Newsletter, February 2008 Issue

CNFJ Regional Human Resources Office (HRO) "Shinbun"

Director's Corner – Sarah B. Overstreet

DASN PRESENTS 35 YEAR SERVICE PIN TO SERGE MAGLOIRE, HRO Yokosuka, Okinawa Satellite Manager

Ms. Patricia C. Adams, Deputy Assistant Secretary of the Navy, (DASN) Civilian Human Resources, presented Serge Magloire, the HRO Yokosuka, Okinawa Satellite Manager with a certificate recognizing his thirty-five years of service. Mr. Magloire completed his thirty-five years on 17 October of 2007.

After completing four years of service in the United States Air Force, Mr. Magloire started his Federal career with the Air Force as a GS-4.

In addition to two previous assignments in Okinawa, Mr. Magloire has completed tours in Germany, Korea, and Pensacola, Florida.

Mr. Magloire reported to HRO Yokosuka, Okinawa Satellite in February of 2006. In his spare time he enjoys traveling and participating in physical activity exercises.

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Ms. Patricia Adams, Deputy Assistant Secretary of the Navy (DASN) Civilian Human Resources addresses Yokosuka audience at NSPS Town Hall Meeting held on 16 January 2008.

NSPS

CORNER

To find out more about NSPS visit:
https://www.donhr.navy.mil/nsps/ or
http://www.cpms.osd.mil/NSPS

NSPS CONFERENCE

During the week of 14-18 January 2008, Ms. Patricia Adams, Deputy Assistant Secretary of Navy (Civilian Human Resources) and Office of Civilian Human Resources (OCHR) staff members sponsored and conducted a National Security Personnel System (NSPS) conference for Navy and Marine Corps organizations in the Far East. The conference was held aboard Commander Fleet Activities Yokosuka.

The conference included town hall meetings for managers, supervisors and employees of organizations that converted to NSPS in October and November and a separate session for organizations scheduled to convert in February and March. The conference included the following topics and/or workshops:

- Forum for Senior Leaders
- NSPS Update
- NSPS Compensation Management
- Pay Pool Advising Opportunities
- Assistance with writing performance plans and job objectives
- NSPS Program Management, Communications, HR Issues, and Ask the Experts

Two town hall meetings were conducted by Ms. Adams and included a panel of NSPS experts who answered questions from the audience. Panel members included: Tony Torres-Ramos, Navy's NSPS Program Manager, Tia Butler, Navy NSPS Communication Manager, Seth Shulman, Navy Performance Management Program Manager, Sarah Overstreet, the Director of the Regional Human Resources Office Yokosuka, and Morena Gullett, of PACFLT. An estimated 300 people attended the town hall meetings.

Qualifications for GS versus NSPS Positions

Qualifying for positions in Government Service can have its challenges. With all the laws, rules and regulations that HR offices must follow, it is a wonder how any position could be filled. In the GS world, there are two major items that a person must possess to meet the MINIMUM qualifications for a position – having the required experience for the position and for current civil service employees – meeting "time-in-grade requirements". For positions at the GS-5 or higher grade level, regulations prescribed by the Office of Personnel Management (OPM) require 1 year of specialized experience equivalent to one grade interval lower than the position being filled. "Time-In-Grade" also known as TIG, is a section of the Federal Regulations that is designed to prevent rapid promotions in Civil Service.

Under NSPS, qualifications for positions are still based on OPM qualification requirements. However, unlike GS positions, NSPS positions are based on broad pay bands, instead of grades. Therefore, when determining qualifications in NSPS applicants must meet the OPM minimum qualification requirements established for the lowest level of work within the pay band. This broadens minimum qualification requirements considerably. As an example, a position in the Standard Career Group, Technician and Support Pay Schedule, Pay band 1 (i.e. YB-1) encompasses positions that used to be in the GS-1 through GS-6 grade levels. To qualify for a position that used to be a GS-6 that now falls in the YB-1 category, a person must meet the qualification requirements for a GS-1. Unless there is a

Specific additional mandatory requirement (e.g. such as typing speed of 40 WPM or a bi-lingual requirement), applicants for this type of position will automatically meet the minimum qualifications since there are no experiences or education needed to qualify.

One additional note about NSPS positions: Unlike GS positions, NSPS positions have no "Time-In-Grade" requirements.

For more information on Qualifying for NSPS position visit **http://www.cnfj.navy.mil/hro** and click NSPS.

WHO'S COVERED UNDER NSPS?

During the period of April 2006 through April 2007, more than 20,000 Navy civilian employees converted to NSPS. In October and November 2007, 8,500 more employees converted. An additional 22,000 are scheduled to convert during February and March 2008.

According to Mary Lacey, DoD Program Executive Officer for NSPS, there will be 185,000 DoD employees in NSPS by April 2008.

At present, there is no scheduled date for NSPS conversion for wage grade employees and employees covered by labor unions.

How do you set pay on a promotion action in NSPS?

In NSPS pay setting is determined based on the nature of action. DOD Civilian Personnel Manual (CPM) SC 1950.6.3.3.8.7 provides that comparable levels of work of employees from other pay systems, such as the General Schedule, may be determined using guidance found in SC1911 and SC1920, Appendix 5.

Once it is determined that the action is a promotion, the rules under the DOD CPM SC 1930.5 and the DON Pay Administration Guidance Section 7c are utilized in determining pay in a promotion action.

The guidance requires:
1. Pay Increases in a promotion action must be set with an increase of at least 6 percent unless a higher increase is necessary to raise an employee's salary to the minimum of the pay band.
2. In no situation will pay be set at a rate of pay lower than the minimum of the rate range being promoted to.
3. In no situation will pay be set at a rate of pay higher than the maximum of the rate range being promoted to.

The guidance in the DOD CPM SC 1930.5.3 states that promotion increases are typical in the 6 to 12 percent range. It also allows DOD Components to set pay up to and exceeding 20% based on "higher level management" which is defined by each component.

DON Pay Administration Guidance Section 7c, allows first line supervisors to recommend pay for employees that they are promoting. Managers have authority to authorize increases higher than 6%, up to 20%. A manager's authority will be specifically defined in major command (Echelon I and/or II) guidance in regards to the flexibility of pay setting for actions higher than a 6% increase up to and including 20% increases. A higher (second level) designated official must approve increases greater than 20% but this will also be spelled out in major command guidance.

When setting pay on a promotion action, management needs to consider the DON Compensation models located in Appendix C or the General Schedule when making pay recommendations and decisions on promotions. Management must also consider factors directly related to the position and the applicant such as:

A. Employee's directly related experience.
B. Employee's current salary.
C. Relationship to salaries of similarly qualified employees.
D. Critical nature of the position.
E. Long term costs of the promotion increase and resulting multi-year implications.

Pay on promotion actions are based on the employee's basic pay if in civil service (not including LMS or locality pay) when setting pay.

MSPB APPEAL ON PAY

A Merit System Protection Board (MSPB) Administrative Judge recently dismissed an appeal from an employee who alleged he suffered a reduction in basic pay when he did not receive a pay increase equivalent to a two step increase when he moved from a NSPS position to a GS position. MSPB dismissed the case for lack of jurisdiction. The agency's pay setting practice was found to be consistent with law, rule and regulation and did not constitute an appealable reduction in pay.

In the GS system, an employee who receives a promotion receives the equivalency of a two step increase. However, this only applies when an employee is moving from a GS position into another GS position. In the MSPB case, the employee was moving from a YC-3 NSPS position to a GS-15 position. Consequently, the two step increase rule under the GS to GS promotions did not apply.

Impact of NDAA 08 on Pay and RIFs Under NSPS

President Bush recently signed the National Defense Authorization Act (NDAA) 2008. This impacted pay and Workforce Shaping under NSPS. The new NDAA removed the paragraph that excluded Workforce Shaping from applying to Title 5 for NSPS (which had allowed DoD to create their own policy for Reduction in Forces (RIF), Transfer of Function, etc.). What this means now is that for workforce shaping purposes, DoD has to revert back to the 5 CFR to conduct RIFs, transfers for function (TOF), and furloughs on ANY of our NSPS employees. Consequently, the NSPS enabling guidance and implementing guidance no longer apply. Of great significance is that our general schedule (not yet on NSPS), Federal Wage Grade (FWG), and NSPS employees could all be in the SAME competitive area and compete with each other in the SAME RIF. Because there is no current guidance/policy on how to run a RIF with NSPS employees (applying the 5 CFR 351), ALL current or immediately upcoming RIFs that include an NSPS employee(s), CANNOT be made effective or notices issued. These RIFs must be delayed immediately until further notice. Navy officials are working with a DoD Working Group to come up with guidance and policy on how to apply 5 CFR 351 to NSPS employees. DoD hopes to have guidance out by the end of February (sooner if possible) so that folks can proceed with their RIFs. HRSCs have been directed to delay ALL RIFs (for which NSPS employees are in a competitive area) effective immediately. This includes mock RIFs that are run solely to determine an employees' Priority in the Priority Placement Program.

NSPS PAY POOL ON-LINE TRAINING

DoD has developed an online training course "Pay Pools, Performance, and You" to help pay pool panels and the employees in the pay pool better understand what goes on behind the pay pool curtain. The course can be found at: http://www.cpms.osd.mil/nsps/ppy/index.html

Is it Misconduct or is it Performance?

This will be the first year for most Commands using the National Security Personnel System (NSPS) performance management format. As many employees are aware; NSPS moves us away from a two-level system to one that has a 5-level system. As managers gain more experience with the system, more questions arise about how to rate an employee's performance and what to do about employees whose performance is less than satisfactory. Dealing with poor performance is never easy – it can be a time consuming process for supervisors. Generally, the best advice for any manager

is to deal with the situation as quickly as possible. However, the most common question is "How do I deal with the problem?"

Under the federal personnel system there are two ways to deal with performance type issues, through a performance based action, commonly referred to as a 432 action, or through the adverse action (conduct) system, known as a 752 action. Under NSPS, these systems have been combined to address a performance problem through the adverse action procedures, which may be the most effective method to deal with the problem.

A performance based action is generally a reassignment, demotion or a removal for unacceptable performance. These actions are based on an employee's formally established performance standards. Employees may be provided an opportunity period designed to allow them the chance to prove they can DO the job.

An adverse action is taken for conduct related issues, and includes formal reprimands, suspensions, demotions and removals. Actions are based on expectations or established standards. These actions can be based on events that happened over any period of time – although to be effective, action should be taken as soon as possible after the misconduct occurred.

Performance actions should be taken when the employee is unable to perform a function of their position. Conduct actions are taken when a behavior or activity needs to be corrected immediately. Addressing both performance and conduct issues can be a confusing, stressful and time consuming process for any supervisor or manager. Your HRO Employee/Labor Relations and Services Team is here to help you through the process. For more information on addressing performance problems, visit our website at **http://www.cnfj.navy.mil/hro** or contact Charles Molden at DSN 243-8187 or Ponhara Po at DSN 243-8198 with any conduct or performance related issues or questions.

INTEROFFICE RELATIONSHIP GUIDANCE

This guidance is established to prohibit unwanted interoffice relationships and the potential harassment that may follow in the workplace. This guidance applies to all MLC and USCS employees of the Commander, U.S. Naval Forces Japan, Human Resources office.

All Navy employees are responsible for maintaining the highest standards of integrity, and professional and personal conduct. Any type of harassment in the workplace lowers morale and interferes with the productivity and effectiveness of our organization. In the event that an employee is subject to any type of harassment, he/she is highly encouraged to report it immediately to their first-level supervisor or the Deputy Equal Employment Opportunity Officer (DEEOO).

The Department of Navy is committed to eliminating all forms of harassment in the workplace. Navy managers and supervisors are required to be knowledgeable of regulations prohibiting harassment, both sexual and non-sexual and to carryout and take seriously this guidance and inform their employees of the contents of this guidance. If any employee is found in violation of this guidance, he/she will be subject to appropriate disciplinary action up to and including removal in accordance with pertinent laws, regulations, and/or policies.

If you have any questions regarding this topic, please contact the Chief, Labor/Employee Relations & Services Division, Code N133 at DSN 243-8187.

DCPDS UPDATE

The Defense Civilian Personnel Data System (DCPDS) was updated to use Initiator 1.3.1.29 on 28 January 2008. In addition, the use of your CAC Card to access DCPDS is scheduled for implementation in April 2008.

Retention Incentives

The U.S. Office of Personnel Management (OPM) has issued final regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 granting agencies additional flexibility to pay retention incentives. The final regulations permit an agency to pay a retention incentive to an employee who would be likely to leave for a different position in the Federal service before the closure or relocation of the employee's office, facility, activity, or organization. The final regulations provide agencies with additional flexibility to help retain employees critical to important agency missions and better meet strategic human capital needs. The final regulations became effective on December 17, 2007.

DIRECT HIRE AUTHORITY

In August of 2007, the Department of Navy submitted a request to the Office of Personnel Management (OPM) requesting the use of a Direct Hire Authority (DHA) for the recruitment of Police Officers and certain Engineering positions (0801, 0810, 0819, 0830, 0850, 0854 & 0855). The request is still under review and consideration by OPM . In a recent meeting with DoD agencies, OPM expressed the need for agencies to clearly meet the intent of the CFR and statutory regulations prior to the use of DHA, since it allows for waiving veteran's preference. Additionally agencies must be able to document the use of current available appointment authorities and tools, (e.g., SCEP, STEP, VRA, VEOA, Schedule A, Recruitment, Relocation, Retention, etc.) and explain why they failed.

OPM is still considering Navy's 2007 request for Direct Hire Authority for Police Officers and certain Engineers.

Thrift Savings Plan (TSP) UPDATES

1. During 2008 all Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) employees can contribute up to the maximum Internal Revenue Service (IRS) elective deferral limit of $15,500 in regular TSP contributions. The amount did not change for tax year 2008. In addition, CSRS and FERS employees age 50 or older (or will reach age 50) who will reach the IRS elective deferral limit during 2008 can contribute an additional $5,000 in TSP catch-up contributions.

IMPORTANT: FERS employees need to keep the annual contribution limit in mind when deciding how much to contribute to their TSP account each pay period. You want to avoid losing out on matching funds if you reach the IRS limit before the end of the year. TSP provides an elective deferral calculator to assist you - go to http://www.tsp.gov and click on the Calculators icon.

2. Regular TSP Contributions. If you want to continue your current regular TSP contributions during 2008 you do not have to take any action. You can enroll, change or cancel your regular TSP contributions at any time. There is no Open Season for TSP.

If you want to enroll or change your TSP enrollment you must make your change electronically using the Employee Benefits Information System (EBIS) at https://www.civilianbenefits.hroc.navy.mil/. To make your change online, click on "Access EBIS" and log in using your Social Security Number and password. If you are a new EBIS user, or you have not accessed EBIS in the last 90 days, you will need to set up/reset your Password. You must also establish a Personal Identification Number (PIN) if you have not previously created one. More information about creating a password and PIN is available at https://www.civilianbenefits.hroc.navy.mil/pw_pin.asp.

3. TSP Catchup. TSP Catchup is NOT automatic, you must enroll ANNUALLY. If you want to participate in TSP Catchup during 2008 you must make an NEW ELECTION. You can enroll or cancel your TSP catch-up contributions at any time. You are not required to contribute the maximum amount. Your contributions will automatically stop at the end of the calendar year or when you reach the

maximum dollar limit for the year. If you want to elect TSP catch-up for 2008 you must make your change electronically using EBIS at https://www.civilianbenefits.hroc.navy.mil/

4. Effective Date of TSP Election. If you want to distribute your regular TSP or TSP catch-up contributions equally over all 26 pay periods in 2008 you should make your election during the period 9 December - 22 December 2007. The election will be effective 23 December 2007 and it will be withheld from your first paycheck, received on 11 January 2008.

5. If you have questions about TSP or need help using EBIS, call The Benefits Line at 1-888-320-2917 and select menu option #4 to talk to a Customer Service Representative (CSR). CSRs are available 7:30 a.m. to 7:30 p.m., Eastern Time, Monday through Friday, except on federal holidays. For employees at overseas location, send an email to info@navybenefits.org.

CHECK YOUR BENEFITS INFORMATION

Please take a minute and review your Leave and Earning Statement (LES) to ensure that it accurately reflects your benefits elections. For questions regarding benefits information on your LES please call The Benefits Line at 1-888-320-2917 and select menu option #4 to speak with a Customer Service Representative (CSR). CSRs are available from 7:30 a.m. until 7:30 p.m., Eastern Time, Monday through Friday, except on federal holidays. The TTY number for the hearing impaired is 866-328-9889. Employees in overseas can send inquiries by e-mailed to info@navybenefits.org.

CANCELLATION OF Training DD FORM 1556

The DD Form 1556 previously used to request, authorize, and certify completion of training is cancelled. The Office of Personnel Management (OPM) has issued Form SF 182, Authorization, Agreement, and Certification of Training which replaces the DD Form 1556.

The Commander U.S. Forces, Japan, Regional Workforce Development (RWD) Office can no longer accept the DD Form 1556. The SF-182 Form can be accessed at http://www.opm.gov/forms/pdf_fill/SF182.pdf
Please direct questions to Training Administrator at 243-8182.

Grievance Process for MLC Employees

A grievance under the Master Labor Contract is an employee's stated dissatisfaction with any aspect of his employment, working conditions or work relationships, initiated by the person directly aggrieved and involved. Employees are entitled to present grievances and to communicate with supervisors and managers, the legal employer (Government of Japan) and Human Resources Office (HRO), Commander, U.S. Naval Forces, Japan, without restraint, interference, coercion, discrimination or reprisal. Discriminatory action will not be taken against an employee due to having undertaken action under the contract. Grievance will be considered expeditiously, fairly and impartially. Administrative leave will be granted to employees who participate in grievance procedures under the contract. The grievance must clearly define the employee's complaint/ dissatisfaction and state the remedy sought. The grievance may be submitted in Japanese or English. A remedy must be personal to the employee and may not include a request for disciplinary or other action on another employee. If the presented grievance has something to do with modifying rules, regulations and/or operations in an activity, it is considered that the requested remedial action is not within the authority where the management works, therefore, no grievance will be accepted matter

outside the control of the Party A.

Processing Requests for Reasonable Accommodation

The Navy recently issued Civilian Human Resources Manual (CHRM) Subchapter 1606 on Processing Requests for Reasonable Accommodation (for medical purposes). The CHRM requires that commands designate a Reasonable Accommodation Advisory Team. Junarion Hubbard is the designated Reasonable Accommodation point of contact for commands serviced by the Regional Human Resources Office Yokosuka and its satellite detachments. The goal of the Reasonable Accommodation Advisory Team (RAAT) is to determine if an individual is disabled; if the individual can perform the essential functions of the position; if an accommodation is necessary; which accommodation options are reasonable; and what the appropriate accommodation would be.

Supervisors receiving requests for reasonable accommodation from employees should contact Chief of EEO, at 243-8163/7092 or email c530@cnfj.navy.mil upon receipt of such requests. Employees who have questions about the reasonable accommodation process for medical reasons should contact Chief of EEO.

MANDATORY USE OF GOVERNMENT TRAVEL CARD

Department of the Navy has issued an Individually Billed Account (IBA) Mandate Memo. Although Navy Pay and Personnel Support Center (NPPSC) require 100% use of Defense Travel System (DTS), Navy has not required, but strongly suggested that frequent travelers have an IBA. What does this really mean to you? It means that effective immediately, all DON personnel and all non-bargaining unit personnel who are frequent travelers will use the Government Travel Charge Card (GTCC) Individually Billed Account (IBA) as the primary procurement method for all official Temporary Duty Travel costs, to include transportation. IBAs used in conjunction with DTS provide for timely and accurate reimbursement to the traveler (usually 3 days). Although Centrally Billed Accounts (CBAs) will still be appropriate in a limited number of circumstances (foreign national travel, non-bargaining unit employees), the benefits of IBAs far exceed the comparable benefits of CBAs.

This change aligns the DON with other services in the Department of Defense and CBA reduction efforts outlined by the Office of the Under Secretary of Defense Personnel and Readiness.

For overseas detachments civilian (direct) employees who are frequent flyers must apply for a GTCC. The one exception for overseas is foreign nationals that travel. The exception in CONUS is bargaining unit employees, but they can voluntarily get and use a GTCC.

HR PROGRAM AND SITE MANAGERS

Chief, Operations (US Staffing and Classification Division) 243-9343
Chief, EEO Division 243-8163
Chief, Okinawa Satellite Manager 634-6224
Chief, Labor and Employee Relations Division 243-8187
Chief, JN Employment and Classification Division 243-8155
Chief, Sasebo Satellite Manager 252-3661
Chief, HR Information Systems Division 243-8191
Chief, Atsugi Satellite Manager 264-3422

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