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NGHI-HRO

4 December 2015

MEMORANDUM FOR Hawaii National Guard (HING) Technicians

SUBJECT: Technician Rights and Benefits when Returning to Duty (RTD) from Entering into Absent-Uniformed Service (AUS) Status to Perform Active Military Duty for Thirty (30) Days or more.

1. Reference. Technician Rights and Benefits when Entering into Absent-Uniformed Service (AUS) Status to Perform Active Military Duty for Thirty (30) Days or more, dated 4 December 2015.
2. The information contained herein is to inform all HING technicians what documents to submit to properly process their USERRA Retrun To Duty (USERRA RTD). This applies when a permanent (includes indefinite) technician enters into AUS status to perform active military duty for thirty (30) calendar days or more and returns to his/her technician position. Temporary technician's re-employment rights are limited to the established not to exceed date of the current employment. Restoration rights associated with these actions are limited to a 5-year period back to technician status with this agency and can only be given if notice is provided to the employer; the request for AUS action is considered notification. The 5-year limit is cumulative and could include prior military tours. The separation from active duty must be under honorable conditions and not for cause.
3. Returning from a military tour will require the documents listed below. In order to process the request, it must be processed through the Defense Civilian Personnel Data System (DCPDS) at least one pay period prior to the return from military duty to ensure the action is processed in a timely manner. Listed below are the following documents needed to process the RTD action; these documents must be submitted through your chain of command in order for them to process the action through DCPDS.
  - a. A copy of any amendment/modification to previous orders (if applicable). Amendments to orders must be submitted to the Human Resources Office as soon as the amendment is received; if not, the action will be processed with the effective date listed on the USERRA RTD election form received; delays may incur debts due to delayed processing.
  - b. Copy of DD Form 214, copy 2,4 or 7 only. (if applicable)
  - c. A completed USERRA "RTD" Election Form. (enclosure 2)
  - d. Application for Reservist Differential Payments (if applicable)
  - e. TSP 41 (if applicable)

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f. Request for USERRA Retroactive TSP Contributions Form (if applicable). Military Leave and Earnings Statement (LES) for the duration of the orders must also be submitted if contributions were made to TSP (military).

4. Supervisors, timekeepers, and technicians submitting RTD actions have a shared responsibility to ensure the right pay codes are being implemented and coincides with the effective dates of RTD actions. The effective date will be based on what you list on the USERRA RTD election form. Pay codes not coinciding with effective dates listed on the USERRA RTD election form may cause errors in benefits and may also cause debt issues when the action is processed.

5. Failure to provide all the requested information could lead to delays in processing the action and may impact numerous benefit elections. It is advised that technicians keep a copy of the documents submitted to HRO.

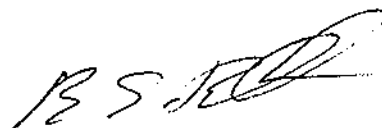
6. Permanent, temporary, and indefinite technicians that want to process actions less than 30 days for credit towards their retirement or Thrift Savings Program may elect to process RTD actions but must do so according to the procedures listed in paragraph 3. These requests must be submitted to the Human Resources Office no later than one pay period prior to the effective RTD date.

7. If you have any USERRA actions for orders less than 30 calendar days that's currently outstanding or has yet to be processed and would like to proceed with the action, please send an email to the POC listed below no later than 30 days after the date of this memorandum. If your request isn't received by then, your action will not be processed.

8. This memorandum supersedes previous HING memorandums regarding processing USERRA RTD actions.

9. If you have any questions, please call HRO Customer Service at (808) 672-1234 or email [Lorajan.b.kaonohi.mil@mail.mil](mailto:Lorajan.b.kaonohi.mil@mail.mil).

FOR THE ADJUTANT GENERAL:



Brian S. Buhler, Col, HIANG  
Director of Human Resources

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1. USERRA "RTD" Election Form
2. Application for Reservist Differential Payments
3. Request for USERRA Retroactive TSP Contributions Form
4. TSP 41
5. Hawaii National Technician Information and Election Rights

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