough to be able to save up a few months of accumulated sick leave, this can be an invaluable hedge against the loss of income due to a short-term illness or accidental injury. For long-term or permanent illnesses and injuries that could affect your ability to remain employed, both CSRS and FERS have disability retirement provisions and Social Security includes disability benefits.

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Long-term care can be very expensive, or burdensome if provided by family members. Many federal employees who have accumulated retirement nest eggs in the TSP, along with government pensions and Social Security benefits, will not meet the poverty threshold for Medicaid and will be left to pay for such care from their own funds. Here's more information <<http://gerp.govexec-media.com/portal/wts/cemcfOaPkwebaUgyiivQvfa-EPrtka>> about the federal long-term care insurance program.

Understand Social Security's role. Whether you've paid into Social Security for only a small portion or your entire career, it's important to understand the role it will play in your retirement. FERS employees who have been paying into the system should know what they're going to get out of it. You can find out how much you would receive from Social Security at age 62, your full retirement age (65-67, depending on your year of birth) and at age 70 using this online estimator <<http://gerp.govexec-media.com/portal/wts/cemcfOaPkwebaUgyiivQvga-EPrtka>> .

If you're under CSRS, you still may qualify for a benefit from Social Security if you've accumulated 40 credit of coverage -- the equivalent of about 10 years of Social Security-covered wages. This benefit could provide a little extra pocket money every month, or it could be a substantial source of retirement income. Here's more information <<http://gerp.govexec-media.com/portal/wts/cemcfOaPkwebaUgyiivQvha-EPrtka>> on how your CSRS retirement benefit might affect Social Security benefits.

Employment-Related News

Impending Career Changes for Senior DOD Leaders and Managers. Due to the downsizing of the entire Department of Defense (DOD), massive budget cuts, and hiring freezes, many senior leaders at the Pentagon, military bases, and DOD agencies are trying to walk out the revolving door.

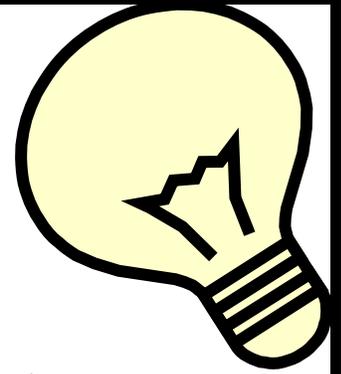
The Resume Place, Inc. has experienced a ten-fold increase in requests from DOD employees and former employees for federal resume and application consultation and writing services in the last year. Experience with the "DOD to non-DOD" job search brings to light a few key points:

Leaving the Department of Defense is a bona fide career change

The executive must recognize that leaving the defense industry is a career change, and his or her resume must be treated as what we call a "Career Change Resume." These resumes are far more complex and difficult to write than resumes for moves within the same field of expertise.

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DOD language must be changed to plain English

The Defense world has its own language, acronyms, and descriptions of work that are either difficult or impossible for a non-DOD human resources specialist or manager to understand. Converting a resume with DOD work experience into an effective resume for jobs outside of DOD is a difficult task requiring skilled research, analysis, and writing. The writer must be able to understand both the DOD language and the non-DOD language in order to correctly translate the terms.

For example, keywords are critical for HR specialists in each agency, and a new set of keywords will need to be identified for each non-DOD application so that hiring authorities can understand your skills and qualifications relating to the vacancy announcement.

Companies Commit to Flexible Jobs for Military Spouses, Veterans. A new Obama administration initiative aims to provide more flexible, portable employment for military spouses and veterans through partnerships with 11 customer service, health care and telecommunications companies.

The effort, launched through first lady Michelle Obama and Jill Biden's Joining Forces initiative, makes an estimated 15,000 new jobs available near military bases, specifically targeting service members' families who must frequently move.

"We're trying to meet these spouses where they are," Obama said during a conference call Wednesday. "These jobs give them the kind of flexibility and portability that they need to succeed."

According to Joining Forces, military families are 10 times more likely to move across state lines than their civilian counterparts, making telework jobs with flexible hours particularly valuable both to families with children and to homebound or disabled veterans.

Companies involved in the new program include call centers at Hilton Hotels, customer service providers such as Arise Virtual Solutions, and work-at-home marketing and communications companies like Agility Marketing.

The jobs component of Joining Forces is among the "most robust" parts of the one-year-old initiative, the program's executive director, Brad Cooper said.

Cooper said the positions range from entry to midlevel and training depends on the company. Participating firms must provide regular updates on progress meeting their hiring targets for the program, he said.

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Dawn Schaeffer, a military spouse who relocated from Guam to Whiteman Air Force Base in Missouri, said she switched from a career as a veterinary technician to a more flexible job with Arise Virtual Solutions -- a company that is part of the initiative. The job allows her to work flexible hours and is stable should her husband be relocated again.

Employees in her company complete a 30- to 90-day certification process, Schaeffer told reporters. Hourly pay ranges from \$9 to \$16, but employees can work as many hours as they want, she said.

Senior Executives Association Seeks Repeal of Financial Disclosure Requirements.

A new law increasing career senior executives' financial disclosure requirements already is having "a chilling effect" on recruitment and retention and those requirements should be repealed, leaders of the Senior Executives Association have told Congress.

Many career Senior Executive Service members "are considering retirement or falling back to a GS-15 in light of the new rules," SEA President Carol Bonosaro and General Counsel William Bransford wrote in a letter to the House and Senate government oversight committees. At the same time, many employees at the upper levels of the General Schedule are abandoning plans to join the SES, they said.

The association, which represents career SES members, released the April 13 letter on Tuesday; Bransford is also a Federal Times columnist.

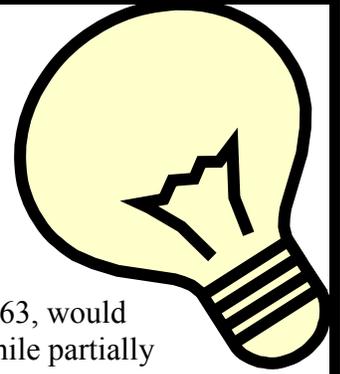
The rules, part of the Stop Trading on Congressional Knowledge (STOCK) Act, require agencies to post online the public financial disclosure reports for SES members — along with reports for many senior political appointees, and military generals and admirals — by the end of August. Under the law, they must also disclose stock purchases and other financial transactions within 30 days.

Both provisions expand on previous requirements. Although the annual financial disclosure reports, known as Office of Government Ethics (OGE) Form 278s, were already public, agencies usually made them available only on paper in response to a request. Filers already had to report financial transactions worth more than \$1,000, but only on a yearly basis.

Ordering more frequent reporting puts "an enormous burden" on career federal employees who use financial advisers to manage their assets and do not have time to follow the stock market, Bonosaro and Bransford said. The online posting of financial disclosure reports could hurt employees' privacy rights and leave them vulnerable to identity theft, they added.

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House Panel Approves Part-Time Retirement for Feds. The bill, H.R. 4363, would amend U.S. law to allow federal employees to continue working part time while partially retired.

It was introduced just this week in the House Oversight and Government Reform committee, where it won support from both parties on a panel that usually displays deep divisions over provisions regarding federal employees.

While details were not yet available, the bill's sponsor, Rep. Darrell Issa, R-Calif., said the legislation could save taxpayers approximately \$465 million dollars within 10 years, since agencies would not have to replace all retirees with part-time employees.

"Employees often retire because their pensions are nearly as much as they would make continuing to work," Issa said at Wednesday's hearing. "This proposal keeps the best working longer and in an appropriate amount of hours."

The committee's ranking minority member Rep. Elijah Cummings, D-Md., said he strongly supported the bill, but did not back using the \$460 million in savings to pay for legislation that was not related to federal employees.

"This bothers me that savings are created and the next thing you know, they go to build some roads," Cummings said, referring to a similar proposal passed in March in the Senate as part of a \$109 billion transportation bill. In that legislation, the savings from the work-retirement hybrid for feds would be used to help offset economic aid in rural communities. This transfer raised eyebrows among union representatives, who largely said they support the plan but oppose any use of federal retirement savings on unrelated measures.

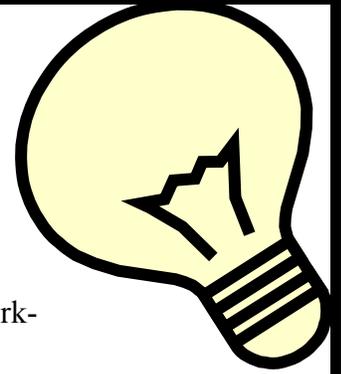
But the National Active and Retired Federal Employees Association (NARFE) praised the House bill Wednesday.

"This legislation would provide personal flexibility for federal employees who wish to cut back on their hours but not fully retire," NARFE president Joseph A. Beaudoin said in a statement. "Instead of losing valued employees, agencies would be able to retain them part-time and benefit from their ability to mentor junior employees, including their replacements."

Similar to its objections to the Senate provisions, NARFE opposed savings from the bill offsetting unrelated spending and suggested money from the measure should be credited to the Civil Service Disability and Retirement Fund or other civil service improvements.

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U.S. Postal Service employees also would be eligible to participate in the work-retirement hybrid program.

“This will help the Postal Service manage costs and give management greater flexibility to meet the demand,” Issa said.

Rep. Stephen Lynch, D-Mass., a co-sponsor of the bill, added an amendment that would allow federal retirees to roll unused annual vacation leave into their Thrift Savings Plans upon retirement. The committee backed the inclusion of the amendment in the bill.

The bill is slated for consideration by the full House.

Legislation Would Force Ethics Probe for Tax Delinquent Feds. Senator Scott Brown (R-MA) has been promoting the legislation he introduced in March that would require members of Congress as well as federal employees to disclose their delinquent federal or state tax liabilities. Anyone doing so would automatically trigger an ethics investigation as to the source of the problem.

Brown released the following stats as support of his legislation:

According to the annual Federal Employee/Retiree Delinquent Initiative report released by the IRS, 98,000 federal civilian employees owed \$1.034 billion in seriously delinquent tax debt in 2010. When retirees and military personnel are included, nearly 280,000 people owed \$3.4 billion.

Although the number of federal employees with tax debt has remained fairly constant since 2004, the amount owed by federal employees has increased by 72%.

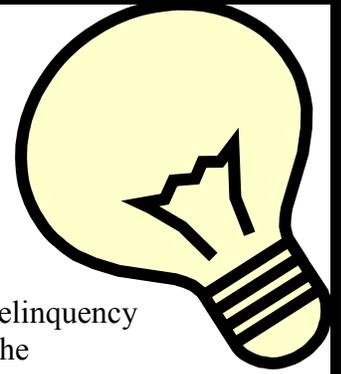
Specifically, the Members and employees of the Senate owed \$2.13 million, Members and employees of the House owed \$8.54 million and Executive Department employees owed \$620 million in back taxes in 2010.

Speaking on the legislation, Brown said, "The federal government has proven time and again that it is not a responsible steward of tax dollars. The fact that thousands of federal employees owe billions of dollars in back taxes just adds insult to injury. American workers and businesses should not be confronted with talk of tax hikes when federal employees, whose salaries and benefits are funded by taxpayers, aren't paying what they owe."

Brown's legislation is known as the Congressional and Federal Employee Tax Accountability Act of 2012 (S. 2195), any individual who reports a delinquent tax liability would have an inquiry opened immediately to do the following:

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Determine the total amount of the taxes owed Determine the reason for the delinquency
Find out if the individual has a plan to deal with it Ascertain whether or not the
delinquency has reflected poorly on Congress or the individual's employing agency

Individuals who report delinquent taxes under this legislation would have to make
arrangements with the IRS within 12 months of reporting the problem to have their wages
garnished by an amount "appropriate to pay the taxes owed to the United States within a
reasonable time period."

What's reasonable? The legislation as written doesn't say. Perhaps that will be up to the
IRS and the agency's payroll office.

The legislation has been assigned to the Homeland Security and Governmental Affairs
Committee, of which Senator Brown is a member.

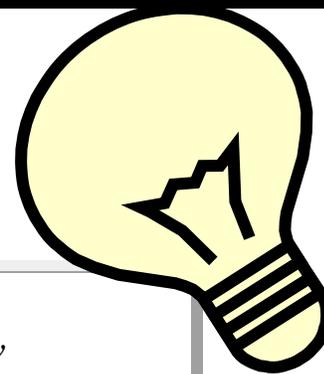
Prohibited Personnel Practice of the Month



PROHIBITED PERSONNEL PRACTICE OF THE MONTH

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Number 6

Granting Any Preference or Advantage Not Authorized by Law

Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority -

(6) grant any preference or advantage not authorized by law, rule, or regulation to any employee or applicant for employment (including defining the scope or manner of competition or the requirements for any position) for the purpose of improving or injuring the prospects of any particular person for employment.

Where is this prohibition covered in the law?

The sixth prohibited personnel practice (PPP) can be found at section 2302(b)(6) in title 5 of the United States Code.

What is the purpose of the sixth prohibited personnel practice?

This provision supports the first Merit System Principle which asserts that recruitment, selection and advancement should be merit-based. See 5 U.S.C. § 2301(b)(1). This PPP is designed to prevent an agency from giving an improper advantage in promoting an employee or in selecting an applicant for a position in federal employment. See 5 U.S.C. § 2302(b)(6). It complements and supports the same goal of fair competition as do PPPs 4 and 5, which prohibit obstructing the right to compete and influencing a person to withdraw from competition.

It should be noted that some employment preferences are authorized by law, so they would not be prohibited. For example, there is a veterans' preference statute that gives eligible veterans preference in appointment over many other applicants. See 5 U.S.C. § 2108.

What exactly is prohibited?

To establish a violation of 5 U.S.C. § 2302(b)(6), Merit Systems Protection Board (MSPB or Board) case law requires proof of an intentional or purposeful taking of a personnel action in such a way as to give a preference to a particular individual for the purpose of improving his or her prospects. See *Special Counsel v. Byrd*, 59 M.S.P.R. 561, 570 (1993), *aff'd*, 39 F.3d 1196 (Fed. Cir. 1994) (Table). The preference must be given for the purpose of providing an improper advantage. In other words, an improper motive must be shown. See *Special Counsel v. Lee*, 114 M.S.P.R. 57, ¶ 21 (2010), *rev'd in part*, 413 F. App'x. 298 (Fed. Cir. 2011). However, it is not necessary that the action

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actually have resulted in an advantage, only that its purpose be to give an advantage. *Special Counsel v. DeFord*, 28 M.S.P.R. 98, 104 (1985).

It is possible to violate section 2302(b)(6) using legally permissible hiring actions if the intent is to afford preferential treatment to an individual. *See Lee*, 114 M.S.P.R. 57, ¶ 21. Conversely, hiring actions that have the unintentional effect of favoring one applicant over another would not violate section 2302(b)(6). *See id.* The Board also has found, based on the wording of the statute, that it does not prohibit actions improperly advantaging a class of persons, only an individual. *See Avery v. Office of Personnel Management*, 94 M.S.P.R. 212, ¶ 5 (2003).

What is MSPB's jurisdiction to review an alleged violation of 5 U.S.C. § 2302(b)(6)?

The MSPB will consider an alleged instance of this PPP as an affirmative defense in connection with the filing of an appeal. However, MSPB cannot review a violation of section 2302(b)(6) unless it is related to an otherwise appealable action. *See Davis v. Department of Defense*, 105 M.S.P.R. 604, ¶ 16 (2007).

Additionally, an individual may file a complaint with the *Office of Special Counsel* (OSC), which is a separate, independent executive agency with the authority to investigate violations of section 2302(b)(6) and to seek corrective action before the MSPB. *See 5 U.S.C. §§ 1214(a)(1)(A)*, (a)(5). The instructions for filing a complaint with OSC may be found at its website: www.osc.gov.

What type of penalty is imposed when a section 2302(b)(6) violation is found?

The Special Counsel may petition MSPB to discipline an employee for committing this PPP. *See 5 U.S.C. §1215(a)(1)(A)*. The penalties assessed against the employee can include disciplinary action consisting of a reprimand, a removal, a reduction in grade, a suspension, debarment from Federal employment for up to five years, or an assessment of a civil penalty not to exceed \$1,000. *See 5 U.S.C. § 1215(a)(3)*.

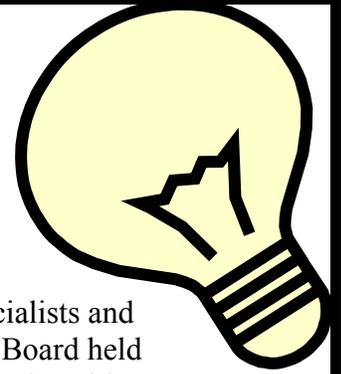
In assessing the penalty, MSPB takes into account the relevant factors enumerated in *Douglas v. Veterans Administration*, 5 M.S.P.R. 280 (1981). The MSPB will consider, first and foremost, the nature and seriousness of the misconduct and its relationship to the employee's position and responsibilities, including whether the offense was intentional or was frequently repeated. *See Lee*, 114 M.S.P.R. 57, ¶ 36; *Byrd*, 59 M.S.P.R. 561, 582-83.

Has the Board recently issued any significant decisions addressing this PPP?

Yes. In *Special Counsel v. Lee*, 114 M.S.P.R. 57 (2010), *rev'd in part*, 413 F. App'x. 298 (Fed. Cir. 2011), OSC brought two complaints before the Board, alleging that Richard F. Lee and Diane L. Beatrez, Human Resource (HR) Specialists for the Coast Guard, violated section 2302(b)(6) when they assisted in promoting a particular individual to a supervisory position. The Board stated that Lee and Beatrez could be held liable under

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the statute because there was “a pattern of cooperation” between the HR specialists and the supervisor who sought to promote a particular individual. *Id.*, ¶ 25. The Board held that the HR specialists were liable for this PPP under the theory that “conduct that aids and abets another who is violating the statute” also violates section 2302(b)(6). *Id.*, ¶ 32. The Board noted that, by holding the HR specialists liable, they were “mindful of [the Board’s] obligation to faithfully uphold the merit system principles as set forth by Congress”. *Id.*, ¶ 35. As a consequence, the Board imposed a 45-day suspension without pay on Lee and a 10-day suspension without pay on Beatrez. *See id.*, ¶ 50. The Court of Appeals for the Federal Circuit later held on review that there was insufficient evidence to establish that Beatrez had the requisite intent to aid in the commission of a PPP and reversed the action against her. *See Beatrez v. Merit Systems Protection Board*, 413 F. App’x. 298 (Fed. Cir. 2011) (NP). The court did not disagree with the Board’s finding that any of the actions taken by the employees, if done with the requisite intent, would properly constitute a PPP under § 2302(b)(6).

Has MSPB studied this practice?

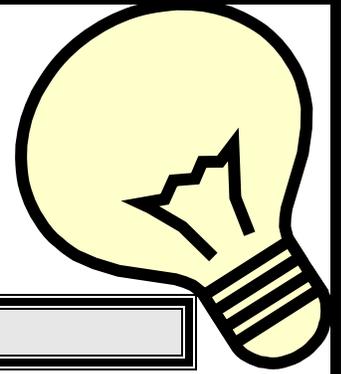
Yes. In its report “*Prohibited Personnel Practices: Employee Perceptions*” (2011), the Board noted that Federal employees perceive this PPP occurring more than any other PPP. The Board also explained that an important lesson to be learned from the case law is that an official can be held liable for violating section 2302(b)(6) if the official commits a PPP or intentionally assists someone else to commit a PPP, even when the employee’s superiors are aware of what is happening and view the PPP as a solution to a problem. In its report, “*Fair and Equitable Treatment: Progress Made and Challenges Remaining*” (2009), the Board noted that Federal employee suspicions regarding blatant forms of discrimination have been supplanted by a growing skepticism about managers making their decisions in accord with the merit system principles. In a recent MSPB Government-wide survey, over 70 percent of employees believed that some supervisors practice favoritism. In its report, “*Prohibited Personnel Practices: A Study Retrospective*” (2010), the Board summarized a number of its prior studies that examined perceptions of unfair competition and unfair advantage in hiring and promotion in Federal employment and explained that such perceptions were a longstanding problem.

What other guidance is out there concerning this PPP?

The *Office of Personnel Management* has issued detailed rules governing hiring that are designed to ensure fair and open competition. These rules cover recruitment and selection for initial appointment as well as promotion in accordance with a merit-based system. *See e.g.*, 5 C.F.R. parts 300A, 302, 330, 332.

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Management-Employee Relations

Performance Improvement has 'Turned the Corner' in Government. Over the next seven months, the Office of Personnel Management will finalize guidance and training standards for feds who work to improve their agency's performance.

These two documents will be the second and third phases of the requirements under the Government Performance and Results Modernization Act, which President Barack Obama signed into law in January 2011.

OPM met the law's first requirement in January by issuing the specific skills employees need — known as competencies — for these jobs.

"We are looking at our current occupational series and structure to see what extent it supports this type of work," said Andrea Bright, OPM's deputy director of human resources. Before changing jobs recently, she managed the classification and assessment policy office at OPM. "We will need to see if there are big, whole-scale changes we need to make or if there are tweaks we need to make. It may be what we have is close and we just need to tweak things; we may need to update things; we may need to change titles or add titles. I think the business analytics, which is the big hot phrase of the day, is probably missing, and is something that probably needs to be incorporated."

Bright, speaking Tuesday at the Association of Government Accountants performance improvement conference in Washington, said OPM will take care of the policy and agencies will address individual position descriptions.

Additionally, Bright said OPM will work with agency chief learning officers on incorporating the position descriptions and competencies into training.

She said both of these documents are required by law to be completed by Jan. 4, two years after the bill was signed by the President.

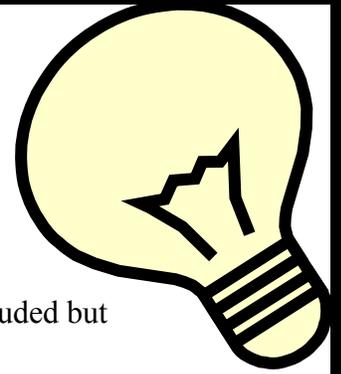
Too many soft skills?

The competency model includes 34 skills across three jobs areas: performance improvement officer (PIO), PIO staff and agency goal leaders.

One common complaint from both government and industry experts about the competency model is most of the skills are considered soft skills, such as leadership, communication, external awareness and partnering. Some of the harder skills, such as

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organizational performance analysis or performance measurement, were included but were just a part of the overall package and not singled out.

Bright said training would be key to addressing the specific harder skills because the competency model was suppose to just lay out high level requirements.

Richard Beck, the Interior Department's deputy PIO, said the Performance Improvement Council, which includes PIOs and deputy PIOs, approved the competencies and felt certain soft skills are just as important as the ability to do analysis.

"The analysis isn't so much crunching numbers. The analysis is the understanding that once you crunch the numbers, what does it mean?" Beck said. "And being able to convey that especially to decision-makers because if you bring a whole bunch of details of analysis to them, that's not going to help them make their decision. A lot of us have been finding that and we are re-tooling what we are doing to be more effective at not just doing the number crunching, but how do we bring the results to decisions-makers to help facilitate them in making decisions."

The competency model is just one way agencies are trying to improve performance management. The Obama administration has mandated agencies focus on three to eight high-priority goals and analyze their progress using data.

Agencies doing better job in setting goals

Shelley Metzenbaum, the Office of Management and Budget's associate director of performance and personnel management, said the government has turned the corner when it comes to using performance data to make decisions and improve how they meet their mission.

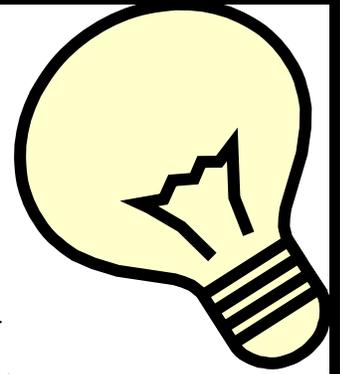
Metzenbaum said in the fiscal 2013 budget request agencies detailed about 100 goals.

"What's interesting about the agency goals is some of them, about half, such as Interior's goals to permit renewable energy on Interior land, build on a previous goals, but set new ambitious targets," she said. "Other goals tackle a problem addressed in 2011, but frame it in a new ways that are more likely to get even higher impact. Still other goals, such as a Commerce goal on weather forecasting, are in wholly new areas."

Metzenbaum added agencies have learned to set better goals and focus more on outcomes. OMB led a cross-agency team to develop specific goals last summer in preparation for the budget request as a way to bring together best practices and build upon previous efforts.

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The administration also outlined 14 cross-agency goals in the budget request.

Metzenbaum said the cross-agency goals, which range from cybersecurity to human resources to exports to job training, are examples of how performance improvement is taking hold. She said each one of these has a goal leader in the White House.

The administration chose the specific cross-agency goals because they "needed a little bit of push or focus to really make significant progress," she said.

Over the last three years, several agencies have emerged as leaders in using performance management.

Metzenbaum mentioned HUDStat, FDATrack and several others.

But two others are taking a bit of a different approach.

Treasury, DHS finding their own path

The Treasury Department is holding data driven review sessions 48 times a year, four times for each of the eight bureaus and four each for the four major cross-agency goal.

Kevin Donahue, CFO and a senior advisor in Treasury's Office of the Assistant Secretary for Management, said they look at performance twice a year. Donahue said if the deputy secretary can't attend the reviews, they are cancelled.

"We have one purely focused on budget formulation in which we have front-and-center the same performance information that we look at during the performance driven meetings and we make decisions live in the sessions," he said. "What cuts to make. How to drive our budget so that for the upcoming budget submission it can be less than the prior budget submission was."

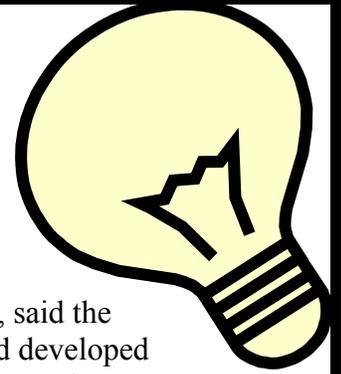
Donahue said the fourth set of meetings focuses on cross-cutting issues and takes a lot of time to implement.

"We actually hit them once a year almost as a planning meeting to direct the individuals who will be implementing these cross-cutting changes where to spend their time," he said.

The Homeland Security Department built a performance management tool from early on in the development of the agency.

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Amy Culbertson, the assistant director for performance management at DHS, said the agency created communities around performance management and goals, and developed a framework that focuses on culture, goals, quarterly reporting and technology tools.

But it's the technology tools that really help DHS.

"We have a web-based system. It has common access for everybody. It helps everyone to think in a similar way about measurement, reporting data and looking at data," Culbertson said. "It stores all our data in one place. We don't go out for data calls."

She added DHS created simple forms based on an Excel spreadsheet, and they integrate resource planning and data in the system.

Culbertson said DHS is adding a business analysis tool. Right now, senior officials can perform analysis through the tool on procurement and performance data. She said the agency soon will add financial execution, or spending, data to the platform.

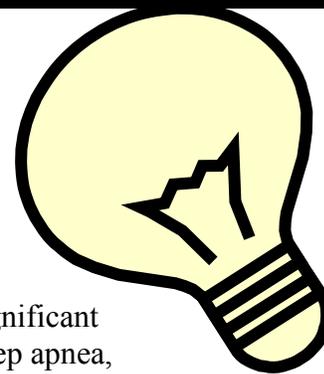
Failure to Reassign Violates Rehabilitation Act. In *Petted v. Department of Veterans Affairs*, EEOC Appeal No. 0120090266 (Dec. 14, 2011), the Equal Employment Opportunity Commission (EEOC) held that the Dept. of Veterans Affairs (agency) failed to make a good faith effort to accommodate Raymond Petted (complainant) when it failed to reassign him to an available vehicle operator position, for which Petted was qualified to perform the essential functions, and which carried the same grade level as Petted's current position. As a result of its decision, the EEOC ordered the agency: to offer Petted a position as a vehicle operator, or substantially equivalent position; for the agency to award Petted back pay, benefits, and interest; and also to conduct a supplemental investigation to determine whether he was entitled to compensatory damages.

Petted was an air conditioning equipment mechanic, WG-10, at the agency's Atlanta Medical Center in Decatur, Ga. In 2001, Petted suffered an on-the-job injury, which resulted in his contracting asthma and his subsequent sensitivity to mold, dust, bacteria, and harsh chemicals. Petted submitted requests for reasonable accommodation in both December 2005 and April 2006. His requested accommodation was that the amount of time he spent exposed to the irritants be reduced. A reasonable accommodation review committee was convened to determine whether Petted could be accommodated.

In March 2006, the committee concluded that there was no apparatus available to shield Petted from the irritants in his position as an air conditioning equipment mechanic. However, it determined that Petted was a "qualified individual with a disability," and recommended that he be reassigned to a new position.

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In June 2006, the agency reassigned Petted to a GS-6 clerical position—a significant reduction in grade level. Petted refused to work in this position as he had sleep apnea, which was a problem for this position. Moreover, the Department of Labor deemed the new position to be unsuitable for the complainant as a reasonable accommodation. In December 2006, Petted filed an EEO complaint, based in part upon the agency's failure to offer him reasonable accommodation. After a hearing, the administrative judge found that the agency had taken sufficient steps to reasonably accommodate Petted, and found the offered GS-6 clerical position to be acceptable.

On appeal, the EEOC noted that a “qualified individual,” which is defined as a disabled person who, with or without reasonable accommodation, can perform the essential functions of the position held or desired, included not only the position held by the employee, but also positions that the employee could have held as a result of reassignment. The EEOC noted that the agency did not contest the fact that Petted could have performed the duties of the vehicle operator position. Moreover, it noted that this position was available when the review committee had deemed Petted to be a qualified individual with a disability, and recommended that the agency perform a search for all vacant positions.

Thus, the EEOC ruled that Petted should have been reassigned to the vehicle operator position. The EEOC further added that the GS-6 clerical position was inappropriate, as it was not equivalent in terms of pay, status, and other related factors, as required by the Rehabilitation Act.

This case, which was based on a complaint filed prior to the amended Rehabilitation Act, emphasizes the role that reassignment plays in the reasonable accommodation process. Termed “reassignment of last resort,” by many agencies, federal employees seeking reasonable accommodation should be aware of this avenue and should ensure that their respective agencies are exercising due diligence in exploring this option.

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

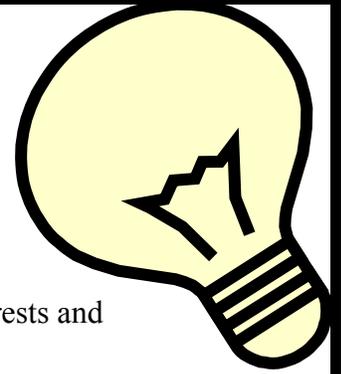
Training, Self-Development, and Personal Improvement

Mentoring Goes Virtual. Government workers are finding their perfect matches online -- at least when it comes to mentoring relationships.

The Mentoring Connection, a new website and program created by social networking website GovLoop, is allowing younger employees and more seasoned, experienced

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workers to create online profiles and match up based on common skills, interests and challenges.

Last year, GovLoop teamed up with software vendor The Training Connection to create the pilot program in which 100 mentors and mentees formed partnerships based on information in their online profiles. Once a match was made, participants committed to meeting on Skype or face-to-face twice a month for the duration of the three-month pilot.

Andrew Krzmarzick, director of community engagement for GovLoop, told Wired Workplace on Thursday that the pilot phase of the program was a huge success, with 93 percent of mentees and 71 percent of mentors saying the program was either effective or very effective in helping them grow personally and professionally.

"There seems to be this huge need for knowledge transfer from one generation to the next," Krzmarzick said. "The younger generation, Gen X and even younger Baby Boomers -- all of those folks are interested in having a coach or mentor to help them advance their career. Mentoring can make that knowledge transfer and leadership transfer all that much more effective."

Perhaps more interesting, however, is GovLoop's unique approach to the program. While many mentoring programs across the federal government involve in-person relationships, usually within the confines of the same agency, the GovLoop program leveraged technology to connect participants from different levels of government and from different areas of the country.

For example, 47 percent of matches included participants that were not located in the same region, and 27 percent of matchups included participants that were not at the same level in government. Sixty different organizations participated, and 92 percent of pairings were not in the same organization or agency.

"I think more and more we're moving towards a performance-based and more mobile and measurable workforce," he said. "Technology enables all of that, and this [program] is just one more indication that a virtual mentoring program can work and that operating virtually as an organization is possible."

Krzmarzick said GovLoop is expanding the program this year to include two four-month sessions in the spring and fall. The spring program will include 70 mentorships crossing organizational boundaries. For example, 69 percent of pairings will not be co-located, 42 percent will be on different levels of government, and 99 percent will work in different organizations or agencies. "It's going to become more virtual," Krzmarzick said.

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At this point, GovLoop is currently picky in choosing mentors and mentees for the program in order to keep growth sustainable, Krzmarzick said. The program has invited members of the National Academy of Public Administration and senior-level government workers who are active on GovLoop to serve as mentors, while mentees are often selected based on the clarity of their career goals, he said. "The spring program was more selective," he said. "We weighed potential mentees higher if they had three clear goals for their career and three clear goals for the program."

The short-term goal is to have 1,000 mentors and mentees in the system by the end of this year, and then grow the program incrementally over time, Krzmarzick said, adding that he envisioned a long-term goal of supplementing mentoring programs already existing at agencies. "We see agencies calling us up," he said. "As we generate a level of expertise in this, we could help stand up and/or run programs for agencies that don't yet have mentorship programs."

Welcoming Wellness. In its most recent annual performance report, the Office of Personnel Management touted the federal government's renewed commitment to cultivating happy, healthy employees. By the end of fiscal 2011, agencies had kicked off comprehensive wellness programs with the goal of attracting 75 percent participation rates within five years, and OPM had started assessing wellness initiatives to see where there was room for improvement.

Why should even couch potatoes care about improving and expanding such programs? They lower health care costs, boost worker productivity and make it easier to attract talent, OPM says.

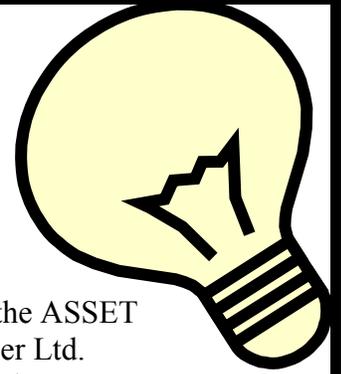
If the inherent benefits of happy, healthy employees have not yet motivated you to make work-site wellness a priority, then perhaps OPM's more intense focus on the initiative will give you the push you need. Managers play a crucial role not only in developing and implementing these programs, but also in ensuring they are adopted rather than stigmatized.

A manager's reaction to employees' decisions to spend their lunch breaks at the workplace gym or to take advantage of free screening programs could help determine whether they stay active or leave the benefits unused. The same goes for changes like using a balance ball instead of a desk chair or organizing an office support team for employees who want to quit smoking. Culture has a tremendous impact on the success of wellness initiatives and managers, in turn, have a tremendous influence over culture.

Stress management is another key component of employee wellness, and managers have the power to significantly reduce employees' anxiety levels.

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Organizational psychologists Cary Cooper and Susan Cartwright developed the ASSET Model framework for workplace well-being, now owned by Robertson Cooper Ltd. Employee Wellness Magazine called ASSET “ideal for managers to identify the sources of workplace pressure which they need to actively manage.” It describes six factors that affect workplace happiness:

- Resources and communication
- Control
- Balanced workload
- Job security and change
- Work relationships
- Job conditions

While managers do not, of course, have complete control over all these areas, they might have more influence than they think. They can, for example, make sure they base tough decisions on information readily available to their employees so that their choices don't seem arbitrary. They can allow experienced and insightful employees to get more involved in structuring or planning projects. They can ensure that, even during busy or challenging times, their employees have a reasonable workload aligned with the priorities of the office.

In addition, managers can handle organizational changes in ways that make employees feel secure. Policy or leadership changes should be well-communicated and employees should be given enough information and training to meet new goals and expectations.

Fostering employees' psychological and physical well-being can pay off by heightening their sense of purpose and making them feel better about themselves and their accomplishments. Individual employees will be more productive, motivated, engaged and committed. Your organization is likely to thrive, too, with better attendance, higher retention rates, stronger recruitment records and greater satisfaction with services.

Are you a Transmitter or a Receiver? This article was written by Scott Eblin. Any references to “I” pertain to him as an author.

One of the things I love most about leadership coaching is the opportunity to see lots of different executives in action. I get to see them in team meetings, in presentations, in one-on-one's, and just walking around the plant or office. In addition to the first-hand

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observations, I usually collect a lot of feedback from the executives' managers, peers and direct reports. It's a lot of good data, and I love culling through it for patterns that underlie high performance.

Here's a conclusion I've come to lately. The best leaders spend less time transmitting and more time receiving.

The transmitters are so focused on driving their agenda and goals that people eventually tune them out. It's sort of like changing the dial on the radio or fast forwarding on the DVR when the commercials come on. You've heard it all so much that you just want to ignore it.

The receivers have agendas and goals as well but they do more than just hammer the message home. They stop to learn and observe what's going on with people. They stop because they think they might actually have something to learn that will help everyone reach or exceed the goal faster and better.

Are you a transmitter or a receiver? Here's a quick self-assessment:

Do You Know People's Names? There's a funny new show on HBO called *Veep* in which Julia Louis Dreyfuss plays a total unlikable vice president of the United States. In the first episode, she has an aide constantly beside her to whisper the name of or personal facts about the person she's just about to shake hands. If you find yourself wishing that you had a secret weapon like that, you're probably a transmitter. Receivers take the time to learn people's names and what's going on in their lives.

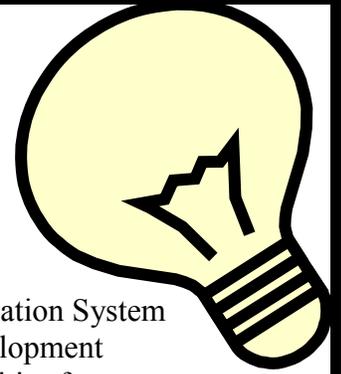
Do You Ask People What They Think? One of my favorite stories of all time was the [Inc. magazine profile on their 2006 Entrepreneur of the Year](#), the late Ken Hendricks. In around 40 years, he went from being a roofing assistant to owning a multibillion dollar roofing supply company. He did it by buying one company after another and improving them. When asked what his most important strategy was, he said he went to the loading dock of the company he had just bought and asked the folks on the dock what they would do if they were in charge. He then implemented all of their ideas. He said he had about a 90% hit rate on good ideas and that was good enough to use the strategy again and again. Receivers ask some version of the question, "What would you do if you were in charge?"

Do You Shut Up Enough To Listen? I love that line about we were given two ears and one mouth for a reason. That's actually a pretty good ratio. Receivers tend to listen twice as much as they talk.

So what is it for you – transmission or reception?

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Civilian Education System (CES) Courses Available. The Civilian Education System (CES), launched in November 2006, is a progressive, sequential, leader development program that provides enhanced leader development and education opportunities for Army civilians throughout their careers. Enrollment in the CES is mandatory for all supervisors/managers who have not completed the appropriate courses at each stage of their civilian career or have not received appropriate course/experience substitution. The CES includes five courses - the Foundation Course (FC), Basic Course (BC), Intermediate Course (IC), Advanced Course (AC), and the Continuing Education for Senior Leaders Course (CESL), all of which culminate with attendance at a Senior Service College (SSC) and the Defense Leader Development Program (DLAMP).

With the exception of the Foundation Course which is completed in its entirety via distributed learning, the remaining courses are accomplished via a combination of distributed learning and classroom training at Fort Belvoir, VA or Fort Leavenworth, KS.

Also available under the auspices of CES are the Action Officer Development Course (AODC), Supervisory Development Course (SDC), and Management Development Course (MDC), all available on-line as correspondence courses.

For an up-to-date course schedule, please click the link immediately below:

<http://www.amsc.belvoir.army.mil/registrar/schedule/ces.jsp>

For additional information on the CES, please click on the link below, contact your servicing HR Specialist, or refer to Tips and Tidbits 3-2007.

<http://www.amsc.belvoir.army.mil/ces/>
<http://www.train.army.mil>. Click on the [Login] button upper right and key in your AKO

Employment Briefings for Military Spouses. Members of the Fort Benning CPAC staff conduct regular briefings for military spouses to outline the benefits of Executive Order (EO) 13473. Executive Order 13473 became effective September 11, 2009 and it is intended to provide military spouses an opportunity to obtain employment with the Federal government. The briefings detail spouse preference and eligibility; outline how to apply; confirm which documents should be submitted; and, provide general tips on resume completion. The briefings are conducted the third Wednesday in the month from 1000-1130 April through October, December, and February. Briefing locations vary and are disseminated through various media sources.

The next briefing will be conducted on Wednesday, 16 May from 1000-1130 in McGinnis-Wickham Hall classroom E101.

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Anyone seeking additional information or interested in attending should contact Deb Quick, 706 545-3517.

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 HR liaisons, managers/supervisors, and new DCPDS account holders with accessing and using DCPDS, ART, initiating RPAs, 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.

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; and, generating reports and printing a Notification of Personnel Action (i.e. 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.

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