

**STATUS OF BENEFITS FACT SHEET
UPON
ENTERING ACTIVE MILITARY DUTY
WHEN EMPLOYEE ELECTS SEPARATION IN LIEU OF LWOP
(MORE THAN 180 DAYS)
(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

You will receive a lump-sum payment for any annual leave balance. If you return to duty 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 Coast Guard 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 stops at the end of the day on which you are separated from civilian service for any reason. You will receive a 31-day extension of coverage and have the right to convert to a nongroup policy.

HEALTH INSURANCE

If you are eligible for reemployment rights under 5 CFR 353 or similar authority, you may continue your health insurance coverage for up to 18 months, or you may elect to terminate your enrollment. Your coverage will continue for up to 12 months whether or not your eligibility for reemployment rights continues. 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. To receive coverage for the

additional 6 months, you must continue to be eligible for reemployment rights. 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.

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 and to convert to an individual contract.

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

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 separate from service, your Flexible Spending Account (FSA) will terminate as of the date of your separation. There are no extensions. Any health care expenses incurred prior to the date of separation will still be reimbursable, but those incurred after the date of separation will not.

LONG TERM CARE

Your Long Term Care (LTC) coverage will continue after you separate as long as you continue to pay your premiums in a timely fashion. If you were paying premiums by payroll deduction, you will have to make arrangements with the LTC Partners to start paying premiums directly or by automatic debit from your bank account. You can contact them on 1-800-LTC-FEDS.

RETURN TO DUTY

To be eligible for reemployment you must:

- (a) Have been released/separated from the military under honorable conditions and provide evidence in the form of a DD Form 214.
- (b) Notify this office in writing, within 90 days of your release from the military, that you intend to return to your former civilian position and the date you will be available to start to work.

You are entitled to be placed in your former position or an equivalent position in the commuting area. Provided you are still physically qualified to perform the duties of the position you left (or an equivalent one), you will be restored to such a position. Upon restoration, the time spent in an active duty status until reemployed is creditable for purposes of rights and benefits based upon length of service. This includes within-grade increases, career tenure, completion of probation, time-in-grade restrictions, and leave rate accrual.

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

An individual who believes this agency has not complied with the provisions of law relating to employment or reemployment 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.