



## FFAS HUMAN RESOURCES DIVISION NEWSLETTER



Farm and Foreign  
Agricultural Services  
Human Resources Division

OCTOBER 2011

### Hatch Act Guidance for FFAS employees

Tonya S. Willis, National Ethics Program Manager *for* FSA  
Farm, Conservation and Rural Programs Branch  
Office of Ethics  
Office of Human Resources Management

Joe Davidson, of the Washington Post, recently stated that “with the daily barrage of campaign coverage for the 2012 elections, it’s easy to forget the vote is still [days and] days away.” Politics is a great spectator sport. But unlike traditional sports, this is one where a certain group of spectators must follow rules and regulations just like the participants. Federal employees make up a big chunk of that spectator group.

The intent of the Hatch Act is to ensure that the Federal Government is being run in a nonpartisan manner and protects covered employees from coercion. Most Executive Branch employees are covered by the Hatch Act; including part time employees. Special Government Employees (SGEs) are covered only when they are actually engaged in Government business. A SGE is generally defined as an officer or employee who is employed to perform temporary duties either on an occasional or irregular basis with or without compensation, and whose service is not expected to exceed 130 days during any period of 365 consecutive days. Additional information on political activity and SGE’s may be found at [www.usda-ethics.net](http://www.usda-ethics.net) by clicking on “Rules of the Road” and scrolling down to “Special Government Employees.” Contract employees are not covered by the Hatch Act.

Historically, FSA County Office employees located in over 2,000 FSA County Offices throughout the United States were not considered Federal employees as defined by statute. However, in 2007, The Office of Special Counsel issued an Advisory Opinion, which determined that FSA non-Federal County Office employees are, for purposes of the Hatch Act, Federal employees who are therefore subject to the restrictions of the Hatch Act. FSA Handbooks are being amended to reflect this guidance.

Politically appointed FSA STCs are considered SGEs and therefore, the restrictions on their political activities are applicable only when the STCs attend scheduled State Committee meetings at the FSA State Office.

The Hatch Act only regulates partisan political activity that is aimed at the success or failure of a political party, candidate for partisan political office or partisan political group. It also affects categories of employees differently. With the exceptions of career Senior Executive Service employees, Board of Contract Appeals members and Administrative Law Judges and Presidential appointees confirmed by the Senate, USDA career employees may take an active

## **Hatch Act** (continued)

part in political management or in political campaigns, on their own personal time, so long as their activity is not in a Federal building or workplace, they are not wearing official insignia, and they are not using Federal resources.

As the political parties are gearing up for the 2012 election season, you are strongly encouraged to seek guidance from the USDA Office of Ethics at its “Hatch Act Hotline” (202) 720-2251 or via e-mail at: [daeo.ethics@dm.usda.gov](mailto:daeo.ethics@dm.usda.gov), should you have any questions about how the rules apply to you.

Career Senior Executive Service employees, Board of Contract Appeals members and Administrative Law Judges are **subject to greater restrictions** than other employees, while Presidential appointees confirmed by the Senate are subject to fewer restrictions. The Headquarters branch of the **USDA Office of Ethics provides advice to these employees.**

The Office of Special Counsel (OSC) enforces the Hatch Act and maintains helpful information on its website at [www.osc.gov](http://www.osc.gov). The penalties for violation of Hatch Act range from a 30-day suspension without pay to removal.

**Below are some of the most common violations of the Hatch Act by career employees.**

### **Fundraising:**

You may contribute to a fundraiser, but you may not solicit, accept or receive contributions to a partisan political campaign. You may not use your official title in connection with fundraising activities; host, sponsor, or invite others to a fundraiser; or allow your name to be used on an invitation to a fundraiser as a sponsor or point of contact. You also may not forward an e-mail fundraising solicitation to another.

### **Use of Government Equipment:**

All Federal employees are prohibited from using government property, including computers, faxes, and telephones, PDAs, and the Internet, in connection with any partisan political activities. This includes forwarding partisan political messages using your official e-mail account.

### **Presidential Photographs:**

The Hatch Act prohibits Federal employees from displaying pictures of candidates for partisan public office in the Federal workplace. Specifically, since President Obama is now a candidate for re-election, Federal employees are prohibited from displaying his picture in the federal workplace unless one of the two exceptions applies:

Exception #1 – An official photograph of the President such as the traditional portrait photo displayed in all Federal buildings, as well as photographs of the President conducting official business;

Exception #2 – An employee’s personal photograph, on display in advance of the election season, the employee is in the photograph with the candidate, and it is of a personal nature. The

## Hatch Act (continued)

photo must not be displayed for political purposes promoting or opposing a political party for partisan political office. Additional information may be found at [www.osc.gov](http://www.osc.gov).

### Social Media:

All candidates and parties will employ social media as a powerful campaign tool during the 2012 election season. As social media becomes more integrated into our daily lives, the potential to run afoul of the Hatch Act rules rises exponentially. Many Federal employees will find campaign messages or material in their email inboxes, posted on their Facebook pages, or in their Twitter timelines. **For frequently asked questions regarding Social Media & other Hatch Act questions;** see the Office of Special Counsel website: <http://www.osc.gov/heFederalfaq.htm>

### Additional Information:

USDA Office of Ethics, Hatch Act Hotline, (202) 720-2251, Email: [daeo.ethics@dm.usda.gov](mailto:daeo.ethics@dm.usda.gov)  
Website - <http://www.usda-ethics.net/rules/politicalactivity.htm>

## FFAS Supports National Breast Cancer Awareness Month

Juliet McBride, National Health and Wellness Coordinator  
Employee/Labor Relations and Benefits Branch  
Benefits and Performance Management Section



October is **National Breast Cancer Awareness Month**, a time to promote regular mammograms and increase early detection of breast cancer.

About 1 in 8 women in the United States will get **breast cancer**. Other than skin cancer, **breast cancer** is the most common kind of cancer in women. Mammograms can help find breast cancer early when there is the best chance for treatment.

According to the Centers for Disease Control and Prevention, **breast cancer** is the number one cause of cancer death in Hispanic women. It is the second most common cause of cancer death in White, Black, Asian/Pacific Islander, and American Indian/Alaska Native women.

If you are age 40 to 49, talk with your doctor about when to start getting mammograms and how often you need them. General guidelines states that if you are age 50 years or age or older get a mammogram every 2 years. Talk with your doctor to decide if you need one sooner, and talk to your doctor about your risk for **breast cancer**, especially if breast or ovarian cancer runs in your family. Your doctor can help you decide when and how often to get a mammogram.

Remember, prevention and awareness is the key.

Additional information about breast health can be found at the websites below:

Center of Disease Control: [www.cdc.gov](http://www.cdc.gov)  
American Cancer Society: [www.cancer.org](http://www.cancer.org)

## Breast Cancer Awareness (continued)

**Note:** In observance of **National Breast Cancer Awareness Month**, mark your calendar to participate in the national FFAS **“Wear Pink Day” on October 19**. Additional information is forthcoming on **National Breast Cancer Awareness Month**.

## Federal Employee Health Benefits Facts

Submitted by: Sharon Harrell, Human Resources Specialist  
Employee/Labor Relations and Benefits Branch  
Benefits and Performance Management Section

### Flexible Spending Account

Open Season for Health Benefits, Dental and Vision Insurance and Flexible Spending Accounts  
The U.S. Office of Personnel Management (OPM) has announced that this year’s open season for health benefits, dental and vision insurance, and flexible spending accounts will be held from November 14 through December 12, 2011. The annual open season gives federal employees and retirees the opportunity to review their health plan choices and make changes; it also allows eligible employees to enroll for coverage.

### Federal Employees Health Benefits (FEHB) Program

OPM announced that the overall average FEHB premium increase for non-postal and annuitants will be 3.8 percent in 2012. Based on previous experience, we expect that some enrollees will shift to more affordable plans which means the actual average increase may be lower than today’s estimate. Last year, the average increase announced by OPM was 7.3 percent.

The average increase in the government share of premiums for 2012 will be 4 percent; the average enrollee share increase will be 3.5 percent. Changes in each enrollee’s share of premiums vary from plan to plan. On average, enrollees with self only coverage will pay \$2.32 more per bi-weekly pay period; enrollees with family coverage will pay \$6.18 more. Enrollees with self only coverage in the popular Blue Cross and Blue Shield Standard Option will pay \$.81 less per biweekly pay period in 2012 than this year and enrollees with family coverage will pay \$.72 less each pay period. There are no significant benefit changes for 2012. Negotiations kept premium increases as low as possible without increasing the out of pocket costs, such as for deductibles, co-pays, and coinsurance.

FEHB enrollees are advised to review the benefits and premiums for their health plan choices and decide what coverage will best fit their healthcare needs in the coming year. Next year, FEHB will offer 206 health plan options across the U.S. Ten fee for service plan choices are open to all eligible federal employees and retirees; four plan choices are open to employees in certain agencies; and there are 164 HMO choices. 15 of the plan choices are for high deductible plans and 13 are for consumer driven choices. (Last year, FEHB offered 207 plan choices.)

Last year, OPM announced its intention to establish a new health claims data warehouse to analyze privacy-protected data from FEHB plans to better understand and improve the affordability and quality of the care enrollees are receiving. The warehouse is being implemented currently using established data feeds from FEHB carriers. OPM is expanding the number of data feeds from carriers and is developing analytic tools to assess how plans are managing the health of their enrollees. We expect initial reports and analytic products from the data warehouse in 2012.

## **Federal Employees Health Benefits Facts** (continued)

OPM is working closely with FEHB carriers on expanding the quality performance measures that FEHB carriers report and that OPM publishes on its website prior to the annual open season. FEHB carriers currently report some Consumer Assessment of Healthcare Providers and Systems (CAHPS) and Healthcare Effectiveness Data and Information Sets (HEDIS) measures. OPM's goal is to expand on those metrics to improve health plan performance and also so that consumers have more information available to them.

OPM is also working to find ways in which to reduce FEHB pharmacy costs, which constitute about 30 percent of total program costs. OPM's 2012 budget includes a proposal to reduce costs by leveraging the market value of 8 million FEHB enrollees and contracting directly with a pharmacy benefit manager (PBM) to obtain pharmaceuticals for all enrollees. OPM needs statutory authority to separately contract with a PBM. Estimates are that OPM could save \$1.6 billion over the next ten years through this initiative.

FEHB annually provides \$43 billion in health care benefits for about 8 million employees, retirees and their dependents.

### **Federal Employees Dental and Vision Insurance Program (FEDVIP)**

FEDVIP premium changes for 2012 are on average less than a one percent increase for dental plans and about a 1.6 percent decrease for vision plans. Under FEDVIP, there are seven dental plan choices and three vision plan choices. Over 1.1 million FEDVIP enrollees are in dental plans and 775,000 are in vision plans.

### **FSAFEDS**

Eligible employees must reenroll in FSAFEDS each year to set aside pre-tax dollars in flexible spending accounts for their dependent care and health care costs. Employees can set aside up to \$5,000 for their health care costs and up to \$5,000 for their family dependent care costs each year. Over 325,000 employees currently participate in FSAFEDS.

## **Customer Service Advocate Program**

Ranay Brady, Operations, Kansas City  
Audrey Armstrong, Office of the Director, WDC  
Customer Service Advocates

The Human Resources Division is launching a new Customer Service Advocate Program. This program is designed to help HRD exceed our customers' expectations and experience our value everyday in our service delivery. One component of the program introduces a [survey](#) which present the various elements of the QCAAT, i.e., Quality – Communication – Attitude – Accountability – Timeliness customer service model.

The Customer Service Advocate Program Team will utilize the QCAAT [survey](#) as a means to receive feedback from our customers as well as recommend appropriate training for HRD staff members.

The Customer Service survey has been added to all HRD employees signature block. Customers are encouraged to provide feedback regarding the service they receive.

**The Customer Service Advocates** for the FFAS mission area are:

<b>Agency</b>	<b>Contact</b>	<b>Contact Information</b>
FAS	Audrey Armstrong	Phone: 202-401-0167 Email: audrey.armstrong@wdc.usda.gov
FSA/RMA	Ranay Brady	Phone: 816-926-6118 Email: ranay.brady@kcc.usda.gov

Please feel free to contact Audrey and Ranay any time you need assistance.

## Emerging Issues

Yolanda Provost, Human Resources Specialist  
Policy and Accountability Branch

### Pathways Program and Hiring Reform

OPM is issuing proposed regulations that will offer students and recent graduates more uniform and transparent pathways to public service. As directed by President Obama as part of the Hiring Reform initiative, the proposed Pathways Programs would improve recruiting and provide for training, mentoring, and career development opportunities. OPM's proposed regulations limit these programs to serve as a supplement to competitive examining; they apply veterans' preference, and provide for OPM oversight.

In December 2010, President Obama issued an Executive Order calling for these streamlined pathways into federal service for students and recent graduates. Since that time, OPM has worked to develop these proposed regulations, and to begin to build a government-wide culture which encourages agency leaders to engage these populations.

OPM Director John Berry emphasized two Pathways Program goals: (1) require pathways to Federal service to be clear and accessible for students and recent graduates and (2) create a Federal culture where agency leadership is actively engaged in recruiting, training, and managing top talent.

The following summarizes the three Pathways Programs:

**Internship Program** - would replace the existing intern programs. It would be targeted towards students enrolled in a wide variety of educational institutions from high school to graduate level. It would provide students with opportunities to explore Federal careers while being paid for the work performed.

**Recent Graduates Program** - this brand new program would target recent graduates of trade and vocational schools, community colleges, universities, and other qualifying educational institutions or programs. To be eligible, applicants would have to apply within two years of degree completion (an exception would be made for veterans precluded from applying within two years due to their military service obligation; veterans would have six years after degree

## Emerging Issues (continued)

completion to apply). Successful applicants would be placed in a two-year career development program.

**Presidential Management Fellows Program (PMF)** - for more than three decades, the PMF Program has been the Federal government's premier leadership development program for advance degree candidates. The Program focuses on developing a cadre of potential government leaders. Under the regulations proposed by OPM, The eligibility window for applicants would be expanded, making the program more "student friendly" by aligning it with academic calendars.

For more information, including a link to provide comments electronically, visit OPM's website, [www.opm.gov/HiringReform/Pathways/](http://www.opm.gov/HiringReform/Pathways/). This website provides the proposed final rules, and explains the changes in STEP and SCEP and their incorporation into the Pathways Program. The website contains a tool to submit further comments. OPM will respond to all comments when it drafts the final rule, which OPM anticipates being finalized in early 2012.

The proposed regulations may also be downloaded directly from the Federal Register in PDF format at: [http://www.ofr.gov/OFRUpload/OFRData/2011-19623\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2011-19623_PI.pdf).

### **FEHB Program and the Affordable Care Act (ACA) Covering Children under Age 26** Notice PM-2805 (Jun. 2011)

As a result of ACA, children are covered under their parent's FEHB Program Self and Family enrollment until age 26, beginning January 1, 2011. This notice clarifies the following key issues: expansion of child eligibility under FEHB, dual FEHB enrollment, children with other (non-FEHB) coverage, foster children, and children incapable of self-support. Expansion of Eligibility: Enrollees With Newly Eligible Children are not required to Change from *Self Only* to *Self and Family* **unless** they want to cover their newly eligible children. ACA does not mandate that an enrollee change his/her enrollment. It is the enrollee's decision whether to cover a newly eligible child by changing from *Self Only* to *Self and Family* with the exception of the FEHB Children's Equity Act, which mandates that the employee be enrolled in Self and Family coverage to provide FEHB benefits for his/her child (ren). An enrollee must already be enrolled or change enrollment to *Self and Family* to cover a newly eligible child.

**Pre-Retirement Information and Services** presented by OPM at <http://www.opm.gov/retire/pre/index.asp>.

## Ask the Editor

The easiest way to find out exactly "what" someone wants to know is simply by asking...so tell me...what topics are you most interested in hearing about in this newsletter?

Provide topics to the Editor at [whilemenia.duncan@kcc.usda.gov](mailto:whilemenia.duncan@kcc.usda.gov) or telephone 816-823-4669.



Follow this link <http://www.theworknumber.com/Employees/> when you need proof of employment and income in order to grant credit, monitor your portfolio or a potential employer needing work history.

## **Career Opportunities in FFAS**

All jobs (headquarters and field) open throughout each Agency may be obtained by accessing:

**FSA Federal (GS) positions & FSA County Office (CO) positions:**

<http://jobsearch.usajobs.opm.gov/a9agfsa.asp>

**FAS Positions:**

<http://jobsearch.usajobs.opm.gov/a9agfas.asp>

**RMA Positions:**

<http://jobsearch.usajobs.opm.gov/a9agrma.asp>

*Provide feedback and articles for publication to the Editor at [whilemenia.duncan@kcc.usda.gov](mailto:whilemenia.duncan@kcc.usda.gov)*

HRD e-Newsletter Volume 3, Issue 8 – October 2011