

New Mexico National Guard

Technician

Handbook



July 2003

Technician Handbook

Welcome to the New Mexico National Guard Technician Program!

Congress established the technician program in “The Technicians Act of 1968,” which is also known as Public Law 90-486. The technician program is a critical component of the National Guard in all fifty-four states and territories. By law, this program was established to provide National Guard technicians with fair and just compensation, employment benefits, and a retirement system that is equitable to other federal employees. The law also designates, through the Secretaries of the Army and Air Force, The Adjutant Generals of each state, to employ and administer the military technician program. In New Mexico, this authority is further delegated to the Human Resources Officer (HRO). As the HRO’s deputy, it is my responsibility to review and administer Human Resources policies and procedures for the New Mexico National Guard’s technician program. Fortunately, I have six highly qualified, dedicated and very professional Human Resources Specialists to assist me with this responsibility. We are committed to administering these policies and to implementing systems that ensure fair treatment, job satisfaction, just compensation, and recognition for work well done. We encourage you, our customers, to contact us for any questions you may have about your technician career or benefits. The best way to contact one of the HRO Specialists or me is via our web site at: www.nm.ngb.army.mil.

The New Mexico National Guard continues to face many new and exciting challenges. We are accepting new roles and missions and we are modernizing to stay abreast with the constant changes in weapons systems, technology, and military doctrine. New legislation and reduced funding levels continue to challenge us all; but we consider it a privilege to provide this very important service to our technicians. I wish to welcome you and hope you have a very happy and successful career in the New Mexico National Guard Technician Program.

//~Signed~//

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Supervisory Human Resources Specialist

INTRODUCTION

This handbook is intended to be a quick reference for use by all New Mexico National Guard technicians. Responsibilities as well as benefits of members of the National Guard technician workforce are covered. The information in this handbook is only a guide and is not regulatory. You are encouraged to talk to your supervisor and the Human Resources Office staff for additional information. More complete information on topics covered by this handbook may be found by calling or visiting your Human Resources Office.

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Chapter 1

BACKGROUND

The National Guard grew out of the various State militias that have been a significant part of American defense history since the late 17th century. Until now, your membership in the New Mexico National Guard has been limited to the important role of a traditional Guardsman of the state militia.

With your selection and assignment to a military technician position, you have become a member of federal employees who are covered by the National Guard Technicians Act of 1968 (Public Law 90-486). Because of this law, you are referred to as a “military technician”. The primary mission for military technicians is to provide day-to-day continuity in operations and training of Army and Air National Guard units.

Military technicians are considered to be employees of the Department of Army or Department of Air Force. However, unlike other Federal employees, the State Adjutant General has the authority to affect employment and is the level of final appeal for most personnel actions. With few exceptions, a military technician enjoys the same benefits, rights and privileges as other federal employees.

The National Guard also employs a few select non-military technicians referred to as competitive technicians or Non Dual Status (NDS) technicians. They fill only the technician positions that do not require the dual status of also being a military member of the National Guard. If you are an NDS technician, please know that your terms and conditions of employment are very similar to those described in this handbook, but not identical in all cases. Because the vast majority of our technicians are military technicians (not NDS), this handbook primarily addresses the military technician workforce. For additional information on the NDS technician program, please contact the Human Resources Office.

Chapter 2

EXCEPTED SERVICE

Positions in the National Guard Technician Program that require military membership in the National Guard as a condition of technician employment are in the excepted service under the provisions of 32 USC 709. This status means that you are excepted from the rules that govern civil service employee in the areas of tenure and competitive requirements for appointments.

VETERAN’S PREFERENCE: This is not applicable in the National Guard technician program.

MILITARY MEMBERSHIP REQUIREMENT: As a military technician, military membership in the National Guard is a condition of employment. Loss of military membership for any reason will cause termination of technician employment.

MILITARY UNIFORM: You are required to wear the uniform while performing technician duties. Additionally, compliance with established grooming and weight control requirements is essential. While in uniform, even after duty hours, proper customs and courtesies will be extended as appropriate.

COMPATIBLE MILITARY ASSIGNMENT: You are required to be assigned to a military position that is compatible with your technician position and to hold the military grade specified for the position. Failure to do so is grounds for dismissal.

TRAVEL: Missions may require use of military aircraft while traveling in official duty status.

CIVIL SERVICE STATUS: Employment as a military technician does not result in competitive civil service status.

OVERTIME PAY: Military federal employees are not entitled to overtime pay. Compensatory time off for pre-approved overtime work will be granted.

APPEAL RIGHTS: Certain appeal rights such as adverse action and reduction in force do not extend beyond The Adjutant General of New Mexico. Contact the Human Resources Office for detailed information.

PERMANENT EMPLOYMENT: All newly appointed permanent military technicians are placed in a one-year trial period. This evaluation period will ensure that the technician is capable of performing the duties of the job and to determine whether the technician has the qualities needed for continued government employment. The technician may be removed during this trial period if performance does not measure up to expected standards.

INDEFINITE EMPLOYMENT: Indefinite employment is temporary in nature but without a time limit. Benefits are similar to a permanent technician. However, the indefinite technician may be separated at any time.

TEMPORARY EMPLOYMENT: Technicians may be hired for short periods of time. These temporary appointments do not confer the same benefits as permanent or indefinite appointments and the employee may be separated at any time.

Chapter 3

OFFICIAL PERSONNEL RECORDS

Official Personnel Folders (OPFs) are established and maintained in the Human Resources Office. This folder will contain all official documentation pertaining to your technician employment. Technicians are encouraged to periodically review their records.

Supervisors maintain various supervisory records, which may also be reviewed. If an employee decides to leave federal government employment, the Official Personnel Folder (OPF) is forwarded to the Federal Records Center, St. Louis, MO.

Technicians are furnished copies of all Notification of Personnel Action Forms, Standard Form 50s (SF 50s), via their supervisors. You are strongly encouraged to maintain a civilian personnel folder containing these SF 50s along with other technician documents such as your job application and resume.

Chapter 4

PAY ADMINISTRATION

GENERAL INFORMATION: Technicians are paid every two weeks, normally by electronic funds transfer (EFT). Allotments may be taken out of your pay for the following purposes:

- Union dues
- Savings bonds
- Allotments to financial institutions
- Charitable institutions such as the Combined Federal Campaign, United Way, etc.

PREMIUM PAY: Premium pay is additional pay, when authorized, for holiday work.

ENVIRONMENTAL DIFFERENTIAL PAY: Environmental Differential Pay (EDP) applies to Wage Grade (WG) Technicians as authorized by the Office of Personnel Management, National Guard Bureau, and The Adjutant General of New Mexico. EDP is paid for those work situations in which a Wage Grade technician is exposed to a severe hazard, and there is no adequate protection or precautions available to minimize or eliminate physical injury, illness or death.

HAZARDOUS DUTY PAY: Hazardous Duty Pay (HDP) is paid to General Schedule (GS) technicians, when they work in a high risk area where accidents could result in serious injury or death; e.g., test pilot duties. The Office of Personnel Management, National Guard Bureau, and The Adjutant General of New Mexico must authorize payment of HDP.

PAY ADJUSTMENTS: Pay increases are granted upon receipt of revised pay schedules. Revised schedules are published on the Office of Personnel Management web site at www.opm.gov.

WITHIN GRADE INCREASES: Within grade increases (WGI) are granted based on length of service and performance.

WAITING PERIODS FOR WITHIN-GRADE INCREASES

WAGE GRADE EMPLOYEES: Temporary, indefinite and permanent wage grade employees are eligible for within-grade increases (WGI) the pay period following completion of the required waiting period provided performance is fully acceptable and no equivalent increase was received during the waiting period. Waiting periods to the following steps are:

- Step 2 - 26 calendar weeks of creditable service in Step 1.
- Step 3 - 78 calendar weeks of creditable service in Step 2.
- Step 4 - 104 calendar weeks of creditable service in Step 3.
- Step 5 - 104 calendar weeks of creditable service in Step 4.

GENERAL SCHEDULE EMPLOYEES: Only indefinite and permanent General Schedule employees are eligible for within-grade increases (WGI). A WGI will occur in the pay period following completion of the required waiting period provided the employee has performed at an acceptable level of competence and he/she has not received an equivalent increase during the waiting period. Waiting periods to the following steps are:

- Steps 2, 3 and 4 - 52 calendar weeks of creditable service.
- Steps 5, 6 and 7 - 104 calendar weeks of creditable service.
- Steps 8, 9 and 10 - 156 calendar weeks of creditable service.

SEVERANCE PAY: Indefinite and permanent technicians who have been employed for at least 12 months may be eligible for severance pay if separated involuntarily and not for cause.

Chapter 5

HOURS OF DUTY

The technician workweek varies depending on the unit of assignment. In general, you are required to work 80 hours in a two-week pay period. See your supervisor for your work schedule.

Chapter 6

ABSENCE AND LEAVE

ANNUAL LEAVE: Annual leave is personal time off subject to prior approval by the supervisor. Annual leave accrual is based on years of service. Technicians with 15 or more years of service earn 208 hours per year; those with 3 to 15 years earn 160 hours; those with fewer than 3 years earn 104 hours. Technicians can carry no more than 240 hours from one leave year to the next.

ADVANCEMENT OF ANNUAL LEAVE: For Army military technicians, annual leave that will be earned during the leave year may be advanced to a technician - subject to the supervisor's approval. The Air Guard military technicians must request advance leave from their supervisor, and the Human Resources Officer must approve all Air Guard requests for advance leave.

SICK LEAVE: Sick leave accrual is 104 hours per year and there are no limitations on how much sick leave can be accrued. Sick leave may be used for a technician's medical, dental or optical examinations or treatment, and incapacitation for performance of duties by physical or mental illness, injury, pregnancy or childbirth. Sick leave may also be used for any activity related to adoption of a child. It is the technician's responsibility to notify his/her supervisor as soon as possible regarding the necessity of use of sick leave.

ADVANCEMENT OF SICK LEAVE: Sick leave, not to exceed 240 hours, may be advanced to a technician when supported by medical certificate describing the illness or injury and the anticipated time of disability.

FAMILY FRIENDLY LEAVE ACT (FFLA): Under the provisions of the Family Friendly Leave Act (FFLA), sick leave can be used to care for a family member or equivalent family relationship in cases of physical or mental illness, injury, pregnancy or child birth; or to accompany family members to dental, medical or optical examinations or treatments; or to make arrangements for or to attend the funeral of a family member or equivalent family relationship. The amount of sick leave for this purpose is limited to 40 hours each leave year but an additional 64 hours can be used if the technician maintains a sick leave balance of at least 80 hours.

FAMILY MEDICAL LEAVE ACT: Technicians who have completed at least 12 months as either a permanent or indefinite employee are entitled to provisions under the Family Medical Leave Act (FMLA). This Act allows technicians to use up to 12 weeks of unpaid leave during a 12 month period for the birth and care of a child; making arrangements for adoption or foster care; the care of a spouse, son, daughter or parent with a serious health condition; a serious health condition that makes the technician unable to perform the essential function of his or her position. Requests for leave under the FMLA must be submitted to the employee's supervisor with medical documentation.

LEAVE TRANSFER PROGRAM: Under the Leave Transfer Program, technicians can donate annual leave to other technicians who are seriously ill or have family members who are seriously ill. Leave recipient applicants must exhaust all available leave to be eligible for the leave transfer program. Technicians may not transfer sick leave.

BONE MARROW OR ORGAN DONOR: Technicians are entitled to 7 days of paid leave each calendar year to serve as a bone marrow or organ donor. This leave is recorded as an excused absence.

MILITARY LEAVE: Military leave is authorized for permanent and indefinite technicians. Eligible technicians are authorized 120 hours of Military Leave each fiscal year for the purpose of active duty, active duty for training, or Inactive Duty Training (IDT). Technicians may carry 120 hours of military leave from one fiscal year to the next; however the balance of their military leave can not exceed 240 hours.

LAW ENFORCEMENT LEAVE: Eligible technicians are authorized up to 22 days of law enforcement leave each calendar year for the purpose of providing military aid to enforce the law or for the purpose of providing assistance to civil authorities in the protection or saving of life or property or the prevention of injury. Civilian pay will be reduced by the amount of military pay received for this duty.

TECH 44: Eligible technicians are authorized 44 additional workdays of military leave in a calendar year for participation in certain Title 10 active duty tours without pay.

LEAVE WITHOUT PAY (LWOP): Up to 30 days of LWOP may be approved by the supervisor. LWOP in excess of 30 days must be approved by the Human Resources Officer and will be granted only in special circumstances.

COURT LEAVE: Court leave is the authorized absence of a technician from work status for jury duty, or for attending judicial proceedings in a non-official capacity as a witness on behalf of a state or local government. If the witness serves in a non-official capacity on behalf of a private party, the technician's absence from duty must be charged as either annual leave or leave without pay.

EXCUSED ABSENCES

Excused absences are granted at the discretion of The Adjutant General. Some examples of appropriate use of excused absence are:

BLOOD DONATIONS: The Adjutant General and the labor organization recognize the humanitarian need for blood donations. A technician who makes a blood donation without compensation may be excused for a reasonable time for travel, rest and recuperation. Such time will be consistent for all technicians and normally will not exceed four (4) hours. Unless a donation is based on an emergency request, the supervisor will schedule routine donations so as to minimize workforce disruptions. The time allowed for donation may vary according to circumstances, travel, and recuperation time as mentioned above; it is not to be considered an

automatic entitlement. The excused absence is for the technician's immediate recovery after donation and will not be carried forward or granted on another day. A technician will provide proof of donation if requested by the supervisor.

VOTING OR REGISTERING: It is The Adjutant General's policy to excuse technicians for a reasonable time, when practical to do so without seriously interfering with work requirements, to register or vote in any election or in referendums on civic matters in the technician's registered voting area. If the polls are not open at least three hours before or after a technician's regular work hours, a supervisor may grant a technician one of the following options, but must be the option that causes the least amount of time off for the technician:

- Permit reporting for work three hours after the polls open.
- Permit leaving work three hours before the polls close. The supervisor is responsible for determining reporting and release schedules based on the circumstances surrounding a particular election and in consideration of work scheduling. Proof of registration and/or voting may be required to substantiate the granting of time off from work for that purpose if grounds to question the technician exist.
- Under exceptional circumstances an employee may be excused for additional time as needed to enable the employee to vote, depending upon the particular circumstances in each individual case, but not to exceed a full day.
- Supervisors will schedule employee releases for voting purposes in such a manner that activities remain open and operational on election days.

CONFERENCES OR CONVENTIONS: A technician may be excused to attend a conference or convention when it is in the best interest of the New Mexico National Guard and approved by the Human Resources Officer.

ADVERSE WEATHER DISMISSALS: It is The Adjutant General's policy that if a technician feels that driving conditions are unsafe due to weather conditions, that technician has the responsibility to ensure his/her safety and arrange with his/her supervisor to be in an appropriate leave status. However, when management authorizes the shutdown or closure of an entire facility because of weather conditions or emergency situations, the following criteria shall govern the status of affected technicians:

- If management closes the facility, there is no charge to leave for technicians on duty for the remaining hours of the work schedule following dismissal.
- If the technician is on duty and departed on leave after official word was received but before the time set for dismissal, leave is charged only from the time the technician departed until the time set for dismissal. Technicians will not be permitted to depart before the time set for dismissal without a charge to leave.
- If the technician is absent on approved leave for the entire work shift, the entire absence is charged to the appropriate leave status.
- If a situation develops during non-working hours as a result of either an ice or snowstorm or other natural disaster in which proper authority has declared roads closed or impassable, a supervisor may excuse a two-hour period of tardiness without charge to

leave. Tardiness of longer periods may also be excused without charge to leave in cases that are personally reviewed and authorized by the Human Resources Officer.

ABSENCE WITHOUT LEAVE (AWOL): All unexcused or unauthorized absence from work may be charged to AWOL. In addition to not receiving pay for the unexcused period of unauthorized absence, disciplinary action may be taken.

Chapter 7

PERFORMANCE EVALUATION

GENERAL INFORMATION: Performance standards describe what is necessary for technicians to perform successfully. A performance standard is divided into two elements:

- A Critical Element is the part of your job so important that if performance is less than the minimum established, remedial action will be taken regardless of performance on any other portion of the job.
- A Major Element is a task that is paramount but not critical to job performance. Your supervisor will discuss and evaluate your performance periodically during the year, at the end of the annual appraisal period, and at other times as appropriate.

PERFORMANCE APPRAISALS: Appraisals should be accomplished annually, after a midyear evaluation. If performance is unsatisfactory at midyear review, the supervisor should establish a Performance Improvement Plan to allow the technician ample time to improve his/her performance before the annual appraisal.

Specific guidance on the process of establishing performance plans and the appraisal system can be found in the AGONM TPR 430, posted on the HRO web site at www.nm.ngb.mil

APPEALS: Technicians may file an appeal if they are dissatisfied with their performance appraisal. Technicians must appeal their performance appraisal within 30 days after receiving their performance appraisal. Contact your Human Resources office representative for specific guidance.

Chapter 8

INCENTIVE AWARDS

The New Mexico National Guard Incentive Awards Program is designed to motivate technicians to increase productivity and to achieve greater efficiency, economy, and improvement of operations. It provides a method for rewarding those technicians whose job performance and ideas are substantially above normal job requirements and performance standards. Specific guidance on the Incentive Awards Program can be found in AGONM TPR

451, which is posted on the NMNG HRO web site at www.nm.ngb.army.mil. In general, incentive awards may be either monetary or non-monetary, as follows:

MONETARY AWARDS

SUSTAINED SUPERIOR PERFORMANCE AWARD (SSP): An SSP is available for both GS and WG technicians. This award is used to recognize significant superior performance of duties that exceed the technician's position requirements for at least 6 months in the same job and grade level.

QUALITY STEP INCREASE (OSI): A Quality Step Increase is granted only to GS technicians below Step 10. In order to be eligible, a technician's most recent performance appraisal must meet or exceed "fully successful" and the period of performance must have been in the same job and grade level for a 12-month period.

SPECIAL ACT OR SERVICE AWARD: A special act or service award is granted in recognition of an act of heroism, or similar one-time special act, service, or scientific achievement that contributes to the efficiency, economy, or other improvement of Government operations or is otherwise in the public's interest. This can be awarded in increments of \$50, up to a maximum of \$250.

NON-MONETARY AWARDS

TIME OFF AWARD: Based on Special Act or Service or other personal effort that contributes to the quality, efficiency, or economy of Government operations, with a maximum award of 40 hours at a time, not to exceed 80 hours in a calendar year.

HONORARY: Honorary awards are granted by The Adjutant General in the form of a certificate, emblem, pin or other item.

For additional information regarding Incentive Awards, please see AGONM TPR 451.

Chapter 9

SUGGESTION PROGRAM

If you think of ways to do things better you can submit a suggestion. A suggestion must be an original way of doing work, a modification of a part, an invention or any other contribution that promotes efficiency in the way we do our jobs. A cash award may be appropriate for your suggestion. The actual amount of the award is based on financial benefits derived for the government. For additional information see AGONM TPR 451.

Chapter 10

FEDERAL EMPLOYEE GROUP LIFE INSURANCE

Unless waived, technicians acquire basic life insurance upon employment.

COVERAGE: The minimum basic coverage is \$10,000. Basic life insurance is based on your annual pay, rounded up to the next higher \$1,000, plus \$2000. For example, \$17,385 annual pay, rounded up to the next higher 1,000, equals \$18,000, plus an additional \$2,000, equals \$20,000 of basic life insurance. In addition to the basic life insurance coverage, three forms of optional insurance are also available to technicians who have basic coverage.

- Option A: \$10,000
- Option B: Based on pay; up to 5 x base pay not rounded up
- Option C: Family
- Spouse \$5,000 to \$25,000
- Child \$2,500 to \$12,500
- Technicians may continue life insurance coverage into retirement if covered for five years or for all periods of service during which that coverage was available to you.

Chapter 11

FEDERAL EMPLOYEE HEALTH BENEFITS PROGRAM (FEHB)

ENROLLMENT: Health plans provide varying benefits at various costs. You may only enroll in a plan that has been approved by the Office of Personnel Management.

CHANGING PLANS: You can switch plans and/or options once a year during the “open season” which usually occurs in the fall. Notices pertaining to open season will be published on the HRO web site and through email and interoffice distribution. You may change from a self and family enrollment to a self-only enrollment during an Open Season or upon a life event such as divorce, children reaching age 22 or no longer meeting the definition of family member. Events such as a change in marital status will permit an employee to make a health benefit outside of the open season.

The Federal government contributes a percentage of the total cost of your FEHB insurance. You pay the remainder, which is deducted from your pay. Each plan has the following types of enrollment:

Self-only - Provides benefits only for you. You can enroll for self only even though you have a family.

Self and family - Provides benefits for both you and eligible family members.

STATUS CHANGE: A newborn child or a new spouse is automatically covered by an existing family enrollment plan from the date the person becomes a family member. A technician with self-only enrollment must change to self and family in order to cover new family members. You should immediately inform the Human Resources Office and your plan carrier of any changes in family status.

CONTINUATION FOR SURVIVORS: FEHB coverage is automatically continued for your eligible survivors if you die during your technician employment as long as a family member is eligible for a survivor annuity. CSRS rules and FERS rules are slightly different. You may continue health benefits coverage into retirement if you had been previously covered for 5 years.

TEMPORARY CONTINUATION OF COVERAGE (TCC): You should be aware that if you leave Federal employment, you will be eligible for TCC (unless you are separated for gross misconduct). TCC can continue your FEHB enrollment for up to 18 months. TCC is also available for up to 36 months for dependents who lose eligibility as family members under your enrollment. This includes spouses who lose coverage because of divorce and children who lose coverage because they marry or reach age 22. TCC enrollees must pay the total plan premium (without a government contribution) plus a 2% charge for administrative expenses. There are specific time periods in which you or your dependent must enroll for TCC.

Chapter 12

RESTORATION RIGHTS

Restoration rights are provided for National Guard technicians who leave technician employment to serve on active duty or on active duty for training in the Armed Forces. The Human Resources Office must be contacted to schedule an out-processing briefing, or to provide written guidance, prior to entrance on active duty.

Chapter 13

INJURY COMPENSATION

GENERAL INFORMATION: The Federal Employees' Compensation Act (FECA) provides compensation benefits for a permanent/temporary disability due to personal injury or disease sustained in the performance of duty.

INJURED AT WORK: If injured at work, you must contact your supervisor immediately. Seek medical attention. Your supervisor will secure the forms required to document your injury. No matter how small the injury may seem to you, it is important that you discuss the matter with your supervisor. If your injury requires absence from the workplace, it is possible for you to be compensated for this time without charges to sick or annual leave. You are expected to return to work as soon as possible, even if in a light duty status. Return to duty is subject to written medical restrictions.

FALSE CLAIMS: If a technician files a false claim he/she is subject to prosecution and if found guilty, could be fined or imprisoned.

DEATH: The FECA provides for the payment of benefits to survivors if the technician dies due to a work-related injury or disease.

Chapter 14

RETIREMENT

GENERAL INFORMATION: The National Guard technician program consists of two retirement systems:

- Civil Service Retirement System (CSRS)
- Federal Employees Retirement System (FERS)

The Civil Service Retirement System covers most National Guard Technicians employed prior to 1 January 1984. If you are just entering the federal system, you will be on the Federal Employees Retirement System. Both CSRS and FERS give the technician a measure of income protection in case of disability. Both retirement systems will provide for your family in case of death, and both systems will pay you an annuity after your retirement. Each technician contributes 7% of gross pay towards retirement. For FERS employees, 6.2% pays for the Social Security portion of retirement and 0.8 % goes into the FERS retirement fund.

CIVIL SERVICE RETIREMENT SYSTEM (CSRS): Your age and number of years of federal service determine your eligibility for retirement. To be eligible for an immediate annuity you must be:

Voluntary CSRS Retirement -

- Age 62 with 5 years service, or
- Age 60 with 20 years service, or
- Age 55 with 30 years service

Involuntary CSRS Retirement - Involuntary Retirements occur if a technician loses military membership for reasons NOT related to misconduct or non-performance. When this occurs, if the CSRS technician is age 50 with 20 years of federal service, or any age with 25 years of service, he/she is eligible for an immediate retirement annuity. However, there is a 2% reduction in your retirement annuity for each year your age is under 55. For example, if you have 20 years of service at age 50 and you lose your military membership, and consequently your military technician position, you will receive an immediate retirement annuity but it will be reduced by 10% (2% for each year under 55).

FEDERAL EMPLOYEE RETIREMENT SYSTEM (FERS): If you received this handbook while inprocessing, you are a FERS technician. FERS retirements are less generous

than CSRS retirements. Therefore, you would be wise to take maximum advantage of the TSP program with the government matching provisions. The rule of thumb to determine the FERS basic benefit annuity is 1 percent of the high-three average salary multiplied by length of creditable service. For example, if you are a FERS technician and you work for 20 years, your retirement annuity will be 20% of your average “high 3”.

Voluntary FERS Retirement

- Age 62 with 5 years of service, or
- Age 60 with 20 years of service, or
- *Minimum Retirement Age (MRA) with 30 years of service, or
- *MRA with 10 years of service (reduction of 5% per year for each year under age 62).
- (*Note: Your MRA is dependent on your birth year.)

Involuntary FERS Retirement

To qualify for an involuntary annuity you must be:

- Age 50 with 20 years of service, or
- Any age with 25 years of service
- If you lose your military membership you may retire with a full annuity if you are at least age 50 with 25 years of service. But remember “full annuity” is 1% for each year of service multiplied by the average of your highest three years of salary. You may also be eligible to receive a Special Retirement Supplement until you reach age 62, when you become eligible for Social Security benefits.

WITHDRAWALS UPON SEPARATION: If you decide to leave technician service prior to retirement age, you can withdraw all the retirement money that was withheld for your retirement fund. Also, if you have completed at least 5 years of service but you are not eligible to retire with an immediate annuity, you may leave the money in the fund. Then, at age 62 you will be entitled to a “deferred annuity”. If you separate from technician service, and die before reaching age 62, your survivor is entitled to a lump sum payment of your contributions.

CAUTION - FERS: If you are a FERS technician and you choose to withdraw your retirement funds upon separation, you will permanently void a future annuity for this period of service. You cannot redeposit a FERS refund once withdrawn.

Chapter 15

THRIFT SAVINGS PLAN (TSP)

GENERAL INFORMATION: The Thrift Savings Plan is a retirement savings plan for FERS (Federal Employees’ Retirement System) and CSRS (Civil Service Retirement System) employees. Because your TSP account is for your retirement, you cannot withdraw it until you leave federal service except in instances of extreme hardship or upon reaching age 59 1/2. A major advantage of the TSP is that you pay no taxes on contributions or earnings until you withdraw your account.

You are normally eligible to participate in the TSP the first day you are in a pay status after employment. The government automatically contributes the equivalent of 1% of your salary to the your thrift savings plan beginning the first pay period during the second open season after your entry on duty whether you decide to contribute or not. If you choose to contribute to TSP, the government will match your contributions up to 3% of your salary, and will contribute 50 cents on the dollar for the next 2%. Government contributes stop at 5%. However, you can contribute up to 13% of your salary and this ceiling will be raised after 2003 at 1% per year until 2006. For up to date information on TSP please see their comprehensive web site at www.tsp.gov.

WITHDRAWAL FROM YOUR TSP ACCOUNT: You may withdraw from your TSP account upon separation from the federal service. However, if you leave government service before the year in which you turn 55, and you withdraw your TSP account in a single payment or a series of monthly payments not based on the IRS life expectancy table, you will be subject to an early withdrawal tax penalty. Plus, the money withdrawn will be taxed as income. (This does not apply if you leave the government on a disability retirement.) There are other options for handling your TSP account when you leave Federal service, such as:

- Leave your money in the TSP account and it will continue to accrue interest
- Transfer money from your TSP account into an IRA
- Request a series of monthly payments
- Purchase a life annuity

Chapter 16

POLITICAL ACTIVITIES

All National Guard technicians are subject to the basic political activity restrictions of the 1993 Hatch Act. Some guidelines under this law are:

WHAT THE TECHNICIANS MAY DO (BUT NOT IN UNIFORM!):

- Technicians may participate in non-partisan activities and in public affairs, so long as participation does not affect the efficiency or integrity of the New Mexico National Guard.
- Technicians may participate in the activities of a political party.
- Technicians may serve as delegates to a party convention and attend nominating caucuses.
- Technicians may display articles associated with political parties, circulate nominating petitions, canvass for votes and manage partisan campaigns.
- Technicians may display bumper stickers on private autos even though they are parked in government parking lots.
- Technicians may register to vote, act as poll watchers, election judges or provide other election assistance to partisan elections.

- Technicians may run as candidates in non-partisan campaigns or as independents.
- Technicians may contribute to partisan campaigns on non-duty time.
- Technicians may attend fundraisers, give speeches, stuff envelopes, and organize mail or phone solicitations.

WHAT TECHNICIANS MAY NOT DO:

- Technicians may not participate in political activities while on duty or wearing a uniform, badge, insignia, or other similar item that identifies the National Guard or the technician’s position.
- Technicians may not allow their official title to be used in conjunction with political fundraising activities.
- Technicians may not solicit subordinates to contribute time, money or services for any activity.
- Technicians may not participate in political activities while in any room or building occupied in the discharge of official duties by an individual employed by the federal government.
- Technicians may not participate in political activities while using a government-owned/leased vehicle or while using a privately owned vehicle in the discharge of official duties.
- Technicians may not use their official authority or influence to interfere with an election.

Any questions regarding political activities should be addressed to the Human Resources Office.

Chapter 17

STANDARDS OF CONDUCT

All technicians are required to maintain high standards of honesty and integrity. Your actions must never discredit the National Guard, whether you are on-duty or off. You are required to perform your assigned duties conscientiously, and to always conduct yourself in a manner that reflects credit on you and the National Guard. During your employment as a technician you are expected to be honest, loyal, reliable and trustworthy. If your conduct is in violation of any statute, regulation, or other proper authority, you will be held accountable. Violation of any standard of conduct may be the basis for disciplinary action.

Chapter 18

DISCIPLINE AND ADVERSE ACTION

DISCIPLINARY ACTIONS: A disciplinary action may be anything from an oral admonishment (your supervisor speaking to you about a specific problem) to a letter of reprimand. An oral admonishment lets you know that you must stop doing certain things (ex:

tardiness). A letter of reprimand is more serious because it is a written notification of the problem with a warning of what might happen if the situation is not corrected. The letter is also kept temporarily in Human Resources Office for a period that usually does not exceed one year. Disciplinary actions can be grieved through the negotiated grievance procedure for bargaining unit technicians and through the agency grievance procedure for non-bargaining unit technicians.

ADVERSE ACTIONS: There are three types of adverse actions:

- Suspension from work
- Change to lower grade
- Removal from position

There are considerable due process measures to protect a technician from an unfair disciplinary or adverse action, including the right to an administrative hearing. The final level of appeal on these actions rests with The Adjutant General.

APPEAL AND GRIEVANCE PROCEDURES: There are specific appeal and grievance procedures outlined in the labor contract. A copy of this contract can be found on the HRO web site.

Chapter 19

TECHNICIAN ID CARDS (OF55)

Technician ID Cards may be obtained upon the technician's request. Technicians should contact the HRO office for the necessary application form. Please know that these cards are not normally issued to military technicians unless, for some reason, the technician's military ID card will not suffice for adequate identification.

Chapter 20

RESIGNATION FROM TECHNICIAN PROGRAM

This is a voluntary action and written notice should be given to your supervisor at the earliest date possible. Resignation should be in writing, preferably on a Request for Personnel Action (SF52).

Chapter 21

PERSONAL AFFAIRS

Death often occurs when least expected. You should have your personal affairs in order and keep your family informed regarding your benefits and entitlements. In the event of a death

of a technician, a representative from the Human Resources Office will assist the family in filing a death claim.

DESIGNATION OF BENEFICIARY: You do not need to prepare a designation of beneficiary form unless you wish to designate your beneficiaries other than “by-law”. If you do designate beneficiaries you must keep your designations current, because once a designation has been made, it overrides a will or any other legal document. Benefits paid “by-law”, unless otherwise designated, are:

- Unpaid wages
- Federal Employee Group Life Insurance
- Thrift Savings
- Retirement annuity or refund of contributions

WILLS: You are reminded that you do need to prepare a will, or if you already have a will, you need to be sure it is kept current. You should also consider preparing a power of attorney and a living will.

IMPORTANT DOCUMENTS: We suggest that you keep the following documents together in a safe place and advise your family of the location.

- Birth Certificate
- Marriage Certificate
- Adoption papers, if applicable
- Divorce Decree(s), if applicable
- A copy of your will *
- Insurance policies
- Deeds
- Bills of sale
- Contracts
- Social Security number
- DD Form 214
- Technician personnel papers (SF50s)
- Real Estate Tax Receipts
- Savings Bonds
- Auto Tag Receipt(s)
- Claim Number assigned by the VA, if applicable

* A copy of your will should be maintained in a location that is always readily accessible.

Chapter 22

CLASSIFICATION

GENERAL INFORMATION: Your salary is paid in accordance with the assigned grade of your position. General Schedule (GS) positions fall into the broad category of “white collar” work (work that is administrative or managerial in nature) and Wage Grade (WG) or “blue collar” work (positions which are related to work in recognized trades or crafts).

Technicians have position descriptions (PDs) that list in order of importance or frequency, all major duties and responsibilities required of their position. The function of the HRO Classification Specialist is to provide for correct classification of all technician positions in the state. Using technical expertise, the classification specialist “classifies” the position by using position classification standards published by the Office of Personnel Management. The classification specialist compares the position description to the classification standards and determines the position’s title, occupational series, and grade.

Sometimes technicians do not agree with the grade assigned to their work and will request a classification appeal.

CLASSIFICATION APPEALS: The first step is to ask your HRO Classification Specialist for a position review. This gives the classifier an opportunity to review the position and render a decision based on the most current information. If a technician disagrees with the classifier’s findings, he/she may file a classification appeal. The HRO must provide you with the necessary guidance to appeal a classification. Three things can happen as a result of an appeal:

- The position can be upgraded, or
- The position can be downgraded, or
- The position can retain its present grade

Chapter 23

MERIT SELECTION

GENERAL INFORMATION: The Merit Placement Plan, AGONM TPR 335, can be found on the HRO web page. This plan establishes procedure and provides information on the merit placement program for technicians in the New Mexico National Guard. Furthermore, this plan states that it is the policy of the New Mexico National Guard that all technician positions be filled by the best qualified individuals available and that all technicians have an opportunity to develop and advance to their full potential. All technician vacancies will be filled on the basis of merit and job-related qualifying factors. For the purposes of this plan, military requirements are considered as job-related qualifying factors for positions in the excepted service. All actions under this plan will be made without discrimination for non-merit reasons such as race, color,

religion, sex, national origin, marital status, membership or nonmembership in an organization, and age or non-disqualifying physical handicap (except for military requirements).

SELECTION PROCESS: When a valid position vacancy exists, the supervisor forwards through channels a Request for Personnel Action (SF 52) to the Human Resources Office. Upon receipt in the HRO, the Personnel Staffing Specialist prepares a technician vacancy announcement. The announcements will be posted on the HRO web site and hard copies will be forwarded to all units and activities. Each vacancy announcement is unique due to the variances in available payroll funds, scope of the area of consideration, and complexity of the job. It is imperative that applicants carefully read vacancy announcements and follow ALL written instructions to ensure that they are fairly considered for the position, if eligible. The vacancy announcement will state where your application should be sent and gives a “closing date” for the vacancy – this is the last date any application for the position will be accepted. Again, read the vacancy announcement carefully!

Once the announcement has closed, the HRO Staffing Specialist will review all applications to determine each applicant’s qualifications. A Referral and Selection certificate, with the qualified candidates’ applications, will be forwarded to the selecting official. The selecting official is usually the first line supervisor of the position.

The selecting official will review all the applications and will most likely conduct interviews prior to making a selection. The selecting official marks his or her selection on the certificate and forwards it through the supervisory chain to the HRO. Upon receipt of the certificate, the HRO Staffing Specialist will review the selection and check for compatibility (AFSC/MOS, unit of assignment, required appointment factor such as officer, warrant officer, or enlisted) and other requirements. Once the selection is approved by HRO, the Staffing Specialist will notify the selecting official, who will, in turn, notify the selected applicant. The HRO Staffing Specialist will notify, in writing, all non-selected applicants.

Chapter 24

REDUCTION IN FORCE

A reduction in force (RIF) occurs when an agency is obliged to demote, separate, or furlough one or more employees because of lack of work, shortage of funds, or reorganization. The cause may come from the action of Congress, the President, the Office of Management and Budget, or from the decisions of senior leaders within the National Guard. Whatever the source, management officials must decide what parts and programs to reduce and how to distribute the remaining resources.

Technically, a RIF occurs when a technician is released from his/her competitive level by separation, change to lower grade, furloughed for more than 30 days, or reassignment to another position which involves the displacement of the incumbent.

Before a RIF is conducted, the senior management officials must describe the organizational geographical limits with which technicians will compete with each other for retention of their jobs. This is called the competitive *area*. The second limit is by grade and occupation. This is the competitive *level*.

Each competitive level consists of all positions in a competitive area in the same grade and series and similar enough in duties, qualification requirements, pay schedules, and working conditions so that the incumbent of one could successfully perform the critical elements of any other in the length of time it would take to orient any new but fully qualified technician.

RIF regulations are very complex. The information provided in this handbook is intended to give you **only** the basic understanding. Consult the HRO Human Resources Specialists for complete guidance and regulations.

Chapter 25

TRAINING AND DEVELOPMENT

The New Mexico National Guard has a strong commitment to developing the talents, skills, and abilities of its technicians. Once you become a technician, your supervisor is responsible for working with you to determine your training needs. This may range from on-the-job developmental assignments to formal classroom instruction.

INDIVIDUAL DEVELOPMENT PLAN (IDP): An essential part of your career development is the Individual Development Plan (IDP). An IDP is a developmental action plan that structures training and development based on your duties and responsibilities. It details training activities designed to meet established goals and objectives. The development of an IDP takes many factors into consideration, including your present skill level, your potential, your goals, and the needs of the National Guard. You supervisor will work with you to prepare your IDP.

FORMAL TRAINING COSTS: Tuition for formal training and related travel costs is probably the most valuable resource that the New Mexico National Guard can provide technicians. Effective training will help you to develop as a technician and ensure your success in this organization. All requests for formal training must be submitted by your supervisor to the HRO Employee Development Specialist (EDS) on a DD Form 1556. The EDS will determine if the training is applicable to your current position and prioritize the training request along with numerous other training requests from supervisors throughout the Guard. Sometimes, the EDS may suggest an alternative and less expensive training source. Other times, regardless of the importance of the training, your request will be denied due to lack of funding.

If you are approved for technician training, you must make every effort to attend the training. Too often technicians cancel training opportunities because of personal inconvenience. This is an unconscionable waste of a valuable and limited resource and is strongly discouraged.

Chapter 26

LABOR - MANAGEMENT RELATIONS

In the New Mexico National Guard, the Bargaining Unit consists of all technicians that are not supervisors, confidential management assistants, investigators, auditors, and in some cases, personnelists. If you are a member of the bargaining unit, you have the legal right to form, join, or assist any labor organization or to refrain from such activity. The current labor organization is Laborers' International Union of North America (LIUNA) Local 1636. Technicians may represent the union and present its views to management or Congress without penalty or reprisal.

The Adjutant General and the Union have a collective bargaining agreement that can be found on the HRO web page. A list of union stewards should be posted on bulletin boards at each work location. You can get applications to join the union from any steward or union official. Technicians may join the union or cancel at anytime. Union dues may be cancelled during the first full pay period after the first of September. Nothing requires a technician to become or remain a member. Technicians may arrange for the payment of dues through payroll deduction.

Chapter 27

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

It is the New Mexico National Guard's policy to provide equal employment opportunity and fair treatment for all technicians and applicants for employment regardless of race, color, gender, national origin, religion, age or handicap. Discrimination and reprisal for participating in the complaint process will not be tolerated. Management officials will take immediate and appropriate action to correct any occurrence of discrimination or sexual harassment.

If you feel you have been discriminated against, or you have been subjected to sexual harassment, you must file a complaint with an NMNG EEO Counselor **within 45 days** of the discriminatory or harassing act, or within 45 days of when you should have reasonably known about the act. A list of EEO Counselors is posted on each unit's bulletin board.

Should you have questions concerning our Equal Employment Opportunity Program or the complaint process, please contact the New Mexico National Guard EEO Manager in the HRO.

Chapter 28

TECHNICIAN / EMPLOYEE ASSISTANCE PROGRAM (TAP/EAP)

The Technician Assistance Program is a referral program that assists any technician who has behavioral problems that affect work performance. This assistance is provided through discrete and confidential referral of technicians to appropriate treatment specialists. Some problems commonly dealt with through TAP include: alcohol and drug abuse, behavioral disorders, excessive stress from adverse family situations, financial difficulty, legal entanglement, or other personal problems that interfere with job performance or health.

While the supervisor or manager is never to be in the role of an amateur diagnostician or counselor, he or she may refer a technician to the Technician Assistance Program when less than satisfactory job performance persists. Performance factors that may indicate the need for referral include: assignment failures, excessive absenteeism or tardiness, unexcused absences, deteriorating personal appearance, altercation with fellow technicians, prolonged lunch hours, frequent disappearances, poor judgement, moodiness, or anxiety.

If a technician is referred to TAP, his/her job security will not be jeopardized. Treatment records will be maintained only in the treatment clinic, and never in personnel records. The technician must personally authorize the release of any medical records.

It is the technician's basic responsibility to maintain satisfactory work performance. If work performance falls below satisfactory for behavioral or medical reasons, it is the technician's responsibility to regain and maintain behavioral or medical health consistent with satisfactory job performance. A technician who does not respond to the continued help offered and whose job performance does not improve will be subject to disciplinary action including possible removal.

Technicians who recognize that emotional or family problems might be affecting their job performance may wish to voluntarily seek the program's assistance by contacting the Program Coordinator in HRO. When a technician (not the supervisor) initiates contact with TAP, it is considered the Employee Assistance Program (EAP). These two terms are often used interchangeably, but the important thing to know is that self-referrals to EAP are confidential. EAP is also available to family members and to separated employees for up to 30 days after separation.

ALCOHOL AND DRUG ABUSE: The use of illegal drugs and excessive use of alcohol are incompatible with membership in the New Mexico National Guard. Use of illegal drugs and excessive use of alcohol adversely affect our every day job performance, combat readiness, health, safety and morale. Unfortunately, a small percentage of our force has either a drug or alcohol problem. If you or a fellow technician have a problem with alcohol or drugs, please contact EAP for professional assistance. Helping our technicians to effectively deal with drug and alcohol problems will make the New Mexico National Guard a safer and better place to work.

Chapter 29

PHYSICAL FITNESS

Technicians may be granted authorized absences for up to 3 hours per week to participate in an approved physical fitness program. This physical activity must be coordinated with your supervisor and abide by The Adjutant General's policy letter on the Physical Fitness Training Program, which can be found on the HRO web site.

Chapter 30

SMOKING POLICY

Smoking tobacco harms readiness and productivity by impairing physical fitness and raising health care costs of both the smoker and those exposed to tobacco smoke. The New Mexico National Guard smoking policy prohibits smoking in all National Guard buildings and work areas. This includes, but is not limited to, private offices, hallways, auditoriums, conference rooms, rest rooms, and supply rooms. Smoking is also prohibited in NMNG vehicles.

Chapter 31

SAFETY / HEALTH

It is the goal of the New Mexico National Guard to provide the technician a safe workplace. Safety equipment will be provided and must be utilized as required. Unsafe conditions must be immediately reported to the Safety Office.

SUMMARY

This handbook has been prepared by the HRO Human Resources Specialists in order to furnish you with a brief overview of benefits, entitlements, policies and procedures pertaining to your employment in the New Mexico National Guard technician program. The Human Resources Office personnel are available to assist technicians with details, questions or problems concerning their employment.