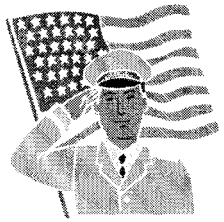
WHAT YOU MAY NEED TO KNOW ABOUT YOUR BENEFITS WHEN YOU GO ON MILITARY LEAVE



To help you prepare for your military leave, we have compiled the following information from pertinent laws, rules, union contracts, and other sources to let you know how your employment benefits may be affected, what you need to do, and whom to contact for further information. Please be aware that this is not a legal document or contract, and is subject to change.

For your information, the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 provides protection and rights of reinstatement to employees who participate in the National Guard and Reserve. The Act allows members to go on military duty either voluntarily or involuntarily for a period up to five (5) years and be reinstated with no loss of seniority, status, or pay. For more information on the USERRA, check the following website:

http://www.dol.gov/dol/compliance/comp-userra.htm

If you have any questions about your leave, pay, or benefits, please call the appropriate offices indicated below and/or contact your departmental personnel office.

Benefit/Action	What to Expect/What to Do/Who to Call
Giving Notice	❖ You must provide your State supervisor and your departmental personnel office with as much advance notice as possible of your military service, either in writing or verbally.
Military Leave With Pay	❖ You are entitled to fifteen (15) working days of **leave with pay** when you are called to active duty, provided: • You are in a state civil service or exempt position and your appointment is for at least six (6) months. • You are serving in the Hawaii National Guard or other Reserve component under call of the President of the United States or Governor of Hawaii. ❖ The **military leave with pay** shall not exceed fifteen (15) working days in any calendar year, unless you are called to active duty a second time within a calendar year. If you receive a second call to active duty within the same calendar year, you are permitted to use advanced military leave with pay from the next calendar year. • To be eligible for advanced leave, you must have exhausted the fifteen (15) working days for the current year. • Any advanced leave shall not exceed fifteen (15) working days. Any advanced leave days "borrowed" will be cancelled from the succeeding calendar year and must be agreed to by you in writing. Should you leave State service before December 31 of the succeeding year, you will be required to reimburse the State for the entire amount of the advanced leave taken. • Your request for **military leave with pay** should be submitted on an Application for Leave of Absence, Form G-1, and be accompanied by your official military order for active duty. If this is not possible, you must verbally inform your supervisor and your departmental personnel office of your military leave plans, and follow up by

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	submitting the necessary documents and forms.
Vacation	❖ When you are called to active duty, you have the option to: • Apply a portion or all of your accumulated vacation; or • Not apply any vacation days and be on military leave without pay (LWOP). ❖ You need not exhaust accumulated vacation to be on military LWOP. ❖ You will not accrue vacation leave benefits during the period you are on LWOP.
Sick Leave	❖ You may not apply sick leave while you are on LWOP. ❖ You will not accrue sick leave benefits during the period you are on LWOP.
Retirement	Employees on leaves of absence for active military duty who return to State government service are entitled to up to five (5) years of retirement service credits under USERRA, provided certain conditions are met. The Employer will pay Contributory Plan members' retirement contributions during active duty period(s), under certain conditions. For more details, contact the Employees' Retirement System at 586-1736.
Hawaii Employer-Union Health Benefits Trust Fund (EUTF), Including Life Insurance	❖ USERRA allows you the right to elect continued health insurance coverage during military service or training. The State will continue to pay the usual monthly contributions, provided you continue to pay your portion of the contributions and remain eligible to receive benefits. ❖ If you cancel your enrollment when you leave for military duty, you will be eligible to re-enroll in the same benefit plans that you had before you cancelled your enrollment. You may not change plans, but may change coverage if there is a qualifying event. ❖ Your life insurance will continue while you are on military LWOP. For additional information, call the EUTF at 586-7390 or toll-free at 1-800-295-0089.
Union Life Insurance and Other Benefits	If you are enrolled in a union life insurance or other benefit programs, please call your union office. HGEA: 539-1700 (Royal State Group) HSTA: 833-2711 UPW: 847-2631 UHPA: 593-2157
Premium Conversion Plan (PCP)	The PCP is a voluntary tax-savings benefit that allows you to purchase your EUTF medical, dental, drug, and vision insurances on a pre-tax basis, where the cost of your health plan premiums are deducted from your gross wages before federal and state income taxes, and social security taxes are withheld. ❖ If you are enrolled in the PCP and go on a military LWOP, you may elect to voluntarily cancel your enrollment in the PCP by filing the appropriate forms with your personnel office within 90 days from the start of your military LWOP. Your cancellation shall become effective as soon as administratively possible, on a prospective basis, but no later than the last day of the month following the filing of your benefit election form. ❖ If you choose to continue your health plan coverage by making out-of-pocket employee contributions to the EUTF, your PCP election will automatically resume when you return from your military LWOP. ❖ If your health benefits plan coverage was cancelled due to non-payment of the required out-of-pocket contributions, your PCP election will likewise be cancelled as of the same effective date.

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	❖ Upon your return from a military LWOP, you may re-enroll in the PCP, provided that you have filed the appropriate PCP forms with your personnel office within 90 days of your return.
Island Flex **(Flexible Spending Accounts)**	❖ If you are enrolled in ***Island Flex*** and go on military LWOP, you may elect to continue participation under the Medical Expense Reimbursement Account and Dependent Care Expense Reimbursement Account by making the required contributions and administration fees under the plan during the period of unpaid military leave using either the: 1) Prepaid Method: You may prepay the entire contribution due during the LWOP; or 2) Pay-As-You-Go Method: The contributions due during the unpaid leave period may be paid out-of-pocket based on the same schedule that would have been used if you had not been on unpaid leave. ❖ If you fail to make the required contributions or administration fees, you will be administratively cancelled from the plan. ❖ If your military LWOP is ten (10) or more working days, you may choose to change or cancel participation in the Medical Expense Reimbursement Account or Dependent Care Expense Reimbursement Account. ❖ If you choose to cancel or are administratively cancelled and you return from unpaid military leave of absence during the same plan year, you may re-start participation in the Medical Expense Reimbursement Account and the Dependent Care Expense Reimbursement Account for the remainder of the plan year upon your return from leave. If you have any questions regarding this program, please call the plan administrator, Comprehensive Financial Planning, Inc., at 596-7006 or toll free at 1-877-550-5552.
Deferred Compensation Plan	If you are a participant in the Island Savings Plan and have been called to report to military duty, please contact the plan administrator, Citistreet, at 1-888-71A-LOHA (1-888-712-5642), and press 2 if you wish to be connected to the local office.
Tax Sheltered Annuity Plan (TSA)	If you are employed with the: • Department of Education and have any questions, call the Employee Benefits Section at 586-3245. • University of Hawaii and have any questions, call the OHR/Employee Relations Section at 956-8643.

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Payroll Deductions	
Parking	To reinstate your parking assignment upon your return from leave, you must inform your Departmental Parking Coordinator (DPC) who will determine the status of your parking request. You will be informed by your DPC to go to the DAGS Automotive Management Division (AMD) with your vehicle registration, drivers' license and proof of no-fault insurance coverage and complete Form AMD PC-001. **Flex Park** is a voluntary tax-savings benefit under which fees for a parking assignment in a facility under DAGS jurisdiction are deducted from a paycheck on a pre-tax basis. When completing Form AMD PC-001, you may indicate your desire to participate in **Flex Park**.
Credit Unions	Call your credit union if you need to make other arrangements for loan payments and to also cancel your loan deductions. If you belong to the Hawaii State Federal Credit Union, their telephone number is 587-2700.
Union Dues	Please contact your union office.
Re-employment: Return to Work	❖ You are eligible for reemployment rights under USERRA provided you meet the following conditions: • You must give advance notice (written or verbal) to your employer that you will be leaving the job for military training or service; • You must not exceed the five (5)-year cumulative limit on periods of service; • You must be released from service under "honorable conditions"; and • You must report back to your job in a timely manner. More information may be obtained by accessing the website address provided on page 1 of this handout.
Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA)	Under the provisions of this Act, you may qualify for any or all of the following: ❖ Reduced interest rate on mortgage payments and credit card debts to a fixed rate of six (6) percent. You may be eligible for the reduced rate if you and your loan meet the following conditions: • Applies only to obligations incurred before entry into active duty. • Your military service materially affects your ability to pay the loan at the regular (pre-service) interest rate. Generally this requirement means that you make less money in the military than you made as a civilian. • You notified the lender, with copy of orders. Notification must include proof of mobilization/activation to active-duty status, as well as documentation of reduced income, such as a leave and earnings statement. • After your active duty service is ended, the interest rates held prior to deployment will be reinstated. ❖ Protection from eviction if your rent is $1,200 or less. ❖ Delay of all civil court actions, such as bankruptcy, foreclosure, or divorce proceedings.

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	For more information, contact your military unit or installation legal assistance office.
Other Considerations	❖ Payroll: Be sure your departmental personnel office has your current mailing address to avoid problems with mailing of your paychecks. ❖ Beneficiary Designations: Review and update any beneficiary designations you made, such as for your State or union life insurance plans, State contributory retirement plan, and deferred compensation plan. You may also consider submitting a new Employee's Designation of Beneficiary (Form D-90) to update your designation of beneficiary for unpaid wages and accumulated vacation earned but not taken. Contact your personnel office for all designation forms.

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