

# Marketing & Regulatory Programs HR BROADCAST

Quarter 3 – FY 2016 Issue

## DIRECTOR'S CORNER

First, I would like to thank you for your willingness to work with HRD as we move towards building that strong partnership that I have mentioned a number of times over the past several months. I hope that the more we work together, the stronger and more effective we will become.

With the Government facing a significant challenge in workforce stability over the next several years, we want to ensure that we make the hiring process as efficient and effective as possible. In the next few weeks, we plan to release the desk guide for hiring officials that we hope will serve as a valuable resource that will assist our hiring officials as they navigate the hiring process. This desk guide will be a “living” document that is intended to reflect current regulations and policies. We plan to have a virtual town hall meeting in August to review this guide and answer any initial questions that hiring officials may have.

One area of focus in this guide will be the various hiring authorities that can improve our ability to bring new staff on more quickly and more effectively. I would like to take this opportunity to bring your attention to the Veteran’s Hiring Authority and to encourage our hiring officials to strongly consider utilizing this authority as you bring new staff into your program. You have probably heard that MRP is committed to building an employee population that is representative of the people it serves, including veterans. To support this important effort, the Office of Civil Rights, Diversity and Inclusion (OCRDI) and HRD have partnered to provide leadership and guidance on the employment of veterans within the Agency through the Veterans Employment Program (Veterans Special Emphasis Program).

Our two offices are committed to providing resources and expertise that encourages the recruitment/hiring of veterans into our workforce. The Veterans Employment Program has recently formalized a Veterans Employee Organization (VEO), which will mirror the USDA VEO on all matters pertaining to creating an inclusive environment for veterans. The APHIS VEO was developed on a promise to back the USDA commitment to veterans in agriculture. Its mission is to serve as a support arm for veteran employees, promote the recruitment, retention, and career development of veterans, and assist with veteran mentoring, coaching, and assimilation into APHIS’s culture.



In recent years, we have brought on a number of veterans who have, and who continue to, make outstanding contributions to our mission. Many of you may be aware that the Veterans Hiring Authority exists, but you may not be familiar with all of the options that this authority provides. The fact sheet

on page 2 summarizes the available hiring options that you may consider for hiring qualified veterans into MRP positions. Many of these options allow you to fill critical positions expeditiously, without going through the traditional recruitment process of posting vacancy announcements to USAJOBS.

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We hope that the HR Broadcast is meeting your needs and communicating topics of interest, but if there are items you would like to see included in future issues, please contact our HR Broadcast Layout Editor, Christina Furnkranz, at [Christina.S.Furnkranz@aphis.usda.gov](mailto:Christina.S.Furnkranz@aphis.usda.gov)



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The following table highlights options that you may use to hire veterans:

HIRING OPTION	DESCRIPTION
<p><b>Veterans' Recruitment Appointment (VRA)</b></p>	<p>Allows you to appoint eligible veterans without competition to positions up to and including the GS-11 grade level (the full performance level may be higher). VRA candidates can be hired through the Merit Promotion process or outside of the Merit Promotion process.</p>
<p><b>30% or More Disabled Veterans</b></p>	<p>Allows you to noncompetitively appoint eligible disabled veterans to any position and grade level. These disabled veterans can be hired through the Merit Promotion process or outside of the Merit Promotion process.</p>
<p><b>Spouses and Widows/Widowers of Certain Military Members</b></p>	<p>Allows eligible spouses and widows/widowers of certain military members to be appointed without competition to any position and grade level. These individuals can be hired through the Merit Promotion process or outside of the Merit Promotion process.</p>
<p><b>Veterans Employment Opportunity Act of 1998 (VEOA)</b></p>	<p>This is a competitive appointing authority that allows certain veterans to apply to Merit Promotion announcements. VEOA candidates can only be hired through the Merit Promotion process.</p>
<p><b>Non-Paid Work Experience (NPWE) Program</b></p>	<p>A work training program that provides eligible veterans with the opportunity to obtain training and practical job experience. At the end of the training program, you can place the NPWE participant in a permanent position through special hiring authorities. NPWE candidates are hired outside of the Merit Promotion process.</p>

If you have any questions about utilizing this authority, please contact your [HR staffing specialist](#), or Steve Downs, who is the Veterans Employment Emphasis Coordinator at [Steven.W.Downs@aphis.usda.gov](mailto:Steven.W.Downs@aphis.usda.gov), (612) 336-3349.



If you have any questions about the Veterans Employment Program or the Veterans Employee Organization, please contact Patrick Johnson, who is the National Veterans Employment Program Manager at [Patrick.Johnson@aphis.usda.gov](mailto:Patrick.Johnson@aphis.usda.gov), (301) 851-3137.

*Michael Watson*

Director, Human Resources Division, USDA-APHIS-MRPBS



## Bargaining Units

By **Robi Maple** ([Robi.A.Maple@aphis.usda.gov](mailto:Robi.A.Maple@aphis.usda.gov), 803-280-9251)

Today we want to talk about who is in a *bargaining unit*. A bargaining unit is defined as a group of employees who have a common interest, and are represented by a labor organization (union) in their dealings with Agency management.

Many employees are excluded from joining a bargaining unit. The following are examples of employees who are excluded: supervisors, management officials, confidential employees, professional employees (unless a majority of professional employees vote for inclusion in the unit), employees engaged in personnel work in other than a purely clerical capacity, investigators directly affecting an agency's internal security, employees administering the provisions of Title 5, Chapter 71, and employees engaged in work that directly affects national security.

Now that we know these employees can be excluded from the bargaining unit, many of you will ask what is the definition of supervisor? This would be any person who has the authority to take, or effectively recommend taking, any of the following actions with respect to at least one employee: hire, promote, recall, discipline, adjust grievances, assign, reward, layoff, remove, direct, transfer, suspend, or furlough.



All employees are assigned Bargaining Unit Status Codes (BUS) to help make the determination of who is in or out of a bargaining unit easier. So what is a BUS Code? When a bargaining unit is certified, or changes affiliation from one union to another (i.e., Fraternal Order of Police to International Brotherhood of Police), the USDA Office of Human Resources Management (OHRM) Labor Relations Program Manager obtains a code from OPM that identifies the new unit. OPM refers to the number as the Office of Labor-Management Relations (OLMR) number. OPM uses that number to report on recognized units in the Federal sector. Other Federal agencies and labor unions also use the number for accounting and reporting purposes.

The OLMR number is a six-digit number. The first two numbers identify the agency for which the bargaining unit is certified. The identifier for USDA is 02. The remaining four-digit number is the number most commonly known as the BUS code. BUS codes are grouped by Department and in alphabetical order by agency. Two BUS codes that are universal throughout the Federal sector are 7777 and 8888. A 7777 code is used for positions that are eligible to be represented by a labor union; however, no certified unit currently exists for those employees. BUS code 8888 represents those excluded from the bargaining unit. Any other number would indicate the bargaining unit the employee belongs to.



Technology At Work

Persons with disabilities who need program information in alternate formats (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TTY).



## Formal Discussions

By *Robi Maple* ([Robi.A.Maple@aphis.usda.gov](mailto:Robi.A.Maple@aphis.usda.gov), 803-280-9251)

As a supervisor or manager in the Department of Agriculture, you make decisions that impact the working conditions of bargaining unit employees on a daily basis. Therefore, it is critical for you to have an understanding of your labor relations' responsibilities and how to make these responsibilities fit into your particular work area.

Your Labor Relations Specialist provides guidance and assistance to managers and supervisors in meeting the challenges you will encounter. We encourage you to take advantage of these services.

In today's article we want to discuss *Formal Discussions* and provide some Q&A's.



### **1) What is a Formal Discussion?**

Discussion between one or more representatives of the agency and one or more employees in the unit concerning any [grievance](#), any [personnel policy](#) or [practice](#), or other [general condition of employment](#).

### **2) If an employee approaches me and asks a question about work rules or personnel practices, is this a formal discussion or meeting?**

Under normal circumstances it is not. Since the employee initiated the conversation in an informal setting, the supervisor is free to respond to the employee's question. However, if, during the conversation, the supervisor establishes or changes general personnel practices or work rules, the meeting or discussion could be considered formal. In addition, any discussion you have with the employee concerning a grievance he/she may have filed, is a formal meeting.

### **3) Suppose I want to call an employee's attention to an existing work procedure. Is that a formal meeting or discussion?**

The discussion of work procedures, assignments, or performance is normally not a formal meeting or discussion under the law. Nor is counseling an employee regarding individual performance. For example, reminding an employee to wear safety equipment is not a formal meeting or discussion under the law.

### **4) I have decided to hold a formal meeting or discussion. What happens next?**

Contact your Labor Relations Specialist to find out the method of inviting the union as well as the appropriate union official to be invited. Having learned that, then an invitation should be extended to the union.

### **5) If I plan to hold a formal discussion or meeting with an employee, do I have to tell the employee that he/she has a right to union representation?**

Your obligation is to tell the union of the scheduled meeting or discussion and give the union the opportunity to be present. You do not have to tell the employee of the union's right to attend.

### **6) If the employee does not want a union representative at a formal discussion or meeting but the union demands to be present, do I allow the union representative in the meeting or discussion?**

Yes. Since the employee does not want to be represented by the union; the union representative is representing the interests of the bargaining unit.



## Guidance for Weather Emergencies

By *Tara Coker* ([Tara.Coker@aphis.usda.gov](mailto:Tara.Coker@aphis.usda.gov), 301-851-2883)  
and *Nella Roberts* ([Nella.Roberts@aphis.usda.gov](mailto:Nella.Roberts@aphis.usda.gov), 301-851-2910)

Hurricane season has arrived in the southeast while in other areas of the country it is tornadoes or wildfires. No matter what the weather emergency, it is important to be prepared to continue to carry out the agency's mission.. Being prepared means knowing what the emergency weather announcements, such as "Federal Offices are OPEN under Unscheduled Leave / Unscheduled Telework" or "Federal Offices are CLOSED to the Public," mean and how they apply to you. For MRP employees, a "Federal Offices are **OPEN** under Unscheduled Leave / Unscheduled Telework" announcement means that you may either take leave or telework instead of reporting to the office. This type of announcement covers employees who do not telework on a regular basis. However, if you opt for unscheduled telework and your power goes out, you must either report to the office or take leave for the remainder of your workday.



An announcement of "Federal Offices are **CLOSED** to the Public" means that all employees who have approved telework agreements must telework. This includes regularly scheduled telework, ad hoc telework, etc. In these cases, employees will receive two (2) hours of administrative leave on the day of the closure to take care of personal needs related to the closure, such as pumping water from flooded areas, etc. The leave may be taken at any time during the day. If the office is closed and your power goes out while teleworking, you will be granted administrative leave. However, if your power returns during your regularly scheduled workday, you are required to resume work.

In any of the above scenarios, please adhere to the following:

- Contact your supervisor to tell him/her that you are safe.
- Advise your supervisor of your choice to telework or take leave.
- Ensure you have your laptop and any other necessary equipment, paperwork, etc., at home with you. If you are out of the office, e.g., on leave or it is your day off prior to one of the above announcements, you may need to go to the office to pick up your equipment in order to be able to telework when bad weather is affecting your area.
- If you are not prepared to telework, i.e., you do not have your laptop or other necessary equipment or supplies, you must take leave. This includes situations where you have elder care or child care responsibilities. If your child is small and cannot care for him/herself, you may not telework; you must take leave.



For more information about operations during a weather-related emergency, either within the DC metro area or in the field, please see: [https://www.aphis.usda.gov/aphis/ourfocus/business-services/forms\\_publications/hr\\_desk\\_guide/hrdg\\_4630/4630\\_sub\\_d\\_sec\\_b](https://www.aphis.usda.gov/aphis/ourfocus/business-services/forms_publications/hr_desk_guide/hrdg_4630/4630_sub_d_sec_b)



## When Weather Disasters Strike

By *Nella Roberts* ([Nella.Roberts@aphis.usda.gov](mailto:Nella.Roberts@aphis.usda.gov), 301-851-2910)

When weather disasters strike, it is important to know what assistance and resources are available through USDA. MRPBS has put together a fact sheet entitled "Flexibilities for Employees affected by Weather and Other Emergencies." It contains useful guidance on topics such as administrative leave, the Emergency Leave Transfer Program (ELTP), and housing. Before disaster strikes, be prepared by checking it out on the web at: [http://www.aphis.usda.gov/mrpbs/hr/downloads/FACT\\_SH\\_EET\\_Assistance\\_Available\\_During\\_Emergencies.pdf](http://www.aphis.usda.gov/mrpbs/hr/downloads/FACT_SH_EET_Assistance_Available_During_Emergencies.pdf)

## FY 2016 Performance Cycle Ends Soon

By *Gwen Montgomery* ([Gwen.Montgomery@aphis.usda.gov](mailto:Gwen.Montgomery@aphis.usda.gov), 301-851-2928)

The FY2016 performance cycle ends on **September 30, 2016**. Managers and supervisors are required to conduct performance evaluations for all eligible employees. Performance evaluations must be completed within 30 days of the end of the cycle (**no later than October 30**). To assist in completing the evaluations, employees are urged to begin preparing their end-of-the-year accomplishment reports and submit them to their supervisors prior to the end of the performance cycle. The [Tips for Preparing Accomplishment Reports](#) document is available on the [MRP Performance Management](#) web page.

Supervisors are reminded, per the USDA Performance Management Directive, the Mission Results and Supervision elements are valued at four (4) appraisal units each. Please note this when computing point totals on the rating sheet.

All performance rating sheets must be signed by both the Rating and Reviewing Officials and submitted to each program's assigned HR Processing Associate by **November 7, 2016** for input into the NFC database. Timely submission of signed performance ratings will ensure MRP compliance with the Department's increased accountability requirements for performance management. For questions, please contact Gwen Montgomery at (301) 851-2928 or via email at [Gwen.Montgomery@aphis.usda.gov](mailto:Gwen.Montgomery@aphis.usda.gov).



## Wounded Warriors Federal Leave Act

By **Nella Roberts** ([Nella.Roberts@aphis.usda.gov](mailto:Nella.Roberts@aphis.usda.gov), 301-851-2910)

Many of you have probably heard of and are wondering about the 2015 Wounded Warriors Federal Leave Act signed into law by President Obama on November 5, 2015. This law benefits veterans hired on or after November 5, 2016. The Act gives first-year feds with a documented 30% service-connected disability 104 hours of sick leave up front to attend to medical appointments related to their disability. During their first year on the job, the vets will still accumulate their normal sick leave. They will be required to submit certification to the Agency to substantiate the need for treatment. This is a one-time career benefit. The one-time “wounded warrior leave” is not eligible for carryover after the first 12 months on the job. OPM is in the process of developing specific regulations and the HR Policy Branch is developing further MRP guidance.



## Use/Lose Annual Leave and Leave Usage Order

By **Nella Roberts** ([Nella.Roberts@aphis.usda.gov](mailto:Nella.Roberts@aphis.usda.gov), 301-851-2910)

With the end of the leave year fast approaching, we need to ensure that use/lose annual leave is properly scheduled and used. The 2016 leave year ends on January 7, 2017 (the end of pay period 26). Use or lose annual leave must be scheduled electronically (email or WebTA) or in writing by the end of pay period 23, November 26, 2016, and used by January 7, 2017. Leave that is not properly scheduled will be lost at the end of the leave year, and will not be subject to restoration because it did not meet the scheduling requirement. Please see the Annual Reminder Concerning Use or Lose Annual Leave for more information.

Additionally, the MRP Directive and Human Resources Desk Guide Subchapter 4630, Absence and Leave, Section B – Annual Leave, has been updated to reflect MRP policy on the order of leave usage as a result of the Office of Personnel Management’s updated fact sheet on leave restoration. Starting with leave year 2015, employees are to use leave in the following order:

1. Use or lose annual leave,
2. Compensatory time off in lieu of overtime pay,
3. Compensatory time off for travel,
4. Time off award, and
5. Any other accrued time, e.g., credit hours, annual leave.



Always use sick leave as appropriate. Using use or lose annual leave first prevents leave loss at the end of the leave year. If an employee chooses to use earned time off in a different order and it results in the loss of annual leave at the end of the leave year, then leave restoration will not be an option and the leave will be permanently lost. RMS/AO staffs have been advised of the policy and are available to answer questions as well as HRO, Minneapolis. As employees are planning summer / fall vacations, please remember the 2016 leave usage order policy.





### Life Insurance Open Season

By *the Benefits Team*

([https://www.aphis.usda.gov/mrpbs/contact\\_us/downloads/benefits.pdf](https://www.aphis.usda.gov/mrpbs/contact_us/downloads/benefits.pdf))

How long have you been waiting for the Office of Federal Employees Group Life Insurance (OFEGLI) to offer an open season so you can add to your Federal life insurance benefits without having to jump through any hoops? Well, let us tell you. It's been 12 years!!!! And now, the wait is over.

OFEGLI has announced that there will be a rare FEGLI Open Season this year during the entire month of September. During this time, you will be able to enroll or increase your life insurance for yourself and/or your family without having a qualifying life event or proving your good health. A physical copy of the SF-2817, Life Insurance Election form, will be required to be submitted, and will be accepted from September 1 through September 30. Coverage and premiums will commence the first full pay period in October 2017. Please keep an eye on your work email for more detailed enrollment information in the near future.

In the meantime, you may wish to take advantage of this time to research if you want to participate in the FEGLI Open Season and if you do, to determine what costs will be associated with enrolling or increasing your life insurance coverage. To do this, please use OPM's FEGLI calculator.

If you are currently enrolled and are satisfied with your current FEGLI coverage, you will not need to make any elections during the FEGLI Open Season. Your coverage will remain unchanged.

If you have any questions, please contact your Benefits Specialist for assistance.



### FERS Federal Retirement and Benefits Webinars

By *the Benefits Team* ([https://www.aphis.usda.gov/mrpbs/contact\\_us/downloads/benefits.pdf](https://www.aphis.usda.gov/mrpbs/contact_us/downloads/benefits.pdf))



Join MRP Benefits Specialists for an informative webinar that will help you know more about your retirement plan and benefits. The webinar is expected to last up to 3 hours, and will include a short break and time for a Q&A session.

**NO REGISTRATION IS REQUIRED**, but you must get approval from your supervisor before attending.

August FERS webinar is scheduled for:  
*Tuesday, August 23, at 9 a.m. ET/ 8 a.m. CT/ 7 a.m. MT/ 6 a.m. PT*

The presentation will be delivered using Adobe Connect software. You can access the webinar by clicking this link: <http://hrdtraining.adobeconnect.com/retirementandbenefits/>.

Audio will be delivered online through your computer or attendees can also listen to the webinar with the call-in information listed below:

**Call-in Information:**

Phone #: 1-888-844-9904, Access #: 5929316

If you have any questions, please contact your Benefits Specialist for assistance.





### FSAFEDS Administrative Change and Blackout Period

By the Benefits Team

([https://www.aphis.usda.gov/mrpbs/contact\\_us/downloads/benefits.pdf](https://www.aphis.usda.gov/mrpbs/contact_us/downloads/benefits.pdf))

Do you have a Flexible Spending Account? If so, there's some important information you need to know. The Office of Personnel Management (OPM) has announced that the FSAFEDS program will transition administration from ADP to WageWorks on September 1, 2016. The current phone number, fax number, and website will continue to be used, but there will be a blackout period during this transition when certain services are not available, as follows:

#### Claims Submission – Saturday, July 30 through Thursday, September 1

- No claims can be submitted between these dates.
- Participants must submit any eligible claims electronically by 4 p.m., (ET) on Friday, July 29, 2016. If submitted by mail, then claims must be postmarked by Wednesday, July 20, 2016, to be processed prior to the start of the blackout period.
- All approved claims submitted by these deadlines will be paid by Monday, August 8, 2016.
- Any eligible claims that are not submitted prior to these deadlines – and claims for any expenses you incur during the blackout period – can be submitted beginning Thursday, September 1, 2016.
- Paperless reimbursement claims will be suspended on July 29 as well, and processing of these claims will resume on Thursday, September 8, 2016.



#### Website and Phone Line- Friday, August 26 through Thursday, September 1

- The website will not be available during these dates.
- During the phone line transition from 8/26 at 5 p.m. ET to 9/1 at 9 a.m. ET, employees will not be able to reach a representative and will receive a prerecorded message.
- Participants also cannot access their online accounts during the transition period of 5 p.m. ET on Friday, 8/26 to 9 a.m. ET on Thursday, 9/1

#### Fax Number – Saturday, July 30 through Thursday, September 1

- The fax number will remain the same but should not be used during the transition period of Saturday, July 30, 2016 to Thursday, September 1, 2016.

#### Enrollment – Wednesday, August 3 through Thursday, September 1

- The last day to enroll in FSAFEDS before the transition is Wednesday, August 3, 2016. Enrollment will resume on Thursday, September 1, 2016.

#### Additional information:

- Plan-year dates, election amount, and available balance will remain the same.
- Participants will receive additional information from FSAFEDS. FSAFEDS will also communicate if any of the above dates will change.
- Contact your Benefits Specialist if you have any questions.

