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# Inside The Fishbowl

## Official Newsletter of NTEU 280

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**\*1. Mid-career Background Investigations and Medical Releases**

You may be surprised to discover that after perhaps ten years as an EPA employee, a lateral move to another office may trigger a new background investigation known

as a NACI. The NACI, or National Agency Check and Inquiries was part of Presidential Order 10450 signed by President Dwight Eisenhower in 1953. A member complained to us and was especially alarmed that EPA security was requesting a medical release as part of that investigation.

Here is what we found out. In pre-911 days, EPA security, (now known as PSB, EPA's Personal Security Branch) was not especially well staffed and initial hiring background investigations were not conducted comprehensively. Now, any personnel action routinely passes through security, where they check to see if you had a background investigation, and if so, whether you had an investigation that comports with your current position. Mid-career EPA employees, like all Federal employees, have to have a background investigation appropriate to the risk or sensitivity level of the position they occupy. This is a requirement, Government-wide, under Executive Order 10450 and 5 CFR 731. If an EPA employee moves to a higher risk position through promotion, assignment of other duties, detail, or reassignment, PSB must check to see if he/she has the appropriate level background investigation on record. If not, the employee has to undergo a new investigation at the higher level.

Although members have been told that risk levels are grade related, security tells us now that risk levels, Government-wide, are determined based on position duties and a position's potential to adversely affect an Agency's integrity, efficiency, and mission. Risk levels are not based on GS grade levels.

EPA Security, not the Program Office, determines whether a new investigation is required. The Program Office pays the fees set by the Office of Personnel Management (OPM), and OPM conducts the investigation. The investigation can cost the program office from \$1000-\$2000, for each additional check.

Before the investigation is initiated, the employee must complete and submit an OPM security questionnaire. The questionnaire for many current employees needing a higher level investigation is the SF 85P. Employees needing access to classified national security information complete the SF 86. EPA Security informs

us that EPA has no authority to alter either form and that both forms include an “Authorization for Release of Medical Information.”

EPA Security informs us that **you do not need to sign this medical release in conjunction with the SF 85P form for those background checks.** The online Quick Guide to Completing the SF 85P(<http://intranet.epa.gov/oa/smd/pdfs/filling-out-sf-85p.pdf>; available on the PSB forms page at <http://intranet.epa.gov/oa/smd/hqsecurity/pss.htm#forms>) makes that clear. The Quick Guide link is included in all emails advising employees to complete the SF 85P.

**Now, in response to NTEU Chapter 280’s request, EPA Security will also include a new line in the e-mails advising employees not to complete the medical authorization.** You may decline to sign these forms with no impact whatsoever on your background investigation.

**What if you have already signed the medical authorization? EPA Security advises us that they were not forwarded to OPM for action. According to OPM, the medical release forms are good for only one year from the date of signature. Anyone who signed these forms and wants them back should provide their name, phone number and program office to PSB staff member, Gretna Davis-Gould (202-564-7912). Ms. Davis-Gould’s email address is in the lotus notes directory.**

The medical release is used for those investigations that require security clearances (access to classified information). For the types of investigations required for those in question (NACIs), a medical release would not be required because those types of checks (medical records) are not part of the investigation.

A completed medical release form could be required for those completing the SF-86, Questionnaire for National Security Positions (those that require a security

clearance at the SECRET or TOP SECRET levels). For instructions on when to complete the medical release form, Security provides a guide to filling out SF-86. In that Guide, Question 21 instructs, “Go back 10 years. Even if you answer yes, don’t provide additional information if the consultations involved only marital, family, or grief counseling, and were not related to violence committed by you. If your counseling involved other issues, provide the requested information and sign the “Authorization for Release of Medical Information.”

Both security clearances and NACI checks do check credit history.

While the NACI check is typically a quick process, depending upon your background, in some cases, OPM can take over a year to complete the investigation. **According to EPA Security, as soon as PSB receives the required security paperwork, they release the employee’s SF 52, Request for Personnel Action. That means the individual can occupy the higher risk position immediately while waiting for OPM to complete the investigation.**

So, if you are being stalled from your new job or higher grade while the check is on-going, be certain to let your management know that they do not have to wait for OPM in order for you to start your new position.

## [New Government-wide IDs](#)

Even if you are not facing a personnel action that would flag security to reevaluate your level of background clearance, eventually, you will be issued a smart card government-wide ID card which carries a computer chip. These new cards will not only identify you and give you access to government buildings, but include access to government computer networks. This new card is the result of a 2004 Presidential directive. Unions have expressed concerns about the requisite

background checks, and several NASA scientists have written Congressmen Rush Holt (D-N.J.) and Vernon Ehlers (R-Mich) to express concerns about threats to privacy.

Here's how HSPD-12, the smart card directive, comes in. To qualify for a smart card badge, every eligible Federal and non-Federal worker must have at least a NACI background investigation on record. The vast majority of Federal employees satisfy this requirement. However, some Federal employees do not have such a record. The most common explanation is OPM's record retention schedule. OPM keeps investigative records for 15 years for cases without adverse findings; EPA retains some records for longer.

Any employee without an investigative record must undergo a new investigation to comply with E.O. 10450 and to qualify for a mandatory smart card badge. According to EPA Security, the concerns quoted from the June 12 Washington Post article below, are really about the basic OPM investigative process, not the smart card initiative.

While the minimum background investigation requirement for the Smart Card is a NACI, the investigation will still need to meet the requirements of your position. Therefore, you may still be required to undertake a background investigation that is more stringent than the NACI. If you are concerned about whether or not your program office will pay for a required background check, security tells us that since this is a Federal mandate, they don't anticipate that any program will refuse to pay for the required background investigation.

According to The Washington Post, "Federal Diary" Column (June 12, 2007), the cards will be issued to federal workers and government contractors, "who must provide fingerprints and disclose financial, medical and other personal data. The forms filled out by employees and contractors are matched against databases to verify the information. For employees holding sensitive jobs, agents are sent to interview neighbors."

## **\*2. Federal Pay Raise for 2008 (3.5%) Gets Closer to Approval and Contracting Out Update**

On July 10, the Senate Appropriations Subcommittee approved a 3.5% federal pay raise for 2008. The Administration proposed a 3% pay raise. NTEU President Colleen Kelley has lobbied hard for this extra amount in light of meager pay increase that federal workers received last year. On June 28<sup>th</sup>, the House of Representatives approved the 2008 pay raise at 3.5%, and President Kelley was quoted as saying that the pay raise represents a small, but important step in closing the pay gap between public and private sector employees, estimated at about 13%.

### **Contracting Out Update**

In the same legislation approving the 2008 pay raise, the House approved legislation leveling the playing field in federal contracting out competitions, despite an attempt on the floor to remove the provisions from the bill. The attempt was defeated 268 to 158. It expands federal employee appeal rights in A-76 procedures, giving them the same rights presently enjoyed by private contractors to appeal agency decisions privatizing federal work. NTEU has long argued that federal workers should have the same right to appeal to the Government Accountability Office (GAO) – as an independent decision-maker – that private contractors have. Under present contracting rules, federal employees are limited to an appeal within their agency; the same agency which makes the A-76 decision in the first place.

The bill's language also precludes private companies from reducing employee health benefits, or offering inferior retirement benefits, in order to reduce costs on their final contract bid. Finally, the legislation mandates that the Office of Management and Budget (OMB) cannot require or direct agencies to undertake A-76 competitions. The bill makes these provisions permanent changes in law.



### **\*3. All Eyes on OPEI: Will Reorg Stifle Innovation?**

EPA has many reorganizations in process, but few have attracted the attention that OPEI has generated. OPEI, or the Office of Policy, Economics & Innovation, is being folded into an Office of the Administrator (OA) reorganization. The restructuring plans include increasing the number of OPEI Offices from three to five by disassembling the current National Center for Environmental Innovation (NCEI) into two separate Offices and creating a new Office of Performance Management to conduct in house performance evaluations akin to Deputy Administrator Marcus Peacock's penchant for performance measurements.

The Office of Environmental Policy and Innovation (OEPI is one of 3 offices that comprise OPEI), is the office most affected by the planned reorganization and has been afforded no adequate opportunity to share its concerns and participate at either staff or management level with the senior-level management's proposed change.

OEPI has been described as a boutique office that operates as an innovations "change-agent" for EPA. OEPI's basic mission is to test, evaluate, and disseminate innovation via a variety of means, such as, training, information-sharing, innovative and voluntary program support, and various creative networks. In carrying out its mission, OEPI partners with a breadth of diverse stakeholders: EPA HQ and regional program offices, state environmental agencies, NGOs, and a variety of other external local, national, and international entities.

Under the proposed plan, a new Office of Cross Media Programs would oversee the three current NCEI multi-media programs (performance track, sectors strategies and smart growth), and only two thirds of the existing innovation policy shop would comprise the re-named NCEI even though technically, voluntary program coordination remains a function of NCEI, and not the cross media program office.

The new Performance Management Office would shift staff and resources from NCEI's innovation work and NCEI would no longer be a unifying factor for the innovation work done by both the policy shop and the multi-media programs. The planned cross media program office would shift a key innovative division (namely the Evaluation Support Division) and the management of the IAC (Innovation Action Council) from OEPI, along with OEPI's experienced evaluation and front office staff, to the new Office of Performance Management.

The advantage of having a combined Center that unifies programs and activities of the two Offices is to better leverage partnership opportunities and more effectively work within EPA and with outside interests to advance new ways to achieve environmental results. Both offices share common long term goals of building a more performance-based regulatory system, promoting environmental stewardship and advancing a culture of creative environmental problem solving.

Currently, OEPI operates uniquely as a matrix-managed office, that is, OEPI staffs projects by teaming expertise from across the office. OEPI is responsible for many niche innovative programs and activities, such as staffing and managing the IAC (senior-level federal (EPA DRAs and DAAs) and state environmental leaders), Environmental Results Program, State Innovation Grants Program, Program Evaluation Network and Competition (grant program), and many other cutting edge developments (stewardship, lean manufacturing, integrated permitting research of the EU/UK system). By carving out the essential evaluation function from the office, it appears that this proposed reorganization is opening OEPI up to possible dissolution – leaving it in "name" on paper (while severely diminishing its administrative and professional staff/FTE).

NTEU Chapter 280, is very concerned that the reorganization process itself appears to have been carried out "behind closed doors". NTEU is concerned that while OEPI staff specifically requested clarification and explanation of the details, as well as requesting a collaborative, transparent process, that has not been implemented. It appears to NTEU that top management have been reluctant to

share detailed information and arguably have been dismissive of specific concerns voiced by OEPI employees.

Certainly, with dissension being voiced across the entire organization, OPEI management could have removed this office from the on-going OA reorganization. They could have taken the time to implement a reorganization that would strengthen innovation at EPA, instead of pushing to expedite the formalization of a reorganization that is widely believed will have the opposite effect.

Is this a way to kill NCEI – while leaving it in existence on paper (albeit, without sufficient resources and support staff?)

NTEU Chapter 280 has requested a briefing on the OA reorganization proposal in accordance with the terms of our Collective Bargaining Agreement.

Inside EPA wants to know...Reporter Adam Saravo is looking for comments on this reorganization. He can be reached at 703-416-8516.

#### **\*4. National Partnership Council Meeting**

NTEU Chapter 280 participated in the annual National Partnership Council (NPC) meeting which was held in Washington, D.C. at the American Institute of Architects in June. The NPC was co-chaired by our Executive Vice President, Dwight Welch who passed the gavel to AFGE's Mark Coryell as the new co-chair. NTEU Chapter 280 was additionally represented by President Bill Evans and Vice President Bill Hirzy.

Once each year, the 22 Unions representing all EPA employees nation-wide meet with management from all AAships to discuss issues affecting their well-being on the job. This year the Unions and management agreed to discuss the “Stronger EPA” initiative, an update on Smart Cards, DFAS, the EPA leave Bank, the Human Capital Survey, and streamlining Requests for Information, 7114 (b) Union requests. This meeting was organized by topic, in that various managers made presentations followed by opportunities for Union representatives to comment and ask questions.

While the meeting was informative and collegial, it highlighted many problems for OARM Assistant Administrator, Luis Luna and the presenters. Union representatives were all very concerned about the lack of pre-decisional negotiations concerning the implementation of changes pursuant to the issues listed above. Management rarely let Unions negotiate in advance of a management decision. If Unions could begin negotiations early on, labor and management could develop negotiated positions. All Unions expressed the opinion that they would like to see much more Interest-Based bargaining as we work through these issues. Although management seemed to echo the same sentiment, the outcome from this meeting remains to be seen.

### **\*5. Your Official Personnel Folder (OPF):**

**You can ask for a full copy of your OPF before it’s –shipped off-site for scanning – Another note on how to easily get your copies through the Official e-mail address.**

**You can ask for a full copy of your OPF before it’s –shipped off-site for scanning**

**The contractors who copy the OPF for you have been swamped with requests since our April article and May follow-up article came out in the Fishbowl. Rather than contacting any individual contractors, please send your e-mailed request to “Official Personnel Folder Request Team.” Yes, this is an address in**

**the lotus notes directory. If you send the e-mail directly to an individual contractor, your request will take longer to process, as more steps are required.**

**USEPA / ASRC Management Services**

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**Ariel Rios North, Rm. B318 (Open from 9-3 M-F)**

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**You may also fill out a form in person from 9am -3 pm at Ariel Rios North, Rm B318. If you have chemical sensitivity problems, you need not pick up the copies, as they can be FED EXed to you at no cost, provided you have a mailing address and not just a Post Office Box. If you have any questions, feel free to call the OPF team directly at 202-564-0690.**

If you missed April's Fishbowl article, by Maureen Kiely, EPA Region 8, this is why we are suggesting that you get a copy of your OPF:

The EPA plans to convert employees' Official Personnel Folders from a paper to an electronic format. Nearly all of the local Unions representing EPA employees have demanded to bargain over this proposal.

Your OPF contains the entire record of your career at EPA, as well as some very personal information, such as your social security number, your spouse's social security number, the designated beneficiaries on your life insurance policy, etc

A key reason that the Unions have all asked to bargain is that we want to protect EPA employees in two ways:

1. We want to make certain that all of the important documents currently in your paper OPF actually make it into the electronic version. Loss of some documents, for instance, could adversely affect your retirement.

2. We also want to make sure that all of your personal information is not stolen during the scanning/digitization process; or once the electronic-OPFs are “launched” on the Agency’s intranet.

These labor-management negotiations are still in progress. However, it is possible that within the next month or two, EPA will begin shipping all the Official Personnel Folders to the Office of Personnel Management (OPM) contractor in Virginia, to begin the scanning and digitization process.

You have a right under the Privacy Act to see all of the personnel folders that EPA retains for you. This includes your OPF, as well as other folders containing material that should not be in your OPF.

## **\*6. Drug Testing at EPA**

We have heard from members who have been targeted for random drug testing and wanted to know how they were selected. These Q’s and A’s are from 1998, but still apply, and can be found at <http://intranet.epa.gov/rmpolicy/hr/drugfree.htm#7b>.

According to Donald Vereen, M.D., Medical Officer and Special Assistant to the Director, [National Institute on Drug Abuse](#), NIH, the active ingredient in marijuana is fat soluble, rather than water soluble, which means the drug is slow to leave your body. You could test positive for Marijuana for about four days after smoking it (although other variables can influence the timeframe.) The good news is that since it leaves the body so slowly, it does not have the addictive effect that a water soluble drug, such as methamphetamine has.

### **Q. WHY ARE WE DRUG TESTING IN EPA?**

A. Because we, like every federal agency, are required by Executive Order 12564 to have a drug-free workplace plan, and drug testing is a mandatory part of the plan.

### **Q. IS EVERYONE GOING TO BE TESTED?**

A. No. We will test a random sample of approximately 15 percent a year from a pool of approximately twelve hundred employees who occupy testing-designated positions (TDP). All successful applicants (internal and external) for TDP are also subject to testing.

### **Q. WHO WILL BE PLACED IN THE POOL FOR RANDOM DRUG TESTING?**

A. Employees who fall into one of several categories: Presidential appointees requiring Senate confirmation; employees who possess a National Security Clearance at the secret level or above; employees who carry a firearm while on duty or are authorized to do so; on-scene coordinators; members of emergency response teams; and EPA drivers who (1) carry passengers as a regular part of their

duties, (2) operate vehicles weighing more than 26,001 pounds, or (3) operate vehicles transporting hazardous materials.

**Q. WHAT ARE THE DRUGS THAT WILL BE TESTED UNDER THE AGENCY PLAN?**

A. We will test for marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

**Q. WHAT ABOUT ALCOHOL?**

A. No.

**Q. WHAT ABOUT AIDS?**

A. No.

**Q. AFTER THE EMPLOYEES ARE NOTIFIED, HOW SOON DO THEY HAVE TO REPORT FOR TESTING?**

A. Generally, within two hours

**Q. WHERE WILL EMPLOYEES GO TO REPORT FOR TESTING?**



A. Employees will go to designated collection sites near EPA locations throughout the country.

**Q. WHAT METHOD OF TESTING WILL BE USED?**

A. Urinalysis. Employees will provide a urine sample under controlled circumstances. The urine samples will be initially screened for the presence of drugs. Any specimens testing positive (indicating the presence of drugs) will be subjected to a gas chromatography/mass spectrometry (GC/MS) test. This is a very sophisticated technique that virtually eliminates the possibility of an incorrect test result.

**Q. WILL EMPLOYEES HAVE TO GIVE URINE SAMPLES IN THE PRESENCE OF AN OBSERVER OR A VIDEO CAMERA?**

A. No. There are unobtrusive ways of making sure that samples are not altered or substituted.

**Q. WHO WILL DO THE ANALYSIS?**

A. Laboratories certified by the Department of Health and Human Services will do the collection and analysis.

**Q. HOW WILL EPA PREVENT SPECIMENS FROM GETTING MIXED UP?**

A. We are required to have a strict "chain of custody" throughout the entire testing procedure. Only qualified contractors who have proven experience in administering drug testing under the federal program are used.

**Q. WHAT HAPPENS IF THE TEST IS POSITIVE?**

A. The test result is sent to the Medical Review Official, who is a licensed physician trained in substance abuse. The medical review official will consult with the employee to determine if there are legitimate reasons to explain the test result. Employees will be given every reasonable opportunity to provide supporting medical documentation.

**Q. CAN YOU TEST POSITIVE BECAUSE YOU WERE IN THE PRESENCE OF SOMEONE USING A DRUG EVEN IF YOU DID NOT USE IT?**

A. No. The test threshold for detection is too high.

**Q. HOW LONG AFTER USE WILL A DRUG BE DETECTED BY THE TEST?**

A. It can range from days to weeks. There are too many variables (the drug used, the amount and frequency of use, body size, etc.) to be more specific.

**Q. WHAT HAPPENS IF THE MEDICAL REVIEW OFFICIAL DETERMINES THE POSITIVE TEST IS THE RESULT OF ILLEGAL DRUG USE?**

A. That determination will be sent to EPA and the employee will be subject to the full range of disciplinary action. Such disciplinary action will be determined on a case-by-case basis, be consistent with the Executive Order and EPA's Drug-Free Workplace Plan, and may range from a reprimand to removal. Any employee found to be using illegal drugs will be referred to the Employee Counseling and Assistance Program.

**Q. WHAT IF AN EMPLOYEE REFUSES TO TAKE THE TEST?**

A. The employee will be subject to the full range of disciplinary action. Each situation will be decided on a case-by-case basis.

**Q. WHAT HAPPENS IF AN EMPLOYEE ENTERS A REHABILITATION PROGRAM BEFORE TESTING?**

A. The employee may be exempted from random testing for the duration of the rehabilitation if approved by EPA's Employee Counseling and Assistance Program Administrator or designee. However, the employee will be subject to follow-up testing for one year after finishing rehabilitation.

**Q. BESIDES RANDOM SAMPLE TESTING, WHAT OTHER TYPES OF DRUG TESTING ARE THERE?**

A. In addition to random testing, there are five: (1) Employees may choose voluntary testing by having their names added to the random sample pool. (2) Employees in the pool who have undergone rehabilitation are subject to follow-up testing for one year. (3) Reasonable suspicion testing may be required of any employee in any position in the Agency when there is reasonable suspicion of illegal drug use. Specific procedures are followed to ensure that employees' rights are not violated. (4) There is applicant testing. All successful applicants, internal and external, for a position that is in the random sample pool will have to take a test and receive a negative result before appointment. The testing requirement will be on the vacancy announcement. (5) Employees involved in on-the-job accidents or who engage in unsafe on-duty, job-related activities that pose a danger to self or others, or who hamper the overall operation of the Agency, may be subject to testing.

**Q. WHAT HAPPENS TO THE TEST RESULTS?**

A. They are treated as confidential records and may be released only as authorized by law or regulation.

**Q. ONCE I HAVE BEEN TESTED AND PASSED, AM I EXEMPT FROM FURTHER TESTING?**

A. No. As long as you are in a drug testing-designated position, you are subject to random sample testing.

**Q. WHAT IS MY WORK STATUS IF I SHOULD BE SELECTED FOR TESTING?**

A. You will be in a duty status during the testing and while traveling to or from the testing location.

**Q. WHO PAYS FOR THE TESTING?**

A. EPA.

**Q. IF I DECIDE TO GET MY OWN TEST AFTER BEING TESTED BY EPA, WHO PAYS FOR IT?**

A. You do.

**Q. WILL I BE IN A DUTY STATUS WHILE I GET MY OWN TEST?**

A. No. You will have to take leave.

**\*7. GAO Issues Report on EPA Mishandling of Katrina**

A June 25 Government Accountability Office (GAO) report indicates the U.S. Environment Protection Agency (EPA) failed the public post-Katrina. The report was issued following a June 20<sup>th</sup> Senate Hearing and a June 25 House hearing that focused on EPA's public communications failures following 911.

The GAO report, *Hurricane Katrina: EPA's Current and Future Environmental Protection Efforts Could Be Enhanced by Addressing Issues and Challenges Faced on the Gulf Coast*, found inadequate monitoring for asbestos around demolition and renovation sites. Additionally, the GAO investigation uncovered that "key" information released to the public about environmental contamination was neither timely nor adequate, and in some cases, easily misinterpreted to the public's detriment.

Hurricane Katrina was the first implementation of the National Response Plan (NRP), created in 2004 as result of the difficulties responding to the 9/11 disaster. Under the NRP, EPA is the federal emergency support coordinator for collecting, monitoring and effectively dealing with hazardous materials, specifically authorized to regulate asbestos emissions and maintain the National Priorities List of Superfund sites. By the time Katrina made landfall on August 29, 2005, EPA had already put air monitoring stations in those prioritized sites and coordinated state efforts to double their air quality sampling elsewhere.

However, according to the report, EPA failed to effectively monitor the air quality around New Orleans neighborhoods as they engaged in demolition and renovation, most notably the Ninth Ward. Merely conceiving of the agency's role to assist state and local officials to do the actual work, EPA only maintained the expanded air monitoring program for the first few months, shrinking back to its pre-Katrina scope by July 2006.

EPA also used its authority to suspend certain air quality laws via "no action assurance letters" to allow a faster building demolition process without requiring asbestos testing and removal. Though the regulation relaxation to speed demolition may have been reasonable, the failure to aggressively test for asbestos with known heightened risks was not. More worrisome, the July 2006 program reduction was due, in part, to not having found asbestos sampling concerns, but these lack of findings may have been due to the lack of aggressive testing.

While EPA made a significant effort to inform the public about environmental health risks, the report showed that it failed to do enough in this area. The first environmental assessment took three months to complete and contained information with confusing and sometimes contradictory messages. The GAO report details one instance in which the most common flyer stated that only buildings built prior to 1970 were an asbestos risk, while EPA's website used 1975 as the cutoff year, with the disclaimer that more recent buildings could also contain asbestos.

Echoing the 9/11 situation, EPA subtly manipulated information to portray New Orleans' air quality more positively than people might have concluded from the complete facts. For example, EPA's December 2005 assessment stated the "majority" of sediment exposure was safe. But eight months later, the agency revealed that this measure was for "short-term" visits, such as to assess immediate exposure damage, not to live near or in the area. Additionally, the 2005 assessment used data from outside sediment to generalize the safety of both outdoor and indoor areas, a dangerous assumption as buildings can act as traps collecting contaminants.

In the aftermath of Hurricane Katrina, EPA was presented with an enormous task, and limitations imposed upon it by the National Response Plan made its job even more difficult. Disturbing parallels with 9/11, however, are apparent: misleading the public through over-generalized and insufficient information and avoiding responsibility by blaming other agencies or local governments. In her response to the president about lessons learned from Katrina, Homeland Security Advisor Frances Townsend wrote, "The response to Hurricane Katrina fell far short of the seamless, coordinated effort that had been envisioned by President Bush when he ordered the creation of a National Response Plan." (Thanks to OMB Watch for permission to reprint. See

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[http://www.ombwatch.org/article/articleview/3905/1/{category\\_id}](http://www.ombwatch.org/article/articleview/3905/1/{category_id})

## **\*8. Retiring? Better use up your Flexible Spending Account**

A Note from NTEU National:

Getting ready to retire? If so, be sure to spend all of the unused funds in your Flexible Spending Account (FSA).

While federal workers have two-and-a-half months after the end of the plan year to use money set aside in their FSAs, retiring employees have no grace period in which to spend unused dollars from the time of their separation. FSA funds can only be used for expenses incurred when a federal employee is considered active. For example, federal employees may use their remaining balances to pay for doctor visits made before their retirements--even if the claims are submitted after the employee has retired--but visits that occur after the separation date are not eligible.

NTEU fought hard for the creation of and improvements to the FSA program, which permit federal employees to set aside pre-tax income to pay medical and dependent care expenses. Because the money is deducted up front, the employee's taxable income is lower and overall income taxes can be substantially reduced.

## **\*9. Membership Counts: Insurance advantages for NTEU Chapter 280 Dues Paying members**

NTEU contracts with Colonial Insurance to provide dues paying members with an assortment of insurance options. You may want to review the offerings on this website: [www.coloniallife.com/NTEU](http://www.coloniallife.com/NTEU). One of the benefits listed is disability insurance which helps protect part of your income in case of accident or serious



illness. Members seeking answers to specific questions or wishing to enroll can contact Colonial by or through e-mail using this website.