

Nashville District

Human Resources Newsletter

“News You Can Use”

Issue 01-10-04
1 October 2004

The purpose of this newsletter is to keep Nashville District employees informed about personnel issues, concerns, and topics. You are encouraged to review the information and disseminate to your organization. If there are particular areas of interest that you would like to see addressed in future issues, an article of general interest, or general comments, please contact John Restey at 615-736-5538 or John.G.Restey@lrn02.usace.army.mil.

Coming Events:

8 October – 13 December 2004----FEHB (Federal Employees Health Benefits) Open Season

15 October –31 December 2004---Thrift Saving Plan (TSP) Open Season

1-5 November 2004—HR for New Supervisor Course

8 November-13 December 2004—Flexible Spending Account for Federal Employees (FSAFEDS) Open Season

General News:

The Department of the Army is Pleased to Offer "The Work Number for Everyone(c)"

Effective December 4, 2000, all requests for employment and salary information will be directed to "The Work Number for Everyone(c)", an automated employment verification service that allows you to have your employment and salary verified within a matter of minutes. This fast, secure service is used for mortgage applications, reference checks, loan applications, and apartment leases. Anything you need that requires proof of employment. It is quick, accurate and best of all its easy.

"The Work Number for Everyone(c)" will speed up this process by giving you and your verifier access to employment information 24 hours a day 7 days a week. "The Work

Number for Everyone(c)" is a cost effective and environmentally smart way for Department of the Army employees to have their employment verified confidentially.

What are the benefits of this service?

- Faster, more efficient, and more complete responses to employment verification requests
- Increased security of sensitive salary information
- Standardized verification procedures
- An audit trail to insure proper verification procedures
- Longer hours of accessibility to employment verification information
- Dedicated Client Service Center

Detailed brochures will be located at your Civilian Personnel Advisory Centers. You may also visit our website on CPOL. From the CPOL homepage at <http://cpol.army.mil/library/benefits/talx> for more information, or call 1-800-996-7566 to speak with a Work Number Customer Service Representative. (Voice) / 1-800-424-0253 (TTY/Deaf). Automated Help is available 24 hours per day. Customer Service Representatives are available 7:00am until 8:00pm CST, Monday-Friday.

FLEXIBLE SPENDING ACCOUNT FOR FEDERAL EMPLOYEES (FSAFEDS) OPEN SEASON

Open season for FSAFEDS will be November 8 through December 13, 2004 for the 2005 plan year. If you were enrolled in the FSA program during the 2004 plan year, you must enroll during the upcoming open season in order to continue coverage. Deductions are terminated automatically at the end of each plan year. To learn more about FSAFEDS, visit www.abc.army.mil <http://www.abc.army.mil> during open season.

EMPLOYEE RELOCATION POLICY CHANGES IN THE WORKS

An advisory board made up of government and private industry representatives is preparing a report that could recommend major changes to policies regarding employee relocation.

The federal government's relocation policies have come under fire in Congress in the past decade, after reports showed that some employee moves were costing more than \$100,000.

About 40,000 nonmilitary federal workers relocate each year. The Governmentwide Relocation Advisory Board is chartered under the General Services Administration to review the relocation rules contained in the [Federal Travel Regulation](http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/fttr_091704_R2QA53_0Z5RDZ-i34K-pR.pdf) http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/fttr_091704_R2QA53_0Z5RDZ-i34K-pR.pdf.

The 11-member board, [chartered by Congress on July 9 <http://www.govexec.com/dailyfed/0604/062204e1.htm>](http://www.govexec.com/dailyfed/0604/062204e1.htm), has met publicly twice, and most recently heard public comments Wednesday on three proposals:

- ✓ Merging two GSA-sponsored household goods/move management programs under the Federal Supply Schedule.
- ✓ Outsourcing the management of transferring employees to third-party companies.
- ✓ Increasing benefits to federal workers who are asked to relocate. That could include broadening the number of workers who can receive benefits, allowing for additional housing-search visits and providing mortgage counseling services.

Aligning the government's relocation policies with those of the private sector will likely require legislation. Some board members said that until they have completed the fact-finding portion of their work, they don't want to speculate on exactly what type of changes are needed.

The board's final report is expected in July 2005. Its next public meeting is Dec. 1 at the Hyatt Regency Hotel Crystal City in Arlington, Va. Taken from Govexec.com by Daniel Pulliam

MSPB CHANGED RULES ON “ABSOLUTE” PERFORMANCE STANDARDS

An absolute standard is one under which a single incident of poor performance will result in an unsatisfactory rating on a critical element. The Merit Systems Protection Board (Board) has adopted the reasoning of a Court decision in interpreting 5 U.S.C. § 4302(b)(1) and changed the Board's long standing in prohibiting “absolute” performance standards. The implication is that for performance-based actions, the Board would no longer invalidate an agency's absolute or near-absolute performance standards. Supervisors may now set performance standards as high as appropriate, so long as those standards are objective, have been communicated to the employee in advance, and meet the other express requirements of 5 U.S.C. § 4302 (b)(1).

5 U.S.C. § 4302 (b)(1) provides guidelines for establishing performance standards, it reads:

“establishing performance standards which will, to the maximum extent feasible, permit the accurate evaluation of job performance on the basis of objective criteria (which may include the extent of courtesy demonstrated to the public) related to the job in question for each employee or position under the system.”

For the last 20 years, the Board interpreted this language as prohibiting an absolute standard. As first stated in Callaway v. Department of the Army, 23 M.S.P.R. 592 (1984), and in later decisions for this line of cases, the Board determined that an agency is not permitted to evaluate an employee's performance under a standard that requires the employee to achieve an absolute or unreasonably high level of performance. Since Callaway, the Board's case law has been unchanged until the U.S. Court of Appeals for

the Federal Circuit clarified in Gullebeau v. Department of the Navy, 362 F.3d 1329 (Fed. Cir. 2004), that the plain language of § 4302(b)(1) does not bar absolute standards. The Court's review of the legislative history also indicates that there is no congressional intent to prohibit absolute standards. The Court concluded that performance standards, absolute or otherwise, "must be reasonable, based on objective criteria, and communicated to the employee in advance." A link to this case is provided for your use <http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=Fed&navby=case&no=033220>.

In August 2004, the Board reopened the appeal of Jackson v. Department of Veterans to address its case law concerning performance standards. In its analysis, the Board stated that it agrees with the court's reasoning in Gullebeau and that 5 U.S.C. § 4302(b)(1) does not preclude the use of absolute performance standards, so long as those standards are objective and tailored to the specific requirements of the position. The Jackson case is on the MSPB web site at http://www.mspb.gov/decisions/2004/jackson_at020232i1.html.

ATTN: MANAGERS AND SUPERVISORS

This is a reminder that you must have access to Army Knowledge Online (AKO) to return selections for vacancies to the CPOC. If you need to reset your password follow these instructions:

Go to www.us.army.mil, select "contact me", put in your phone number, they will call you right back, ask a couple of questions to verify your identity. Then they will reset your password to a temp password that you will personalize.

If you have questions please call your servicing generalist in the CPAC.

Health and Benefits:

THRIFT SAVINGS PLAN (TSP) OPEN SEASON

The next TSP Open Season is October 15 through December 31, 2004. During this time you can increase the maximum amount you can contribute to your TSP account. Civil Service Retirement System (CSRS) maximum will be 10%; Federal Employee Retirement System (FERS) will be 15%. The overall maximum allowable contributions are \$13,000 for 2004. To make elections for this open season, you must use the Army Benefits Center - Civilian (ABC-C), a centralized service center for Department of the Army civilian employees. You can access the ABC-C by telephone via toll-free number, 1-877-276-9287. Hearing Impaired 1-877-276-9833 or through the Internet at <https://www.abc.army.mil/>. The ABC-C automated systems are available almost 24 hours a day and benefit counselors are available to assist employees between the hours of 6:00 a.m. and 6:00 p.m. Central Standard Time (CST).

FEHB OPEN SEASON

Open season for the FEHB Program will be November 8 thru December 13, 2004. Open season elections will be effective January 9, 2005.

There are many significant plan changes that will take place in the 2005 to include terminations of plans and plans reducing their service areas by terminating enrollment codes. If your plan falls under either of these categories, **you will need to enroll in a plan during the open season in order to retain health benefits coverage.**

Some plans will be reducing their service areas without terminating an enrollment. Employees enrolled in those plans may elect another health plan during open season or travel to the plan's remaining service area to receive benefits.

There are at least 11 new health plans that will be available in 2005 for various locations. Employees will want to review the information that will be available at health fairs and on the OPM website to determine eligibility, premiums, deductibles, services covered, and other pertinent information prior to making a decision to enroll.

Many existing plans will be offering a High Deductible Health Plan (HDHP) without new enrollment codes. Some existing and/or new plans will be offering a HDHP with new enrollment codes. If your plan is offering a HDHP or the service area is being expanded with a new enrollment code, you must make an enrollment change to enroll in the new code or elect another health plan during the open season.

Cimmaron (PX) and Lovelace (Q1) Health Plans of New Mexico merged. Enrollees will be automatically transferred to Q1 unless another plan is selected during open season.

As with any open season, you are encouraged to review your current health plan in order to determine whether it will meet your needs for the upcoming year. Additional information and links to other appropriate websites can be found on [<https://www.abc.army.mil/>](https://www.abc.army.mil/)

Food for Thought:

I do the best I know how,
the very best I can; and I mean to
keep on doing it to the end.

If the end brings me out all right,
what is said against me will not
amount to anything.

If the end bring me out all wrong,
ten angels swearing I was right
would make no difference.

Abraham Lincoln