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From the Deputy HRO

In December of 2009, President Obama issued Executive Order 13522 -- Creating Labor-Management Forums To Improve Delivery of Government Services.

The EO states that "Federal employees and their union representatives are an essential source of front-line ideas and information about the realities of delivering Government services to the American people. A non-adversarial forum for managers, employees, and employees' union representatives to discuss Government operations will promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government. Labor-management forums, as complements to the existing collective bargaining process, will allow managers and employees to collabo-

rate in continuing to deliver the highest quality services to the American people. Management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining over the impact and implementation of the predetermined solutions."

For the Nevada Air Guard, these LMFs have provided an excellent opportunity to ensure military technicians have a voice in issues that impact them and their workplace. If you have any questions or input for these meetings, please contact your Silver Baron association representatives so you can make sure your voice is heard in the meetings.

Though the Nevada Army Guard's association is currently not active and LMFs are not held, it is still a good business practice to include employees in the decision making process when possible. Far from restricting management from implementing policy, an LMF simply allows employees a voice in the implementation process so management can make the most informed decisions possible.

We have an outstanding organization comprised of individuals who have dedicated their professional and personal lives to supporting the needs of this great state and nation and LMFs are an excellent tool in ensuring the entire organization can be as productive as possible.

POC LTC Keith Kamachi,
775-887-7311

We're on the Nevada
National Guard public

website at

[http://www.nv.ngb.army.mil/](http://www.nv.ngb.army.mil/nvng/index.cfm/departments/human-resources/)

[nvng/index.cfm/](http://www.nv.ngb.army.mil/nvng/index.cfm/departments/human-resources/)

[departments/human-](http://www.nv.ngb.army.mil/nvng/index.cfm/departments/human-resources/)

[resources/](http://www.nv.ngb.army.mil/nvng/index.cfm/departments/human-resources/)

Look for us also on the
Army National Guard
Intranet and the Air
National Guard
Sharepoint!

Employee Relations & Benefits

eRetirement--the Army Benefits Center-Civilian's (ABC-C's) Newest Benefit Tool

ABC-C is excited to offer the new eRetirement web application located in the Employee Benefits Information System (EBIS). This tool allows Technicians to complete a retirement application with ease!

If a Technician is within one year of retirement, he/she can fill out a retirement application on ABC-C's

secure EBIS website at <https://www.abc.army.mil>. After entering the EBIS website, the member will select the eRetirement button and complete all the forms listed. Upon completion of the forms, the technician must print each form individually, review each form closely, and sign where required. The application is then mailed to ABC-C, 301 Marshall Avenue, Fort Riley, Kansas 66442. ABC-C will review the application and provide the technician with an acknowledgement of receipt.

Questions concerning eRetirement, can be directed to ABC-C at 1.877.276.9287, choose Option 3, during the hours of 6:00 a.m. thru 6:00 p.m. CT (0400 to 1600 local).

Use of eRetirement is optional. As always, the local staff in the Employee Benefits section is ready to assist and personally counsel employees on retirement matters.

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HRO MISSION STATEMENT

The Human Resources Office (HRO) is a consolidated office that provides personnel, manpower management, and administrative support service for federal full-time personnel programs. The office serves as The Adjutant General's single point of control for managing and administering the Nevada Army National Guard and the Nevada Air National Guard full-time personnel programs.

More Employee Relations & Benefits

Federal Benefits Open Season Closes 10 Dec

Federal Benefits Open Season started Monday, November 12 and ends Monday, December 10, 2012. During the Open Season, Technicians have the opportunity to enroll, change enrollment options, or cancel an enrollment in the Federal Employees Health Benefits (FEHB) Program; the Federal Employees Dental and Vision Insurance Program (FEDVIP); and the Flexible Spending Account (FSA). More information on Open Season is available at the Office of Personnel Management (OPM) website at <http://www.opm.gov/insure/opensession/index.asp>.

Thrift Saving Plan Information

TSP4gov on YouTube — The TSP now has a YouTube channel (www.youtube.com/TSP4gov), where you'll find a number of informative videos to help you make decisions about the TSP and manage your TSP account: Roth TSP for civilian employees and members of the uniformed services The difference

between contribution allocations and interfund transfers
How to change your address for your TSP account!

New videos and other content will be added in the future to help our technician make the most of their participation in the TSP.

Employment Verification for Technicians

Need to verify you employment for a home loan, refinancing, or other reason? If you are a technician it is as easy as using MyBiz. Once you are logged in to the MyBiz application, choose the Employment Verification link. You have the option of generating just employment information of adding salary information to the verification. The tool will send an encrypted document via email to both you and the address to designate; it will also send you a password to open the document. For your protection, the e-mail containing the password will not be sent to the individual identified in the "To" line. It is your responsibility to share the password with the intended recipient.

New Employee Benefits Specialists!

With the upcoming retirement of MSgt Mimi Rutherford on 31 December and the departure of SGT Amy Batchelder from the EBS section we have brought on two new people to the section, SGT Monica Marks and MSgt Daphne Ross. Both are very excited to learn and are prepared to take care of our customers in Nevada. Points of contact for the Employee Benefits Section are as follows :

SMSgt Bill Schy 775-887-7382
william.s.schy@mail.mil

MSgt Daphne Ross 775-887-7390
daphne.v.ross@mail.mil

SGT Monica Marks 775-884-8409
monica.l.marks@mail.mil

**POC: SMSgt Bill Schy,
775-887-7382**

Training

The following training is scheduled in the upcoming months:

Special Emphasis Program Manager (SEPM) Course, ANG DFAC, 28 Jan - 1 Feb 2013, POC Ms. Alicia Nyland, SEEM. (See page 5)

Performance Appraisal (PAA), Washoe County Armory Wednesday, 13 February 2013

Fiscal Law, OTAG Auditorium, 26 - 29 March 2013

NGB Technician Supervisor's Course, OTAG NCO Classroom, April 2013 (specific dates pending).

**POC: Mr. Kevin Baugh,
775-887-7381**

CLASSIFICATION AND STAFFING

TEMPORARY LIMITED APPOINTMENT

A temporary limited appointment is a nonpermanent, nonstatus appointment to a position for a specified period of time not to exceed one calendar year. Temporary appointments are intended to meet legitimate nonpermanent staffing needs. Examples of appropriate use of temporary appointments include:

- (1) Filling a position to address a temporary workload peak or to complete a project;
- (2) Meeting a staffing need that is scheduled to be terminated within the one year timeframe for reasons such as abolishment, reorganization, or contracting out of the function, anticipated reduction in funding;
- (3) Filling positions temporarily because the positions are expected to be needed for placement of permanent employees who would otherwise be displaced

It is not appropriate to use a temporary appointment as an unofficial probationary period (unless specifically authorized as in the case of severely disabled or mentally restored employees) or as a means of avoiding the cost of paying employee benefits.

Time Limitations

A temporary appointment may be made for a specified period not to exceed one year. The appointment may be extended one additional year for a maximum of 24 months of total service. An appointment to a successor position a position that replaces and absorbs the position to which an individual was originally appointed is considered an extension, not a new appointment, in calculating the 24 month limitation. An appointment to a position involving the same basic duties in the same major subdivision of the activity and the same commuting area as the original appointment also is considered an extension rather than a new appointment.

The supervisor submitting the hiring action must certify that the employment need is truly temporary and that the pro-

posed appointment meets the regulatory time limits. The reason for making a temporary limited appointment must be stated.

Restriction on Filling Positions by Temporary Appointment

An activity may not fill a position by temporary appointment if that position has been filled by temporary appointment(s) for an aggregate of 2 years, or 24 months, within the preceding 3-year period.

Making Temporary Appointments

Temporary appointments may be made under:

- (1) Competitive procedures, such as an appointment under a competitive procedure or
- (2) Noncompetitive: The person to be appointed must still meet all applicable qualification requirements for the position. In order to ensure the qualification requirements of the position are met a complete application packet needs to be received in the HRO a minimum of a pay period prior to desired appointment date. A direct appointment packet consist of:

- (a) Properly filled out SF52 with all approvals signatures/endorsements as required by the directorate in the chain of command
- (b) SF181, Ethnicity and Race Identification form
- (c) SF306, Declaration for Federal Employment form
- (d) Current PQR/RIP
- (e) Current resume

Temporary employees do not serve a trial or probationary period. They are not competing employees under reduction in force. They may be terminated at any time upon written notice from the employing agency.

Excepted Service Appointments on a Time Limited Basis

Excepted appointments not-to-exceed one year are considered temporary and

are subject to the 24 month service limit and restrictions comparable to those pertaining to temporary appointments in the competitive service. Additional information is in 5 CFR 213.104.

National Guard Military Physical or Medical Qualification Requirements and Technician Employment

Excepted service technicians are required by law to be members of the National Guard in the state in which they are employed. The physical and medical qualification requirements associated with National Guard membership do not apply to the technician program. Supervisors and managers cannot add military physical or medical requirements to a technician position description. The requirement to pass a PT test or maintain weight standards are prerequisites for continued military service; they are not conditions for continued technician employment. The inability to pass a military PT test cannot be considered failure to meet a condition of employment. A technician who fails a military PT test which results in loss of military membership should be separated under the provisions of Technician Personnel Regulation (TPR) 715, paragraph 3-1, Loss of Military Membership.

There may be instances when a technician fails to meet a condition of employment for continued technician service. The most common instances are addressed in TPR 715. Paragraph 3-2, TPR 715, addresses actions to be taken due to failure to meet a condition of employment. If a technician cannot perform the duties of his or her technician position due to medical or physical limitations, but continues to be a member of the National Guard, management must take appropriate action to address the limitations. The appropriate action (paragraph 3-2b, TPR 715) may be to:

- (1) Leave the technician in their assigned position and suspend physical duty requirements until the injury/illness is resolved;
- (2) Detail the technician for a period of time to allow for recovery from the injury/illness that caused the physical duty restriction;
- (3) Reassign the technician to a position that does not have a physical duty requirement;

Continued on next page.

Classification / Staffing (continued)

(5) Terminate the technician.

If none of these options are acceptable or available to management, it may be necessary to terminate the technician for failure to meet a condition of employment.

For questions about qualification requirements, please call SSgt Erik H. Tedrowe (775) 887-7389 or CMSgt Evelyn M. Anderson (775) 887-7380.

Dual Status Technician Compatibility

The National Guard Technicians Act of 1968 prescribes that military requirements predominate technician employment and the military structure is preeminent over the full-time structure. Compatibility is achieved when the duties and responsibilities of a military technician's position are substantially equivalent to the duties and responsibilities of the technician's military assignment. In order to retain their full-time military technician position, a technician must meet the military and civilian qualifications of the position. Compatibility criterion is linked to military specialty requirements and authorized assignments. Compatible assignments ensure continuity of operations and enhance unit readiness.

Military compatibility is a requirement defined in Congressional reports and intended to enhance National Guard readiness. There are conditions that may warrant exceptions to compatibility such as, force structure changes or other command actions that effect military structure. The Office of Technician Management will continue to require technician's maintain military compatibility; however we will consider compatibility waivers as appropriate. Governing regulation is Technician Personnel Regulation (TPR) 303, Military Technician Compatibility.

POC: CMSgt Evelyn M. Anderson
(775) 887-7380
SSgt Erik H. Tedrowe
(775) 887-7389

AGR Branch

Greetings, Happy Holidays to all the Soldiers, Airman and their Families; I am CW2 Erick Willrich and your new AGR Manager. I have 19 years of experience with the National Guard, 18 years with Nevada and 1 year with Colorado. I enlisted in 1990 to the 321 Signal Company and have held a variety of positions in the OSA Det 45, 593 Med Trans Co and JFHQ. My full-time employment has been with the Nevada Army National Guard as a Federal Technician since 2003, where I served as a Program Analyst, Funeral Honors State Coordinator and Executive Support Specialist. I look forward to working with each of you offering our support through your career when the time arises.

Recently DoD FMR 7000.14-R, Aug. 12 was amended, resulting in the extension of leave protection for another year. "Therefore, the actual maximum leave that can be carried forward into succeeding fiscal years is the lowest leave balance achieved following the completion of the SLA duty or the usual 60 days, or 75 days during the period October 1, 2008 to September 30, 2013, whichever is greater." We will continue to monitor the accrual of leave among the program, please make sure you take responsibility for your leave.

We continue to have to major concerns with DTS actions. Most of you will recall there was a policy put in place earlier this year regarding DTS input. As a reminder, all DTS request will be input at a minimum of 15 days prior to travel. Any travel that is within that 15 day window requires the Chief of Staff's approval. In additional, the DTS coordinator for the state recently put out a new policy regarding "DTS TDY Authorization Mandatory Statement". The excerpt below is a MANDATORY remark in DTS for all travel, should you have any questions or concerns on how to execute this action, please contact the DTS Helpdesk at (775) 887-7800. "Effective immediately, the DoD has mandated that all TDY authorizations include a statement that alternate means cannot be used to meet the needs of the TDY. As a result, the following statement must be added to travel authorizations created in DTS: **"Alternate means, such as Secure Video Teleconference**

(SVTC) or other web-based communications are not sufficient to accomplish travel objectives." This statement must be followed by the specific justification for the TDY.

POC: CW2 Erick Willrich
775-887-7384

EEO

Alternative Dispute Resolution in the Workplace

Helping people move from dispute to dialogue

While conflict is a normal part of our lives, it can be an uncomfortable experience, especially in the workplace. If you find yourself in a dispute with an employee, manager, or colleague, ADR can help you resolve issues in a private, confidential, and timely manner.

Alternative Dispute Resolution ("ADR"). ADR brings together both sides of a dispute with the assistance of a neutral third party. It enables them to speak their mind, to hear and understand each other, and find the common ground that may have existed all along, but was hidden by anger, fear, or misunderstanding. ADR is completely voluntary for both parties.

The ADR method used by the Nevada National Guard is Mediation. What is Mediation? Mediation is an informal process in which a trained, neutral third party assists the opposing parties in resolving concerns in the work place and reaching a voluntary, negotiated resolution. The mediator assists with clarifying issues, identifying underlying causes, and arriving at appropriate remedies to resolve the dispute. Any settlement reached through mediation is achieved by the parties themselves. The mediator, in effect, creates a new forum where the disputants can candidly discuss their cases. A mediator does not resolve the issue or impose a decision upon the parties. Instead, the mediator helps the parties to agree on a mutually- acceptable resolution. The mediation process is strictly confidential.

Continued on next page.

EEO (Continued)

Information disclosed during mediation will not be revealed to anyone, including other members of the organization.

Following are frequently asked questions regarding mediation.

Which Types of Disputes Can Be Mediated?

Mediation can apply to disputes that might arise in the workplace. Mediation has many advantages to both parties. If you are a manager, prompt resolution of the dispute frees you to resume other management duties. These techniques are particularly effective in addressing the types of issues and problems that are common to workplace disputes: lack of communication, dysfunctional working relationships, and poor management.

Will You Lose Any Rights by Using Mediation?

Employees do not give up any rights by using mediation. grievance, discrimination complaint or other procedure.

If mediation does not result in an agreement, they remain free to pursue the matter further under the appropriate

How Does Mediation Help in the Workplace? Mediation opens the door to better communication, a sense of teamwork, and lessens the tensions that cause the conflict. For the employee, this produces a less stressful, more harmonious work environment. For management, it fosters a more productive workplace and redirects the focus to where it belongs: on the mission.

Why is Mediation not Used? Sometimes there is a fear of loss of authority. It's easier to let someone else make the decision. Lack of information as to the benefits of ADR. Too many risks bringing in an outside party

What is the role of the Mediator? The Mediator remains neutral at all times. They're specially trained to work in conflict situations and help with identifying and clarifying issues. The mediator has no power to make a decision or force one on any party. The Mediator guides the negotiation process – not the outcome, and they also ensure that everyone is heard and understood. The

mediator facilitates information exchange, they don't take sides or find fault and they work with all parties to reach a voluntary agreement of the parties own making.

Is Mediation right for you? Do the following apply? The issue involves continuing relationships. The parties want it settled confidentially and informally. The parties indicate they would like to have a say in shaping an agreement. Parties can represent themselves and/or have a representative with them. Since the mediation process is voluntary, any party can end the proceedings any time.

How to Prepare for Mediation Bring only relevant and current information about the case. You don't need to be distracted by unnecessary details. Come with an open mind. Focus on your interests, not your position. Taking a position will not help working towards a solution. Know which ideas (several of them) you have that can meet your interests, and know why they are important to you. Also think of ideas that may be of interest to the other party. Try to work toward a mutual benefit.

Besides saving time, mediation can help to preserve the integrity of ongoing work relationships. Because the parties who reach agreement through mediation retain control of the dispute's outcome, the results are more likely to meet their needs than a decision imposed by an outside party.

The Nevada National Guard provides certified mediators to assist employees and supervisors. For more information on setting up a mediation session, contact Alicia Nyland, State Equal Employment Manager, alicia.nyland@us.army.mil, 775-384-5845.

News announcement

Recruiting Special Emphasis Program Managers

We are looking for volunteers who are interested in a collateral duty as one of Nevada National Guard's Special Emphasis Program Managers (SEPM's). In short, the term SEPM refers to those programs that ensure agencies take affirmative steps to provide equal opportunity to minorities,

women and people with disabilities in all areas of employment. It refers specifically to employment related programs which focuses special attention on groups that re conspicuously absent or underrepresented in a specific occupational category or grade level in the agency's work force. These programs serve as a channel to management officials. The goals of the Special Emphasis Program are to:

Improve employment and advancement opportunities for minorities, women and people with disabilities in the federal service;

Identify systemic causes of discrimination against minorities, women and people with disabilities;

Seek ways to help minorities, women and people with disabilities to advance by using their skills more fully;

Monitor agency progress in eliminating discrimination and adverse impact on minorities, women and people with disabilities in employment and agency programs;

Educate Federal employees and managers about the extent of various forms of discrimination within the Federal Service. The program manager's positions that we are currently looking for are:

Black Employment Program Manager
Hispanic Employment Program Manager
Asian/Pacific Islander Employment Program Manager
American Indian/Alaskan Native Employment Program Manager
Federal Women's Employment Program Manager
Employment for Persons with Disabilities Manager
If this is something you are interested in, please call 775-384-5845 or email alicia.nyland@us.army.mil. We can talk to your chain of command to determine if this is feasible for you.

POC: Ms. Alicia Nyland,
775-384-5845,
Cell: 775-230-1274