

PORTABILITY OF BENEFITS ELIGIBILITY STATEMENT
Move from a Nonappropriated Fund (NAF) Position to a DoD Appropriated Fund (APF) Civil Service 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 NAF position to a DoD civil service 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:
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After reviewing your appointment documents, official personnel records, and information from your previous NAF employer, your servicing Human Resources Office (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 NAF position to a DoD APF 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:

- Credit for NAF service towards waiting periods for civil service pay increases.
- Transfer of NAF annual, sick, and home leave balances to the APF employer. (You cannot receive a lump sum payout of annual leave from your previous NAF employer. All leave must be transferred).
- Credit for NAF service towards civil service annual leave accrual rate.
- Credit for NAF service for purposes of civil service severance pay. (You cannot receive severance from your separating NAF employer).
- Credit for NAF service for purposes of civil service reduction-in-force purposes.

Your HRO will advise you of any additional benefit eligibility, such as pay protection following an involuntary move, consideration of highest previous rate of pay following a voluntary 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 NAF);
- 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 NAF and civil service positions without a break in service of more than one year. This is your first opportunity to elect to remain in a NAF retirement plan as a civil service employee.

Based on this move, you are eligible to elect to remain in the NAF retirement plan. Your HRO will give you an election form, RI 38-134, which must be completed and returned within 30 days of your appointment date. If you elect to retain NAF retirement coverage, your retirement coverage will remain with that NAF retirement plan for the rest of your civil service or NAF employment. You will be covered by the NAF 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 38-134 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 a NAF defined benefit retirement plan in your previous NAF position.
- You moved to a civil service position not eligible for retirement coverage.
- You moved with a break in service of more than 1 year.
- You had a previous opportunity to remain in a NAF retirement plan following a prior move from NAF to civil service.

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