

PORTABILITY OF BENEFITS ELIGIBILITY STATEMENT

Move from an Appropriated Fund (APF) Civil Service Position to a DoD Nonappropriated Fund (NAF) Position

A Human Resources Office (HRO) may use this statement to notify a new employee about eligibility for portability of benefits following a move from a civil service position to a DoD NAF position. A copy of the completed statement should be filed on the left (temporary) side of the employee’s OPF or MRPF.

Employee Name:	Date:
----------------	-------

After reviewing your appointment documents, official personnel records, and information from your previous appropriated fund civil service employer, your NAF HRO determined your eligibility for portability of benefits as follows:

Non-Retirement Benefits Portability:

Eligible for portability of non-retirement benefits.

Your move from a DoD APF position to a DoD NAF position without a break in service of more than three days entitles you to portability of certain non-retirement benefits. Specific eligibility varies depending upon the losing and gaining positions’ provision of benefits, and whether your move was voluntary or involuntary. Based on your specific move, you are entitled to the below checked benefits:

- Transfer of APF annual, sick, and home leave balances to the NAF employer. (You cannot receive a lump sum payout of annual leave from your previous APF employer. All leave must be transferred).
- Credit for APF service towards NAF service annual leave accrual rate.
- Credit for APF service for purposes of NAF severance pay. (You cannot receive severance from your separating APF employer. You may be entitled to resumption of APF severance pay if you are later involuntarily separated from the NAF position).
- Credit for APF service for purposes of NAF business-based-action purposes.

Your HRO will advise you of any additional benefit eligibility, such as pay protection following an involuntary move, or authorized travel, transportation, and relocation benefits.

Not eligible for portability of non-retirement benefits.

Your move did not meet the portability of benefits requirements established by P.L. 101-508. Reason(s) for ineligibility:

- You moved from a non-DoD position (such as Coast Guard APF);
- You moved with a break in service of more than 3 days.

Retirement Benefits Portability:

Eligible for portability of retirement benefits.

You are eligible for a retirement portability election because you moved between retirement-covered civil service and NAF positions without a break in service of more than one year. This is your first opportunity to elect to remain in a civil service retirement plan as a NAF employee.

Based on this move, you are eligible to elect to remain in your civil service retirement plan. Your HRO will give you an election form, RI 38-144, which must be completed and returned within 30 days of your NAF appointment date. If you elect to retain civil service retirement coverage, your retirement coverage will remain with that civil service retirement plan for the rest of your NAF or civil service employment. You will be covered by the civil service retirement plan’s rules regardless of future moves between NAF and civil service employment, breaks in service, and changes in employment and retirement status.

See Form RI 38-144 for more information on this election.

Not eligible for retirement portability.*

Your move did not meet the portability of benefits requirements established by P.L. 107-107. Reason(s) for ineligibility:

- You were not covered by civil service retirement in your previous APF position.
- You moved to a NAF position not eligible for NAF defined benefit retirement coverage.
- You moved with a break in service of more than 1 year.
- You had a previous opportunity to remain in a civil service retirement plan following a prior move from APF to NAF.

Merit System Protection Board (MSPB) Decision Review

*In accordance with 5 CFR 847.107, if your rights or interests under the Civil Service Retirement System or Federal Employees Retirement System are affected by the employing agency’s decision on eligibility for a retirement portability election, you may request the Merit Systems Protection Board to review the decision consistent with steps outlined in the “Portability of Benefits Eligibility Decision Notice.”

<Insert Signature Block>

Date

Employee Signature

Date