

**STATUS OF BENEFITS FACT SHEET
UPON
ENTERING ACTIVE MILITARY DUTY
WHEN EMPLOYEE ELECTS LWOP IN LIEU OF SEPARATION
(5CFR 353)**

PAY

While performing active military duty, compensation will be based on the terms of your military pay grade. You will not receive compensation for your civilian position unless you elect to use military leave, annual leave, or compensatory time.

*If you perform military duty in support of civil authorities in the protection of life and property as authorized under 5 USC 6323 (b), and elect to use the 22 days of military leave, you must refund to the Coast Guard the amount of military pay (less travel, transportation, or per diem allowances). Based on 5 USC 5519, you are entitled to the greater of your civilian or military pay, not both. To avoid indebtedness, you should fax a copy of your orders and military pay documentation to Ms. Virginia Rackley in payroll at (405)-954-6157.

**The Office of Personnel Management has conferred with the Office of the Assistant Secretary of Defense for Reserve Affairs and determined that military orders based on 10 USC 12301(d) or 12302 which cover most National Guard members and Reservists called up under Presidential authority, are not entitled to the additional 22 days.*

ANNUAL LEAVE

While in a nonpay status, you will not accrue any annual or sick leave. You must state in writing whether you want any unused annual leave to be paid in a lump sum or if you want your annual leave held until you return (5 USC 5552).

If you elect to have your annual leave paid in a lump sum and return to Federal service before the end of the period covered by the lump sum, you will be required to make repayment for all remaining days or hours of work covered by the lump sum payment. The United States Coast Guard (USCG) will recredit to your leave account the amount of annual leave equal to the days or hours of work remaining between your reemployment and the expiration of the lump sum period.

LIFE INSURANCE

Your life insurance coverage will continue for up to 12 months in a nonpay status. At the end of 12 months, your coverage terminates and you will receive a 31-day extension of coverage and have the right to convert to a nongroup policy.

HEALTH INSURANCE

You may continue your health insurance coverage for up to 18 months, or you may elect to terminate your enrollment. If you continue coverage, you are responsible for the

employee share of the premiums for the first 12 months. You can either pay the premiums on a current basis, or you can incur a debt to the government and repay it when you return to active Federal civilian service. During the last 6 months of the 18-month period, you must pay the employee and government share, plus an additional 2 percent of the total premium, on a current basis.

Each pay period you are enrolled in the Federal Employees Health Benefits (FEHB) Program, you are responsible for payment of the employee share of the premium. When you enter a non-pay status, or your pay is insufficient to cover the premium, you must:

- Terminate the enrollment; or
- Continue the enrollment and agree to pay the premium or incur a debt.

If you elect to terminate your coverage, it must be terminated effective on the day you are separated, furloughed, or placed on leave of absence for entering military service. You and your family members are entitled to a 31-day extension of coverage. During the 31 days, you and your covered family members may convert to a non-group contract. The termination is not considered a break in the continuous coverage necessary for continuing FEHB coverage into retirement. However, the period during which the termination is in effect does not count toward satisfying the required 5 years of continuous coverage. When you return to pay and duty status, or at the end of the first pay period your pay becomes sufficient to cover your premium, you must re-enroll within 60 days if you want FEHB coverage.

CONTINUING THE ENROLLMENT AND AGREEING TO PAY THE PREMIUM OR INCUR A DEBT

If you elect to continue your coverage, you must elect to pay the premiums directly or incur a debt in the amount of the unpaid premiums. If you elect to pay directly, mail a check or money order to the address below with your name, social security number, a note that the payment is for “FEHB premium,” and the pay period for which the payment is being made.

Make check or money order payable to USCG, and send it to:

USCG-ART
P. O. BOX 641020
Pittsburgh, PA 15264-1020

If you elect to incur a debt, or if you elect to pay directly but fail to pay the entire amount due, you will receive a notice stating the total amount due. This notice will be sent when you return to pay status, your pay becomes sufficient, or you separate from employment. By electing to continue coverage, you agree to repay the resulting debt in full and to allow the debt to be collected by withholdings from any salary payment to you from the Federal Government. If the amount due cannot be withheld in full from salary, it will be recovered from a lump sum payment of accrued leave, income tax refunds, amounts

payable under the Civil Service Retirement System or Federal Employees Retirement System, or any other source normally available for the recovery of a debt.

THRIFT SAVINGS PLAN (TSP)

No contributions can be made to the TSP while on LWOP or if separated from your civilian position. However, if you are restored to your civilian position, retroactive contributions and TSP elections may be made to cover that period of service. Within 60 days of the date of your restoration to civilian service, you must contact your servicing personnel office in writing, to inform them of your return. Upon receipt of written notification, the Personnel Office will automatically make up missed agency contributions for eligible FERS employees. They also will discuss options regarding the make up of missed employee contributions. Send the letter to:

U.S. Coast Guard
Office of Civilian Personnel
G-WPC-3A, Room LW1
2100 Second Street. SW
Washington, DC 20593

Or send an email to wmisiorek@comdt.uscg.mil

The amount of money you can contribute retroactively to your civilian account will be offset by any contributions made to your uniformed services TSP account while on active duty. FERS employees are entitled to receive matching funds based on contributions made from basic pay while in the uniformed services, if the employee is restored to his or her civilian position. In order for us to properly credit your civilian TSP account with retroactive agency contributions, we need copies of your military leave and earnings statements for every month you were on active duty. Please make sure that you keep the original statements or keep a file of the electronic version.

Uniformed services accounts are maintained separately from civilian accounts. However, if you decide to contribute to both, the sum of the contributions to the two accounts during the same calendar year cannot exceed the applicable IRS annual deferral limits. Members of the uniformed services have access to the TSP loan program. However, reservists who drill only monthly should think seriously before taking a loan from their military account because they may be unable to repay the loan in the timeframe required by law. You are prohibited from repaying a uniformed services TSP loan from civilian pay, or vice versa. Once you separate from either the uniformed services or the Federal civilian service, you can combine your TSP accounts by contacting the TSP Service Office.

RETIREMENT

If placed on LWOP, death and disability benefits continue under your retirement system, as applicable. Active duty military service is potentially creditable for civilian retirement computations. CSRS employees first hired before 10/1/82, may be required to make a deposit if you are going to be eligible to receive Social Security benefits at age 62. CSRS employees first hired in a CSRS covered position on or after 10/1/82, and all FERS employees, must make a military deposit in order to receive credit for the military service.

The deposit will equal the lesser of 1) 7% (or 3% for FERS) of the military basic pay OR 2) 7% (or .8% for FERS) of the civilian pay. (Deposit amounts may vary by year because of law or regulation.) If the military deposit is paid before the interest accrual date (within 3 years of returning to a covered position) no interest is charged on the military deposit.

FLEXIBLE SPENDING ACCOUNTS

If you know in advance that you are going to enter a LWOP status, you can arrange to prepay your allotments. The prepayment amount would be added to your normal payment, thereby increasing the amount withheld from your paycheck. If you go on LWOP and have not prepaid your election, your Flexible Spending Account (FSA) will be frozen and you will not be eligible for reimbursement for any expenses incurred during that period until the Plan Year ends or you return to your civilian job and begin making allotments again. When you return, your allotments will be made on a “catch-up” basis, which means your allotment will be doubled until such time as you are current. If doubling the amount is not sufficient to “catch-up” by the end of the Plan Year, your allotment will be increased proportionately over the pay dates remaining in the Plan Year, or you can pay the allotments directly on an after tax basis.

LONG TERM CARE

You can keep your Long Term Care (LTC) coverage if you go on LWOP, as long as you continue to pay your premiums in a timely fashion. One of several payment options is to have your premiums withheld from your active duty pay. To arrange that or to learn about other payment options, call the LTC Partners at 1-800-LTC-FEDS.

RETURN TO DUTY

If eligible for the excused absence described in the paragraph below, the excused absence will begin immediately upon your return to civilian duty date. You will not be required to actually report to work until after the 5-day period of excused absence.

Excused Absence:

As a full-time employee, you are entitled to 5 days of excused absence when you return from active military service in connection with Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation subsequently established under Executive Order 13223. You are eligible for 5 days of excused absence upon establishment of your return to work date. Part time employees and those working an uncommon tour of duty such as firefighters will have their 5 days prorated according to the number of hours scheduled for the workweek.

The 5 days of excused absence must be granted prior to the resumption of your civilian duties and cannot be saved for use at a later date. You are only entitled to one 5-day period of excused absence regardless of the number of activations.

APPEAL RIGHTS

If you believe this agency has not complied with the provisions of law relating to employment or reemployment, you may:

- (a) File a complaint with the Department of Labor; or
- (b) Appeal directly to the MSPB if you choose not to file a complaint with the Department of Labor, or you are informed by either Labor or the Office of Special Counsel that they will not pursue the case.

LENGTH OF SERVICE

To be entitled to restoration rights under 5 CFR 353, cumulative service in the uniformed services while employed by the Federal Government may not exceed 5 years.

If you have any questions or need additional information, please contact your Office of Civilian Personnel Command Staff Advisor or Human Resource Specialist.