

Contract Administration Unit

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Individual retirement counseling

An important benefit letter carriers earn during their career is the right to individual retirement counseling by the Postal Service. Carriers should take advantage of this important benefit as they approach their retirement date. The Office of Personnel Management (OPM) is the government agency that creates the rules and regulations concerning the Federal Employees Retirement System (FERS) and Civil Service Retirement System (CSRS) that federal agencies must follow. Certain articles of our National Agreement incorporate these rules into our contract and therefore oblige the Postal Service to follow them. Article 21.3 of the National Agreement incorporates Title 5 of U.S. Code Chapters 83 (CSRS) and 84 (FERS). Article 5 incorporates management's obligations under the law, and Article 19 incorporates handbooks and manuals.

OPM places a responsibility on the Postal Service to guide employees through the retirement process and supply all of the information that employees may need about their retirement. OPM's *CSRS/FERS Handbook*, Chapter 40, Planning and Applying for Retirement, Section A2.1-1.B states in part:

It is the agency's responsibility to guide the employee through the retirement process, supplying all of the information the employee may need about retirement and continuing insurance coverage into retirement. The agency is responsible for giving the employee an all-inclusive presentation of the retirement process that the employee needs for successful retirement planning. The agency provides the information an employee needs in planning for retirement, but the agency should not advise or counsel the employee what to do. The purpose of this Chapter is to help agencies assist retiring employees so that they have an uncomplicated transition from their Federal careers to retirement.

Chapter 5 of the Postal Service's *Employee and Labor Relations Manual (ELM)* covers employee benefits. Section 569.14 explains that employees may request individual counseling, and that such counseling sessions are on the clock if the session is during the employee's tour. This section states:

As part of the retirement process, employees may request individual retirement counseling from the Human Resources Shared Services Center (HRSSC). Counseling is provided by a retirement specialist at the HRSSC who can provide detailed information on retirement health benefits, life insurance, and other retirement-related benefits programs. These counseling sessions are conducted via telephone primarily, and they may involve use of a computer and/or electronic media, as appropriate. The retirement specialist may also direct the employee to other sources to obtain information specific to certain topics, including TSP and Social Security. The sessions are on the clock if the retirement specialist is available to provide such counseling during the same tour as the employee.

The provisions governing retirement under CSRS are explained in Section 560 of the *ELM*, while rules pertaining to FERS are covered in Section 580.

Section 569.142 of the *ELM* details the content that should be covered during a counseling session. Prior to the counseling session, the retirement specialist should mail an annuity estimate based on the retirement effective date and type of retirement requested by the employee. During the session, the retirement specialist should review the employee's retirement application and verify that all appropriate documents are signed and dated; review the annuity estimate and answer any questions raised by the employee; clarify the employee's work and leave status up to the date of retirement; and identify the need for any additional documents as necessary. The retirement specialist also should verify civilian and military service history and the advantages, if any, of deposits or redeposits, and finally, address other retirement-related benefits and payments, including (but not limited to) health benefits, life insurance, terminal leave, Thrift Savings Plan accounts and flexible benefits.

A national-level settlement dated Sept. 11, 2009, (M-01708 in NALC's Materials Reference System) explains counseling in further detail:

If an employee who is eligible for and has requested individual retirement counseling wishes to have this counseling on the clock, local management will arrange reasonably private space for this purpose and will permit the employee's spouse and or advisor to be with the employee during this process. If the employee's spouse or advisor is a Postal Service employee only the employee receiving the requested retirement counseling will be on the clock.

If such an employee is not able to call the Human Resources Shared Services Center to begin or complete the individual retirement counseling process without assistance, local management will offer assistance to facilitate completion of the individual retirement counseling. The District Manager, Human Resources will be contacted and will determine who will provide such assistance. Such assistance will include but not be limited to completion of Standard Form 2801 and any other forms related to Life/Health/TSP/Beneficiary and any Military or civilian service deposit selection issues. Whether an employee who requests individual retirement counseling is unable to start or complete the retirement counseling will be determined jointly by management and union at the local level on a case-by-case fact circumstance basis. This will include employees who have started and request assistance during the individual retirement counseling process.

Letter carriers should ensure a smooth transition to retirement by using the provided counseling. If necessary, the provisions above can be enforced via Articles 5, 19 and 21 of the National Agreement. Carriers planning for retirement who feel that these provisions are not being honored should contact their shop steward or branch officer.