VSIP Q&As – Supplemental to PM-2823 (October 20, 2011)

Retirement Eligibility

1) I don't know if I'm eligible for retirement. When I look at my earnings and leave statement my SCD for leave says one date and my retirement SCD says another date. So from which date do I begin counting the 20 years?

Response: The retirement SCD is used in calculating the eligibility for retirement. An employee may have temporary service that has not been paid back; therefore, that time cannot be counted for retirement eligibility. Employees are strongly encouraged to consult with their servicing AO/HR specialist for assistance with retirement eligibility determinations and other benefit questions.

VERA Eligibility

1. If I am not approved for VSIP with VERA, may I separate under VERA without a VSIP?

Response: No, VERA is only being offered in conjunction with VSIP. An employee who is denied a VSIP with VERA may not separate under VERA only.

Application Form FSA-334 and Application Procedures

1. I do not know the exact title of my position or my pay plan and series. Where can I locate this information?

Response: An employee can locate their series and pay plan information from a Notification of Personnel Action, SF-50 (or an SF50B for County employees)..

2. In Item 1 of the FSA-334, should I use my nickname or the name that I use on payroll records?

Response: Use the official name that is on your SF-50.

3. Should I encrypt my application when submitting it to HRD?

Response: Yes, always encrypt information that contains personal information.

4. If I apply early in the application window, will I be considered before applicants who apply just before the deadline, or vice versa?

Response: No, the date and time that your application is received is not relevant to the approval process. All applications will be reviewed after the window has closed and applications will be selected based on where their position rests in the exhibit of targeted positions, and the applicant's service computation date provided there are no other reasons barring applicant's approval as stated in Notice PM-2823.

5. On the FSA 334, under Item #11, Applicant Eligibility Acknowledgements, do I need to respond to all of the questions?

Response: Yes. *{Note, as of 10/18 if an employee who has already submitted their application only responded to the questions that are applicable to their situation, then their application will be accepted for review and consideration}*

6. FSA-334, Item # 11, I have military service that I have already paid back. Do I check yes or no to the military service question?

Response: If you are not currently paying back the military time, then you answer "no".

7. FSA-334, Item #10, I have checked the box "Optional Retirement with Buyout", so how do I answer the last question in Item # 11, "I wish to resign"?

Response: If you are electing the "Optional Retirement with Buyout" under Item 10, because you are eligible to retire, then your answer to the statement under Item 11, "I wish resign" should be "no."

8. According to page 3 of Notice PM-2823, Item 3, the 6th bullet, if submitted via e-mail, no signature is needed in 13A. Would the NEW box be checked on the second page in Item 13B of the FSA-334?

Response: Yes, the NEW box should be checked at the time of initial submission. Check the REVISED box only if you are revising the previous application that you submitted.

9. If I apply for a buyout and I do not receive it, can I get out of the retirement? And if so, is it automatic? Or is there a deadline to do it?

Response: If you submitted a VSIP application and that application was denied, then you have no obligation to retire. If the retirement option selected on your application was early retirement, then you will not be able to retire early. If the retirement option you selected was optional retirement, <u>and you wish to retire without a buyout</u>, then you must submit a retirement application to your servicing HR specialist. However, you <u>will not</u> receive an incentive payment for the optional retirement.

10. What exactly does the Item 11, question 5 mean? Is it trying to say an applicant wants to resign, even without the VSIP payment, regardless of being eligible for immediate annuity?

Response: No, the statement under Item 11, "I wish to resign" is intended to be a confirmation of the applicant's election of resignation with a buyout in Item 10.

11. What exactly does the Item 11, question 5 mean? Is it trying to say an applicant wants to resign, even without the VSIP payment, regardless of being eligible for immediate annuity?

Response: The statement under Item 11, "I wish to resign" is intended to be a confirmation of the applicant's election of resignation with a buyout in Item 10.

12. Why is there contradictory information between Section 3C and the following statement that is shown on the back of FSA-334? *I understand that my eligibility for a separation incentive payment* ***depends on meeting the requirements established for Early out/Buyout Plan*** *and that I will be informed of the approval or disapproval of this request. I further understand that this statement serves as my commitment to resign or retire if the separation incentive is approved.*

Response: The information presented in 3C of the PM Notice refers to withdrawal of the FSA-334 VSIP application. A VSIP or buyout is a **"voluntary"** incentive payment. In accordance with 5 Code of Federal Regulations (CFR) §576.103 an agency may only provide the incentive payment to employees who **agree** to separate by resignation, early retirement or optional retirement. Thus the statement appearing on page 2 of the FSA-334 application under Section 12 as cited in the above question is intended to deter employees from submitting VSIP applications when they have no real intention of separating as it would be disruptive to the VSIP process. Additionally, an applicant's completion of the FSA 334 and the Agency's subsequent approval is only the first step in the VSIP process. If approved for VSIP, the employee who elects either optional or early retirement must complete step 2 of the process which involves submission of the required retirement application and forms. Similarly, an employee who elects resignation must complete and sign an SF-52 to formally document their resignation. Resignation and retirement are always voluntary actions. An employee may elect to withdraw their resignation at any time before it becomes effective (see 5 CFR §715.202(b). Likewise, an employee who submitted an optional or early retirement application has the same rights with regard to withdrawing their r retirement application before it becomes effective. However, an agency may decline a request to withdraw an application before the effective date of separation only when it has a valid reason and explains that reason in writing to the employee (see 5 CFR §715.202(b), also see http://www.opm.gov/retire/pubs/handbook/C041.pdf).

13. If I have a question about the application process (e.g., confirmation or acknowledgement of receipt of my VSIP application), who should I contact?

Response: If you have any questions in reference to the application process, please contact Debra Schmidt at 816-823-3999 or debra.schmidt@kcc.usda.gov.

Priority Groups and Approvals

1. Will HRD begin approving buyouts before the application window closes on October 21?

Response: Determinations for approvals/disapprovals will be made after the window closes.

2. Recently I was promoted and my former position is listed in Exhibit 2 but my current position is not. Am I eligible for the buyout?

Response: VSIP is being offered only to employees who currently occupy the positions (specifically title, series, grade, location) that are listed in the Notice. If you no longer occupy the position, you will not be eligible.

3. In the example below, if there were 20 applicants in priority group # 1 who applied for the buyout and were eligible, then would all 20 be approved since they were priority 1? Priority 2-5 would get no offers because the targeted number had been reached? Is this correct?

Priority	**Organization/Location**	**No. To Be Approved: (20)**	**Eligible Positions**
1	Clay County	5	PT's (CO-1101-09)
2	Sun County	7	PT's (CO-1101-07)
3	Main County	8	PT's (CO-1101-07/09)
4	Maple & Buck Counties	10	PT's
5	All County Offices	Any to reach target	All CO positions

Response: In the example above, the "number to be approved" is 20 for this organization. The "number to be approved" in priority # 1 is 5. If there were 20 employees who applied for the buyout and were eligible, only 5 would be approved for VSIP in priority # 1 – the ones with the greatest length of service. Then we move to priority # 2.

The "number to be approved" in priority # 2 is 7. If there were 20 eligible applicants, seven would be approved in priority # 2 – the ones with the greatest length of service. Then we would consider the applicants who are eligible in priority # 3 and so on until the target number of 20 is reached for this organization.

Note: The target numbers cannot be accumulated and cannot be moved to another priority group. The "number to be approved" for priority # 1 is five and therefore only five can be approved for that group. If there are only three eligible applicants in priority # 1, three will be approved and then priority # 2 applicants are considered.

4. An employee is not in priority 1, 2 or 3 but is in priority 4. If the 16 positions get taken prior to getting to priority 4, does PM-2823 open up the VERA process for employees who are not able to get a VSIP because of the 16 person limitation? In other words, if I applied for a VSIP and do not get approved, could I get a VERA and leave the Agency?

Response: No, under this opportunity an employee in a targeted position that is not approved to receive a VSIP may not separate under VERA only.

Retirement Benefits

1. Notice PM-2823, Par 6 G provides the waiver for employees separating under VERA; however, would an employee whose 5-year anniversary for enrollment in FEHB occurs in January 2012 be eligible for the FEHB waiver?

Response: Yes, employees approved for VSIP retiring under VERA or Optional Retirement can receive a waiver of the 5-year requirement for the FEHB as explained in Exhibit 3 FAQ #22 of PM Notice 2823.

Denial of VSIP

1. If I do not get approved for the VSIP, can I still retire on the VERA?

Response: No. The VERA is not a stand alone offer. An employee who applies for the VSIP and is approved may need the VERA to be eligible to retire with benefits because they are not normally eligible under the optional retirement.

2. It was my understanding this was not another VERA but was a VERA/VSIP meaning you had to be accepted for the VSIP and then either regular retirement or using the VERA to get qualified for retirement.

Response: This is correct. In order to receive a separation incentive, an employee must separate either through optional retirement or early retirement (VERA) or resignation.

Leave Restoration

1. May I request leave restoration for any unused annual leave that I was unable to take because of VISP?

Response: VSIP is not a valid basis for requesting leave restoration. More guidance on annual leave restoration and legitimate reasons for requests for leave restoration are forthcoming via a soon to be issued PM Notice.