

**Eligibility for Portability following a Nonappropriated Fund (NAF) to Civil Service Move
In-Processing Checklist for Civil Service Human Resources Office (HRO)**

This checklist is for Civil Service HRO use during in-processing. It assists the HRO in determining whether an employee is eligible for portability of benefits following a move from a DoD NAF position to a DoD Appropriated Fund (APF) position. File a copy of the completed checklist in the employee’s official personnel file, regardless of the eligibility determination. The Defense Civilian Personnel Advisory Service (DCPAS) “Portability of Benefits Reference Guide” contains additional information on appointing HRO responsibilities, as well as references to regulations and policies.*

Employee Name:	Last 4 SSN:
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1. VERIFY CIVIL SERVICE APF APPOINTMENT:

a. Date of Current Appointment:	b. APF Employing Component and Activity:
c. Position Title:	d. Pay Schedule, Occupational Code, and Grade:
e. Employment Category (Full, Part-time, Intermittent, or Seasonal):	f. Permanent, or Temporary/Not to Exceed:
g. Is position eligible for retirement coverage? YES <input type="checkbox"/> NO <input type="checkbox"/>	h. If YES, name of retirement plan:

2. VERIFY LAST NAF APPOINTMENT:

Verify the employee’s last retirement coverage, date of separation, and other information. Be aware that NAF forms and records format may differ from APF. Coordinate with the employee’s former NAF HRO and retirement benefit office to obtain the necessary information. If the former NAF HRO is not known, see Section 12, Tables 8 and 9, of the DCPAS Portability of Benefits Reference Guide for a list of NAF Component POCs.

a. Date of Termination from NAF Position:	b. NAF Employing Component and Activity:
c. NAF Position Title:	d. NAF Pay Plan, Occupational Code, and Pay Band or Wage Grade:
e. NAF Employment Category (Regular Full or Part-time; or Flexible):	f. Permanent, or Temporary/Not to Exceed:
g. Retirement Plan Coverage (NAF or APF (based on a prior portability move)): NAF (Specify Army, Air Force, Marine Corps, NEXCOM, CNIC, AAFES, or Coast Guard NAF): APF: (Specify CSRS, CSRS-Offset, FERS, FERS RAE, or FERS-FRAE):	
h. Name of NAF Servicing HR Point of Contact: Title and Organization: Phone Number: E-mail:	

3. CONFIRM WHETHER THE EMPLOYEE RECEIVED A VOLUNTARY SEPARATION INCENTIVE PAYMENT (VSIP) FROM NAF OR APF

Prior VSIP receipt? YES <input type="checkbox"/> NO <input type="checkbox"/>	If YES, date of VSIP payment?
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If YES, review DoD restrictions on reemployment following VSIP acceptance. Employees who receive VSIP cannot be reemployed by DoD within 12 months of separation. VSIP repayment requirements apply to employees who accept a DoD position within 5 years of receiving a VSIP.

4. CONFIRM WHETHER THE EMPLOYEE IS AN ANNUITANT

a. Is the employee receiving a NAF annuity? YES <input type="checkbox"/> NO <input type="checkbox"/>
If YES, name of NAF retirement plan providing annuity?
b. Is the employee receiving a CSRS/FERS annuity? YES <input type="checkbox"/> NO <input type="checkbox"/>
If YES, specify type of annuity (such as Voluntary, DSR, Disability, etc.):

A NAF annuitant is not considered a reemployed annuitant in an APF position, **unless** the employee elected to remain in NAF following a NAF to APF move. Annuitant status and previous retirement portability elections affect an employee’s retirement coverage election eligibility and status as a reemployed annuitant. A reemployed NAF annuitant is subject to the applicable Component retirement plan rules for reemployment of annuitants. See Section 6.10 of the DCPAS “Portability of Benefits Reference Guide” for more information.

5. DETERMINE ELIGIBILITY FOR BENEFITS OTHER THAN RETIREMENT

Did the employee:

- (1) Move from a DoD NAF position to a DoD APF position, **and**
- (2) Move without a break in service of more than 3 days?

<input type="checkbox"/> No. (Movement is from an agency outside of DoD (such as Coast Guard NAF), or break in service is more than 3 days). Portability of non-retirement benefit does not apply. Treat as any other new civil service employee for purposes of non-retirement benefits.
<input type="checkbox"/> Yes. Portability of non-retirement benefits applies. Provide and document applicable benefits and service credit. Combine personnel files in an OPM Merged Record Personnel Folder. Do the following: <ul style="list-style-type: none"> <input type="checkbox"/> Transfer annual, sick, and home leave balances, if APF position provides leave benefits. (The employee does not receive a lump sum payout from the NAF employer and there is no transfer of funds between NAF and APF employers). <input type="checkbox"/> Credit prior NAF service towards civil service annual leave accrual rate. <input type="checkbox"/> Credit NAF service for civil service severance pay purposes. <input type="checkbox"/> Review portability pay setting rules. In voluntary moves, highest previous rate of pay may be considered. Employees who are involuntarily moved receive protection of last rate of basic pay. <input type="checkbox"/> Credit NAF service for civil service reduction-in-force purposes. <input type="checkbox"/> Review OPM regulations for application of all other benefits, including recruitment and relocation incentives, travel, transportation, and relocation expenses.

6. CONFIRM ELIGIBILITY FOR A PORTABILITY OF BENEFITS RETIREMENT COVERAGE ELECTION

See Section 6, Appendix 6A of the DCPAS “Portability of Benefits Reference Guide” for guidance and job aids on determining retirement election eligibility.

a. Did the employee previously elect to retain NAF or CSRS/FERS retirement coverage based on a prior move between NAF and APF positions?

<input type="checkbox"/> No. Continue to Section 6.b. of this checklist.
<input type="checkbox"/> Yes. The employee made an irrevocable election to be covered by the elected retirement coverage for all future APF and NAF service. The employee is not eligible for another retirement portability election.
<input type="checkbox"/> Specify which retirement plan the employee elected: _____
Do the following:
<input type="checkbox"/> Ensure that the employee’s Merged Record Personnel Folder contains appropriate documentation of the prior election.
<input type="checkbox"/> Check the employee’s annuitant status to confirm whether any reemployment restrictions apply and whether there is any effect upon salary or annuity.
<input type="checkbox"/> Process the appropriate forms to continue the employee in the previously elected retirement coverage. Confirm that the data and payroll codes correctly reflect the retained retirement plan.
<input type="checkbox"/> Coordinate with the elected system’s retirement and payroll offices to ensure that the correct employer and employee contributions are remitted for the defined benefit and defined contribution plans. Note: If the employee retained APF retirement, be sure and obtain appropriate TSP forms (TSP 19 and/or most recent TSP 1 election form). If the employee retained NAF retirement, check with the applicable NAF retirement benefit office to obtain any required NAF 401(k) forms.
<input type="checkbox"/> No further retirement election opportunity. Go to Section 8 of this checklist.

b. Did the employee decline an opportunity to remain in NAF following a previous move from a NAF position to an APF position?

<input type="checkbox"/> No. Continue to Section 6.c. of this checklist.
<input type="checkbox"/> Yes. The employee has already had a one-time election to remain in NAF as a civil service APF employee. The employee is not eligible for a second opportunity to elect to remain in NAF.
Do the following:
<input type="checkbox"/> Ensure that the employee’s OPF contains appropriate documentation of the prior election declining to remain in a NAF retirement plan.
<input type="checkbox"/> Enroll the employee in the appropriate civil service retirement plan following the same procedures as for any other new civil service APF employee. No NAF service transfers for retirement credit purposes.
<input type="checkbox"/> No further retirement election opportunity. Go to Section 8 of this checklist.

- c. Is the employee’s break in service between a position covered by NAF and a position covered by a civil service APF retirement plan **more** than one year? (See DCPAS “Portability of Benefits Reference Guide,” Section 6, Appendix 6A, Table 5 Job Aid for help in determining whether the employee meets the requirement for a move between retirement-covered positions and 1 year break.)

<input type="checkbox"/> No. Continue to Section 7 of this checklist.
<input type="checkbox"/> Yes. The employee does not meet the requirement that the break in service between retirement-covered positions be one year or less. The employee is not eligible for an election to remain in NAF. Do the following: <input type="checkbox"/> Enroll the employee in the appropriate civil service retirement plan following the same procedures as for any other new civil service APF employee. No NAF service transfers for retirement credit purposes. <input type="checkbox"/> No further retirement election opportunity. Go to Section 8 of this checklist.

Informational Summary of Section 6:

“Yes” responses to questions 6.a., 6.b., **or** 6.c. disqualify the employee from a retirement coverage portability election for the current move.

“No” responses to questions 6.a, 6.b. **and** 6.c. are intended to confirm that:

- The employee did not previously elect to remain in CSRS/FERS or NAF;
- This is the employee’s first election opportunity to remain in a NAF retirement plan.
- The employee is moving between NAF and APF retirement-covered positions; **AND**
- The break in service between the positions is not more than 1 year.

An employee who meets these requirements is potentially eligible for a one-time election to remain in NAF as a civil service APF employee. Section 7 of this checklist provides information on offering the retirement coverage election to an eligible employee.

7. PROVIDE RETIREMENT COVERAGE ELECTION TO ELIGIBLE EMPLOYEE

Follow instructions for fillable form RI 38-134 to confirm and document eligibility and election offer. (See DCPAS “Portability of Benefits Reference Guide” for additional guidance.)

<input type="checkbox"/> Appointing civil service APF HRO completes Part 1 of Form RI 38-134.
<input type="checkbox"/> Employee completes Part 2 of RI 38-134 acknowledging receipt of election opportunity.
<input type="checkbox"/> Review with the employee the RI 38-134 instructions on the 30 day time limit for making a retirement election. The employee is considered covered by the appropriate civil service retirement plan until the election is made, or the time limit exceeded.
<input type="checkbox"/> The employee completes Part 3 of RI 38-134, choosing Option 1 (election to retain NAF retirement plan) or Option 2 (election not to retain NAF retirement plan).

IF:

<input type="checkbox"/> The employee chooses Option 1 to retain NAF retirement plan.	Complete the necessary forms to continue the employee in the NAF retirement plan. See the separate checklist for APF employees electing to retain NAF retirement coverage.
<input type="checkbox"/> The employee chooses Option 2 to not retain NAF retirement plan.	Enroll the employee in the appropriate civil service retirement plan in the same manner as any other incoming civil service APF employee.
<input type="checkbox"/> The employee does not make an election within the 30 day time period.	The employee is considered to have chosen not to retain NAF retirement coverage. The employee will be covered by the new position's civil service retirement plan. Enroll the employee in the appropriate civil service retirement plan in the same manner as any other incoming civil service APF employee.
<input type="checkbox"/> Appointing APF HRO follows RI 38-134 instructions on documenting the election, providing copies of form to the employee, and filing election form in the employee's OPF. Also file any accompanying documents in the OPF, such as job aids, eligibility checklists, and documents verifying NAF retirement plan coverage in the former NAF position.	

8. PROVIDE EMPLOYEE WITH PORTABILITY OF BENEFITS ELIGIBILITY STATEMENT AND, IF NOT ELIGIBLE TO RETAIN RETIREMENT COVERAGE, A NOTICE OF APPEAL RIGHTS.

The written eligibility statement notifies an employee of their eligibility or non-eligibility for portability of non-retirement and retirement benefits. If the employee is not eligible for retirement benefits, an additional written decision notice is required to notify the employee of appeal rights to the Merit Systems Protection Board.

9. PROVIDE APPOINTING APF HRO INFORMATION:

Name: Title: Organization: Phone number:	Today's Date:
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10. FILE A COPY OF THIS COMPLETED CHECKLIST, EMPLOYEE'S ELIGIBILITY STATEMENT, AND ANY OTHER SUPPORTING DOCUMENTS, SUCH AS PORTABILITY OF BENEFITS DECISION NOTICE, ON THE LEFT (TEMPORARY) SIDE OF THE EMPLOYEE'S OPF OR MRPF.

*Defense Civilian Personnel Advisory Service "Portability of Benefits Reference Guide," <https://www.dcpas.osd.mil/Content/documents/BWN/Portability%20Guide%20May%201,%202017%20-%20Fall%202017.pdf>