



Emerging Issues

Jim Wachter

Chief, Field Advisory Services



Overview

- **Special Retirement Programs**
- **Flexible Spending Accounts**
- **Environmental Differential Pay**
- **Government Charge Card Issues**
- **Management Guide During Contingencies and Emergencies**
- **Delegated Examining Operations Handbook**
- **Hiring Flexibilities**
- **Telework**



Special Retirement Programs

- **Early & Enhanced Retirement Benefits**
 - Law Enforcement Officers (LEO)
 - Firefighters (FF)
 - Air Traffic Controllers (ATC)
- **Agency Head (designee USD(P&R))**
 - Approval authority for LEO and FF coverage
 - Oversight & reporting responsibilities
- **Component Head (or designee)**
 - Full authority for ATC coverage
 - Denial authority for LEO and FF coverage



Special Retirement Programs

- **Special Retirement Delegation of Authority**
 - OPM regulations restrict delegation
 - DoD requesting regulatory change to permit delegation below USD(P&R) level



Flexible Spending Accounts

- **Pre-tax cafeteria benefits expanded for active Federal employees**
- **Employees (not annuitants) may participate in one or both of the FSA options**
 - Health Care FSA
 - Dependent Care FSA
- **Enrollment**
 - Plan Year = January 1 to December 31
 - Web based enrollment (www.fsafeds.com)
 - Irrevocable FSA elections – no election changes without a qualifying life event



Environmental Differential Pay (EDP) for Asbestos

- **There is no objective standard for payment of EDP to Federal Wage System employees for exposure to asbestos**
- **The lack of an objective standard subjects the Department to substantial costs**
- **Departmental initiatives to address this issue**
 - **Publication of Department-specific regulations**
 - **Proposed change to government-wide regulations**
 - **Proposed change in the authorizing statute**



Government Charge Card Misuse

- **DoD Appropriations Act for Fiscal Year 2003 requires procedures for improper use of government purchase and travel charge cards, and regulations providing for corrective actions for negligent use or misuse related to a government purchase card**
- **DUSD(CPP) issued government charge card disciplinary guide on April 21, 2003**
- **Component disciplinary policies currently satisfied the statutory requirements**
- **DCPDS modified to facilitate tracking of disciplinary/adverse actions related to government charge card misuse**



Government Charge Card Evaluation of Creditworthiness

- **DoD Appropriations Act for FY 2003 requires SecDef to evaluate credit worthiness of individuals prior to issuing government charge card**
- **Fair Credit Reporting Act provides that employees must voluntarily agree to credit checks**
- **DoD Comptroller proposes**
 - to deny charge cards to applicants who receive certain credit scores after agreeing to credit checks
 - to provide alternative voluntary self-disclosure form to applicants who do not agree to credit checks



Government Charge Card Evaluation of Creditworthiness

- **Legislative changes will be pursued by DoD Comptroller to require credit checks for charge card applicants without regard to the Fair Credit Reporting Act**
- **Financial Management Regulations may be revised to deny travel advances to any individual who refuses a credit check or self-disclosure for travel charge card**
- **Labor relations obligations must be satisfied prior to making any changes that impact bargaining unit employees**



Management Guide During Contingencies and Emergencies

- **Published in March 2003**
- **Provides ready reference for managers in emergencies**
- **Constructed in two parts**
 - 1. Homeland Defense and General Application**
 - Civilian workforce regardless of duty station
 - Crisis situations in connection with homeland defense and those arising in overseas areas
 - 2. Special Provisions in Foreign Areas**
 - Foreign national employees
 - Contractor employees
 - Noncombatant Evacuation and Repatriation



Changes in Delegated Examining

- **Delegated Examining Operations Handbook, version 6, issued April 2003**
- **Major changes**
 - Veterans provide proof prior to final selection
 - DEUs document qualification determinations
 - DEUs provide Notice of Results to applicants
 - Military members no longer restricted to applying within 120 prior to and 120 after release from service



New Hiring Flexibilities

- **Direct Hire**
 - Severe shortage of candidates
 - Critical hiring need - must be requested from OPM through DUSD(CPP)
- **Categorical Rating and Ranking**
 - Two or more pre-defined quality categories
 - **Veterans' Preference**
 - Compensable veterans placed in highest category
 - Veterans placed ahead of non-veterans in each category
 - Veterans are not assigned points
 - **Rule of Three - not applicable**



FY 2003 Telework Survey

- **Public Law 106-346 requires Executive Agencies to offer telework to 75 percent of eligible employees in FY 2003**
- **Status report is due to Congress in January 2004**
- **OPM will collect survey data electronically**
 - Posts survey on its web site in October 2003
 - Sets December 2003 deadline for data submission
- **Data elements added for FY 2003**
 - Description of methods used to document offers of telework
 - Statistics on employees who refused offer
 - Redefinition of regularly scheduled telework to one day per week rather than one day per pay period



Questions?