

CIVILIAN MARINE PERSONNEL INSTRUCTIONS

CMPI 352 - COVER SHEET 48

SEPARATIONS (NON-DISCIPLINARY),
FURLOUGH, AND CHANGE TO LOWER GRADE

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Attached is a revision of CMPI 352. The title of this Instruction has been changed from "SEPARATIONS" to "SEPARATIONS (NON-DISCIPLINARY), FURLOUGH, AND CHANGE TO LOWER GRADE". The present CMPI 352 should be removed from the CMPI volume and the attached revision inserted in its place. The "Record of CMPI Cover Sheets Received" should be initialed and this cover sheet should be filed.

REASONS FOR REVISION

1. To incorporate provisions for furloughs of 30 days or less. These provisions are being canceled in CMPI 630. See section 10.
2. To incorporate provisions for processing changes to lower grade, formerly included in CMPI 340. See section 11.
3. To incorporate revised procedures for notices and appeals of adverse actions to effect alignment with recent changes in appeal procedures made by the Department of the Navy and the Civil Service Commission. See sections 12 and 14. These revised procedures were issued in COMSTS Notice 12000 of 25 June 1962. The more significant changes are outlined below.
 - a. Non-veteran employees who have completed their trial period are provided a formalized two-stage appeal procedure; first to COMSTS, and, following COMSTS decision, to the Secretary of the Navy.
 - b. Veteran employees who have completed their trial period may initially elect to appeal to COMSTS or the Civil Service Commission. If, at this stage, they appeal to the Commission, they forfeit their right to appeal within the Navy Department. However, if they initially elect to appeal to COMSTS, they may, after receipt of the COMSTS decision, elect further appeal to either the Office of the Secretary of the Navy or the Civil Service Commission.

EFFECTIVE DATE

The provisions of this Instruction are effective upon receipt.

PEN CHANGES

Change the title of CMPI 352 in the CMPI table of contents to SEPARATIONS
(NON-DISCIPLINARY), FURLough, AND CHANGE TO LOWER GRADE.

Authorized for MSTs:



ROY A. GANO
Commander
Military Sea Transportation Service

By direction of the Secretary of the Navy:

Approved: 6 March 1963



M. J. LAWRENCE
Chief of Industrial Relations

DISTRIBUTION:
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INSTRUCTION 352

★SEPARATIONS (NON-DISCIPLINARY), FURLOUGH, AND
CHANGE TO LOWER GRADE★

Section 1. General provisions
 2. Resignation
 3. Separation-Military
 4. Death
 5. Termination
 6. Removal-Inefficiency
 7. Separation-Disqualification
 8. Separation-Disability
 9. Retirement
 ★10. Furlough★
 ★11. Changes to lower grade★
 12. Notice and appeal rights
 13. Applicable provisions of NCPI
 14. Enclosures

SECTION 1, GENERAL PROVISIONS

	Paragraph No.
Scope	1-1
Authority	1-2
Types of separations and effective date	1-3
★Applicability to Masters and Receiving Branch personnel★	1-4
Place of separation	1-5
Check out procedure	1-6
Personnel action forms	1-7

★1-1. SCOPE.—This Instruction governs non-disciplinary separations, furloughs of 30 days or less, and changes to lower grade of civilian marine personnel (civil service seamen). It outlines policies and procedures for use by MSTS commands and gives information for shipboard personnel concerning changes to lower grade, furloughs, and all types of separation actions except removal for disciplinary reasons (CMPI 750), reduction in force (CMPI 351), and removal for security reasons (NCPI 732). It is applicable to local national personnel directly hired by MSTS overseas commands. However, for such local nationals, to the extent that it does not contravene U.S. law or civil service regulations, the commander of an overseas command may deviate from this Instruction to give effect to local laws, regulations and customs.★

1-2. AUTHORITY.—This Instruction is based on the following authorities:

- Civil Service Act (Act of 16 Jan 1883, 22 Stat. 403, as amended; 5 USC 632.)
- Public Law 623, 80th Congress (62 Stat. 354; 5 USC 652.)
- Veterans' Preference Act of 1944 (58 Stat. 387; 5 USC 851,) as amended.
- The Universal Military Training and Service Act, as amended (50 App USC 451.)

e. The Civil Service Retirement Act, as amended (70 Stat. 743; 5 USC 740d(c), 2251-2267.)

f. Federal Personnel Manual.

1-3. TYPES OF SEPARATIONS AND EFFECTIVE DATE.--Separations are personnel actions which separate marine employees from the rolls of MSTS. Personnel actions moving employees from a ship for the purpose of reassignment, leave, suspension or similar actions are not separations. Generally, all separations are effected either as a result of action taken by the employee or by the command.

a. Employee action.--The following types of separations covered in this Instruction are actions initiated by employees to separate themselves from service with MSTS ★(or taken on the basis of established facts or circumstances.)★

- (1) Resignation
- (2) Separation-Military
- (3) Death
- (4) Optional Retirement
- (5) Disability Retirement

NOTE: Discontinued-Service Retirement. (This in itself is not a separation action but is included in this Instruction for informational purposes.)

b. Command action.--The following actions are frequently referred to as administrative or involuntary separation actions. In these separation actions the employee does not elect to be separated but is involuntarily separated by command action.

- (1) Termination
- (2) Removal-Inefficiency
- (3) Separation-Disqualification
- (4) Separation-Disability
- (5) Mandatory Age Retirement

c. Effective date.--★The effective date for separation actions listed in a above is normally fixed by the employee's election or action. The effective date for actions listed in b above is fixed by the command after compliance with appropriate notice and appeal rights as outlined in section 12, below.★ However, separation dates for all types of actions of overseas employees may be delayed to permit return from foreign areas where treaties or Executive agreements require the return of U.S. citizen employees or where illegal entry into the host country would otherwise result. As applicable, other information concerning effective date of separations is discussed under the appropriate section of this Instruction.

1-4. ★APPLICABILITY TO MASTERS AND RECEIVING BRANCH PERSONNEL.--The provisions of this Instruction are applicable to Masters and civilian marine personnel assigned to the Receiving Branch. In personnel actions involving separations, furloughs, or changes to lower grade, the Head, Receiving Branch★ will have the same responsibility for civilian marine employees assigned to the Receiving ★Branch★ as the Master has for his crew members. Throughout this Instruction where Masters are required to take action, the Head, Receiving ★Branch★ carries the same responsibility for civilian marine personnel in the Receiving ★Branch★. Only the Commander, home port, may initiate and effect the separation actions listed in 1-3b above for Masters.

1-5. PLACE OF SEPARATION.--Normally, all separations will be effected in the port of the command to which the ship reports for administrative direction. However, under certain circumstances, resignations may be accepted in a port other than the home port. See paragraph 2-3 below, Resignation in an outport while on voyage.

1-6. CHECK OUT PROCEDURE.--Each command is responsible for establishing an appropriate check out procedure which will insure the return of all government property, including gate passes and ID cards, and the completion of records. The procedure should insure that the employee is advised as to any benefits to which he is entitled under the Civil Service Retirement Act, Federal Group Life Insurance Plan, Federal Employees Health Benefits Program, Unemployment Compensation, unpaid compensation, terminal leave, sick leave, or any other matters relating to his separation. Also see paragraph 2-7 below, concerning exit interviews for those employees who resign.

1-7. PERSONNEL ACTION FORMS.--All ★personnel actions covered by this Instruction★ will be effected ★or confirmed★ through the execution of an SF-50, NOTIFICATION OF PERSONNEL ACTION, by the appointing officer in the home port. NCPI 290-Encls. 1 thru 5 specify information, including remarks, which must be included on the form. ★See CMPI 340.6-Encl. 1 for guides in processing the Crew Change Report in effecting personnel actions included in this Instruction.★

SECTION 2, RESIGNATION

Paragraph No.	
General	2-1
Advance notice and effective date	2-2
Resignation in an outport while on voyage	2-3
Conditional resignations	2-4
Resignation-Military	2-5
Resignation-Reduction in force	2-6
Exit interview	2-7
Forms used	2-8

2-1. GENERAL.--A resignation is a voluntary action taken by the employee to separate himself from employment with MSTS. No employee will be requested or advised to resign. Normally, written resignations should be submitted although, in unusual situations, resignation may be given orally, preferably in the presence of witnesses, to the Department Head or to the Master. Employees assigned to the Receiving Branch should submit resignations to the Head, Receiving Branch. Once a resignation has been submitted, either orally or in writing, it cannot be withdrawn except at the discretion of the command. When it has been necessary to obtain the approval of the resignation by the Commander, home port, as outlined in 2-3 below, it will be necessary to obtain approval of the home port before rescinding a resignation. However, if the resignation is an accomplished fact and the employee's copy of the SF-50 has been delivered, a resignation may not be rescinded. In general, resignations shall be effective at the completion of a voyage. See paragraph 2-3 below regarding resignations in an outport. An employee who is in process of being involuntarily separated may resign at any time prior to the proposed effective date of the involuntary separation.

2-2. ADVANCE NOTICE AND EFFECTIVE DATE.

a. Employees serving in commands in the continental United States and its possessions.—Employees are expected to give a minimum of 15 days' advance notice prior to the effective date of their resignation. However, it is recognized that this is not always possible and failure to give a 15-day notice does not make the resignation ineffective. Normally, the effective date of separation will be the last day the employee is in an active duty status unless he has been granted leave immediately prior to his resignation as provided in CMPI 630. A resignation ordinarily should be made effective on the date specified by the employee. In no case shall it be made effective earlier than the employee specifies.

b. Employees serving in overseas commands.—Employees of overseas commands are expected to give a 30-day advance notice prior to the effective date of their separation. However, it is recognized that this is not always possible and failure to give a 30-day notice does not make the resignation ineffective. The effective date of resignation for employees returning to the United States under the terms of their employment agreement will be as provided in NCPI 4650.5-13, RETURN FROM SERVICE OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES. If an employee resigns with the intention of remaining overseas, his separation date may be delayed in order to permit him to receive necessary authorization to remain in the host country.

2-3. RESIGNATION IN AN OUTPORT WHILE ON VOYAGE.

a. Mutual consent resignation.—In unusual circumstances, resignation while on voyage and away from the home port may be arranged but only in a port within the continental limits of the United States, Hawaii or Alaska. In the case of the overseas commands, the resignation may be effected in a port in the country in which the home port is located or in an outport from which a ship normally operates. If the Master believes that accepting a resignation on voyage is warranted, he will report the circumstances of the case (including information regarding the availability of or necessity for a replacement) to the Commander, home port, by message requesting authority to accept the resignation. Upon approval by the Commander, home port, the employee will be permitted to depart from the ship. Under such circumstances, the employee will not be entitled to transportation to his port of hire. "Resignation (mutual consent)" will be shown on the Crew Change Report effective on the day of the employee's departure from the ship. See CMPI 750.5-4, SPECIAL PROCEDURES IN DESERTION CASES, for employees who leave the ship during a voyage without authority.

b. Termination of a voyage in an outport.—When a voyage is terminated in a port other than the home port, marine personnel will be permitted to resign in the outport provided prior approval of the Commander, home port is obtained. See CMPI 4650 for information concerning travel benefits for employees who are separated from their ship away from home port.

c. After serving on a voyage for 12 months away from home port.—When an employee who has served on voyage from his home port for more than 12 months indicates a desire to resign from MSTS, he should give a written resignation request notice to the Master at least 30 days prior to the arrival of the ship in the port where he proposes to resign, unless the Master agrees to a shorter period. Approval of the home port should be obtained before effecting the resignation. Although a mutual consent resignation effected under the circumstances described in this subsection may be allowed in the CONUS, Hawaii and Alaska, the employee is eligible for a cash

SEPARATIONS, FURLOUGH, CHANGE TO LOWER GRADE

CMPI 352.2-8

settlement only if the resignation takes place in a CONUS port (Hawaii and Alaska excluded.) See CMPI 4650.2-9.

2-4. CONDITIONAL RESIGNATIONS. --A conditional resignation exists when an employee attaches any terms or conditions to his resignation. Such resignations are not acceptable and the employee should be advised that his resignation must be submitted without conditions.

2-5. RESIGNATION-MILITARY. --If an employee, except a temporary employee (Excepted Appointment NTE (date)), submits a resignation before entering the military service, he should be advised that he is entitled to be carried on the rolls of the command until he passes the physical examination and actually enters on military duty. (See Section 3, SEPARATION-MILITARY, below.) It should be pointed out to the employee that delaying his resignation until actual entry into the military service would avoid a break in service. Also, in the event he were not selected for military service and he returned to duty with MSTS, the necessity to refund any lump-sum leave payment would be avoided. However, if after being given this information, the employee still wishes to resign, he may do so any date prior to the scheduled date of his induction. ★The fact that an employee submits a resignation does not void his right to be returned to his position after rejection for active duty without reduction in seniority, status, or pay except as such reduction may be made for all employees similarly situated. The employee shall report for work at the beginning of his next regularly scheduled working period (next regularly scheduled workday) after expiration of the last calendar day necessary to travel from the place of examination to the place of employment following his rejection or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control.★ See NCPI 317.2 for information concerning command action at the time the employee leaves.

2-6. RESIGNATION-REDUCTION IN FORCE.—An employee may resign after being notified that he will be reached in a reduction in force. However, an employee in retention Group I (Excepted Appointments) or Group II (Excepted Appointment (Conditional)) who resigns before the effective date of the reduction-in-force action loses his right to have his name placed on the Reemployment List provided in CMPI 334, EVALUATION AND SELECTION, unless his resignation is to accept temporary employment with a federal activity.

2-7. EXIT INTERVIEW.—Employees who indicate their intention of resigning should be interviewed in an effort to determine the causes of their resignations. Each command should make the determination as to whether the exit interview should be conducted by the Purser Department aboard ship or the Industrial Relations Office ashore. It should be made clear to the employee that he is not only resigning from the ship, but from MSTS as well. In the exit interview, effort should be made to retain the competent, experienced employee.

2-8. FORMS USED.

a. Afloat.—The Crew Change Report is generally to be used by employees in submitting a resignation. The Master will send this form to the Industrial Relations Office in the home port for processing. Reasons given by the employee for his resignation should be noted on the Report and the Report signed by the employee. Whenever possible, give brief factual statements on the Report and avoid such vague terms

as "personal reasons" and "ill health." The Report should also include any other pertinent information gained through the exit interview (see 2-7 above.) Also indicate the address to which mail is to be forwarded.

b. Ashore.—Final notification of the resignation will be prepared by the Industrial Relations Office on Standard Form 50, "Notification of Personnel Action."

SECTION 3. SEPARATION-MILITARY

	Paragraph No.
General	3-1
Procedure	3-2

3-1. **GENERAL**.—When a non-temporary employee enters active military service in the armed forces of the United States, he is separated from MSTS by a personnel action "Separation-Military." See paragraph 2-5 above for information concerning employees who submit resignations to be effective prior to entering on active duty. Also see CMPI 630.8-1s and NCPI 317.2 for information concerning the granting of leave or furlough for employees entering active military duty for training purposes.

3-2. **PROCEDURE**.—When an employee notifies the Department Head or Master that he has been ordered to report to his Selective Service Board for physical examination or induction, the Master should immediately notify the Industrial Relations Office, furnishing the proposed date and place of the examination or induction. The Industrial Relations Office will then notify the Master of the date the employee is to be transferred to the Receiving Branch. The employee should be instructed to immediately advise the Industrial Relations Office of the date he enters on active duty. Commands may develop form letters for this purpose. The employee also should be furnished a franked addressed envelope for his reply. The effective date of the personnel action will be the date preceding the date of entrance on active duty unless extended as provided in NCPI 352.3-6. Should the employee fail to notify the Industrial Relations Office of his entrance on active duty, it will be assumed that he entered on active duty on the date specified in his orders and the separation action will be processed accordingly. See NCPI 317.2 concerning action to be taken at the time the employee leaves and information to be included on the personnel action form.

SECTION 4. DEATH

	Paragraph No.
General	4-1
Notification of next of kin	4-2
Procedure	4-3

4-1. **GENERAL**.—When an employee dies, his name is to be removed from the rolls by the separation action "Death." However, the action will not be effected until authoritative information (usually a death certificate) is obtained substantiating death. In the event death occurs while the employee is on leave or liberty, but immediate verification cannot be made, no action will be taken to effect separation of an employee until authoritative information is received which substantiates proof of death. However, in those unusual cases in which death appears to be a certainty but there is no actual proof, the employee's name may be removed from the rolls of the ship, but

not from the command by recording "death presumed." In the case of persons reported missing from ship, final determination of death will be made by COMSTS in accordance with CMPI 553.3-3, DELEGATION OF AUTHORITY TO COMSTS AND GENERAL POLICY.

4-2. **NOTIFICATION OF NEXT OF KIN**.—Responsibility for reports and notification of next of kin in cases of death rests with MSTS when death occurs while the employee is "in the service of a ship," a duty status in the Receiving Branch or employed by an overseas command. See COMSTS INSTRUCTION 5300.2 (Effective Edition) Encl. (1) for complete information on death reporting and notification procedures.

4-3. PROCEDURE.

a. Effective date.—The effective date of separation because of death will be the date of the employee's death, but where proof of death is not available, the date will be determined by COMSTS in accordance with CMPI 553.3-3, DELEGATION OF AUTHORITY TO COMSTS AND GENERAL POLICY.

b. Information to be shown on personnel action form.— ★★★★The employee copy of the personnel action form should be sent to the next of kin. In those cases where a determination of death is made by COMSTS the SF-50 should contain a statement concerning the circumstances of the death and that death was determined by COMSTS in accordance with CMPI 553.3-3.

c. Death benefits.—The appropriate MSTS area command shall inform the next of kin as to death benefits, e.g., leave, salary or retirement benefits. Assistance should be provided these persons in initiating applications for benefits. Whenever another MSTS command is in the proximity of the residence of the next of kin, that command may be requested to render assistance whenever possible. For information concerning disposition of personal effects see COMSTS Instruction 3120.2 (Effective Edition.) Also see CMPI 4650.11-2m concerning transportation of dependents and household effects of deceased employees.

SECTION 5. TERMINATION

	Paragraph No.
General	5-1
Procedure	5-2

5-1. **GENERAL**.—"Termination" is separation from a temporary appointment (Excepted Appointment NTE (Date)):

a. At the expiration of the employee's appointment.
b. When the temporary employee's services are no longer needed.
When separating a temporary employee for inefficiency, disqualification, or disability, use the appropriate section of this Instruction. Separation for disciplinary reasons should be accomplished under CMPI 750.

5-2. **PROCEDURE**.—When terminating employees serving under Excepted Appointment NTE (Date) at the expiration of their appointments or when their services are no longer needed, it is only necessary to notify them in writing of the reasons for separation. This may be done by stating the reasons under "Remarks" on the SF-50. The notice and appeal rights in section ★12★, below, are not applicable. Exception: Veteran preference employees who serve continuously in temporary appointments for

more than one year acquire coverage under Section 14 of the Veterans' Preference Act and must be given the notice and appeal rights under Section **★12-2a(1) and (2)★**. Commands should establish controls to assure that temporary employees do not work beyond the expiration of their appointment.

SECTION 6, ^{SEPARATION} REMOVAL-INEFFICIENCY

	Paragraph No.
General	6-1
Responsibility for initiating action	6-2
Procedure	6-3

6-1. GENERAL.—"Removal-Inefficiency" is the nature of action to be used when separating an employee because of unsatisfactory performance. However, this type of separation will not be used if unsatisfactory performance:

- Occurs during the one-year trial period and separation is to be effected during that period, see Section 7, **SEPARATION-DISQUALIFICATION** below;
- Results from a physical or mental condition, see section 8, below, **SEPARATION DISABILITY**; or
- Results from willful negligence or dereliction of duty, see CMPI 750, **DISCIPLINARY ACTIONS**.

6-2. RESPONSIBILITY FOR INITIATING ACTION.—The responsibility for initiating and completing separation actions to the extent shown in 6-3 below, rests with the unit (either the ship or Receiving Branch) to which the employee is assigned. An employee is within the jurisdiction of the ship when he is assigned to the manning scale of such ship. The employee will normally be continued on the manning scale of the ship to which assigned until required shipboard action is completed. (See paragraph **★12-4★** below, **STATUS DURING NOTICE PERIOD**.)

6-3. PROCEDURE.

a. **Action to be taken before issuing advance notice.**—Before preparing the separation action of an employee on charges of inefficiency, the Department Head or Master, as appropriate, should discuss with the employee his performance and help him improve or correct it, if possible.

- Department Head action.**—When the Department Head has discussed the employee's performance with him and he still considers that the employee should be removed for inefficiency, the Department Head should prepare a written statement to the Master outlining specifically and in detail wherein the employee's performance is unsatisfactory, together with his recommendation as to whether separation action should be initiated and the basis for his recommendation.
- Master's Action.**—The Master will review the report of the Department Head and determine if removal action should be initiated. (If the Master is initiating the separation action, the facts will be developed through his discussion with the employee involved.)

b. **Specific steps to be taken for removal.**—If after taking the steps in a above, it is still considered that the employee should be removed for inefficiency, the following procedures will be followed:

(1) Action afloat.

- The Master will check the Civilian Marine Employee Ship Record to determine whether the employee is entitled to veteran preference and if a trial period or 12 months of current continuous employment has been completed.
- If the employee is classified as a veteran who has completed a trial period, an advance notice will be prepared (for sample notice, see enclosure 2) and the notice and appeal rights in **★paragraph 12-2a(1) and (2)★** will be observed in the further processing of the case.
- If the employee is a non-veteran who has completed a trial period, an advance notice will be prepared (for sample notice, see enclosure 3) and all of the notice and appeal rights in **★paragraph 12-2a(1)★** will be observed.
- If the employee replies to the advance notice, the Purser Department should assist him in preparing his reply, if so requested. Enclosure 4 is a suggested form for the employee to use for his reply. If the employee requests a hearing, the hearing will be held in accordance with the procedures in CMPI 750.4.
- Following consideration of the employee's reply and the evidence developed in any hearing held, the Master will render his final decision to the employee (for sample notice, see enclosure 5). The Master should indicate specifically which reasons for separation are sustained and which, if any, are not sustained.
- If removal is recommended, a copy of the entire case record, together with the record of any hearing held, will be transmitted to the home port with the Civilian Marine Employee Ship Record (showing placement in the Receiving Branch.) **OBTAINT APPROVAL OF THE INDUSTRIAL RELATIONS OFFICE BEFORE ASSIGNING A VETERAN PREFERENCE ELIGIBLE TO THE RECEIVING BRANCH UNDER THE ABOVE PROCEDURE.**

(2) Action ashore.—The Industrial Relations Office will review the entire case. If the record submitted is adequate, the Commander, home port, will render his decision in writing to the employee (for sample notice, see enclosure 6) with a copy to the Master. If the record is inadequate, the case will be returned to the Master directing further development of the record or other appropriate action. The Head, Receiving Branch, will record the final disposition of the case on the Civilian Marine Employee Ship Record.

SECTION 7, SEPARATION-DISQUALIFICATION

	Paragraph No.
General	7-1
Failure to qualify during trial period	7-2
Failure to qualify in investigation conducted by the Civil Service Commission	7-3
Disqualification on basis of pre-appointment conditions	7-4
Procedure	7-5

7-1. GENERAL.—"Separation-Disqualification" is used to separate an employee when:

a. He fails to qualify by conduct, capacity or performance during the trial period or if he is serving under a temporary appointment with less than 12 months' continuous service.

b. He fails to qualify in an investigation conducted by the Civil Service Commission.

c. Information is obtained which, if known at the time of appointment, would have disqualified him for employment.

7-2. FAILURE TO QUALIFY DURING TRIAL PERIOD.—The trial period (see paragraph 12-1b below) should be used to observe the employee's conduct, capacity and performance and to determine his fitness for continued MSTS employment. If the employee fails to demonstrate fully his qualifications for employment, he should be separated. If separation is accomplished after completion of the trial period, even though action was started before the end of the trial period, the employee should be separated under the procedures outlined in section 6 above, ~~SEPARATION~~ REMOVAL-INEFFICIENCY, section 8 below, SEPARATION-DISABILITY or CMPI 750, whichever is appropriate.

7-3. FAILURE TO QUALIFY IN INVESTIGATION CONDUCTED BY THE CIVIL SERVICE COMMISSION.—Instructions for "Separation-Disqualification" at the request of the Civil Service Commission are contained in NCPI 750.8.

7-4. ★DISQUALIFICATION ON BASIS OF PRE-APPOINTMENT CONDITIONS★—Sometimes derogatory information comes to light after the employee has been appointed. The employee may be separated by "Separation-Disqualification" if the facts were not known at the time he was appointed and if they are of such a nature that he would have been denied appointment because of them. See CMPI 334.2-3 regarding character and suitability requirements for appointment.

7-5. PROCEDURE.—The responsibility for initiating separation because of disqualification rests with either the ship or Receiving Branch as outlined in Paragraph 6-2 above, RESPONSIBILITY FOR INITIATING ACTION. Also see paragraph 6-3a above, regarding action to be taken before issuing notice of proposed separation.

a. Specific steps to be taken for removal.

(1) Master's action.

(a) The Master should check the Civilian Marine Employee Ship Record to determine whether the employee is currently serving in a trial period or is serving under a temporary appointment with less than 12 months' continuous service. If he is still in a trial period or is serving under a temporary appointment with less than 12 months' continuous service, an advance notice of proposed separation (for sample notice, see enclosure 1) will be prepared and all of the notice and appeal rights listed in paragraph 12-2b will be observed in the further processing of the case.

(b) When the ship returns to home port, a Crew Change Report showing the employee's placement in the Receiving Branch and the Civilian Marine Employees Ship Record will be sent to the Industrial Relations Office with all the facts of the case.

(2) Action ashore.—The Industrial Relations Office will review the entire case. If the record submitted is adequate, the Commander, home port, will render his decision in writing to the employee (for sample notice, see enclosure 6) with a copy to the Master. If the record is inadequate, the case will be returned to

the Master directing further development of the record or other appropriate action. The Head, Receiving Branch, will record the final disposition of the case on the Civilian Marine Employee Ship Record.

NOTE: For employees who have completed their trial period and who are to be separated under the provisions of 7-4 above, the notice and appeal rights listed in paragraph 12-2a will be observed.

SECTION 8, SEPARATION-DISABILITY

Paragraph No.

General 8-1

Procedure 8-2

8-1. GENERAL.—"Separation-Disability" is the nature of action to be used if the employee is being involuntarily separated because his physical or mental condition renders him incapable of performing the duties of his position or if a Court Order has been issued adjudging him mentally incompetent. An employee will be separated for disability when:

- a. He is not eligible for disability retirement because of insufficient service.
- b. He has applied or the command has applied on his behalf for disability retirement but the Civil Service Commission has determined him to be ineligible to receive disability retirement benefits and the command still determines him to be incapable of performing his duties.

8-2. PROCEDURE.

a. Action afloat.—When the Master believes that an employee has become sick or disabled to the extent that he is no longer able to perform the duties of his position without being a hazard to himself, the ship, its cargo, or passengers, the Master should refer the employee to the ship's Medical Officer for examination concerning his fitness for duty. If the Medical Officer considers the employee to be unfit for duty, the Master will immediately advise the Commander, home port, of the name and rating of the employee and reassign him to the Receiving Branch in a sick leave status upon arrival in the home port. Where there is no Medical Officer aboard ship, the Master will refer the employee to the Command Medical Officer ashore when the ship arrives in the home port. If the Command Medical Officer considers the employee to be unfit for duty, the Master will assign the employee to the Receiving Branch in a sick leave status. In those circumstances where the employee is not retained aboard ship until arrival in the home port, the Commander, home port, will be advised of such circumstances as provided in COMSTS INSTRUCTION 5300.2 (Effective Edition) Encl. (1). In such cases the employee will be assigned to the Receiving Branch for pay purposes effective the date he is transferred from the ship for treatment or return to the home port. The Crew Change Report effecting the employee's placement in the Receiving Branch should be accompanied by a statement concerning the employee's performance, conduct or absence from duty because of illness, statements of the Medical Officer, or any other information the Master believes pertinent to the case.

b. Action ashore.

(1) Decision for separation.—The Industrial Relations Officer will make a determination as to whether an employee should be retained in his position, assigned

to any existing vacant position the duties of which he is capable of performing, or separated. The Medical Officer's report and the Master's recommendation will be considered in reaching his determination. Should the Industrial Relations Officer feel that further examinations are necessary before reaching his decision, the employee should be sent to the Command Medical Officer for further examinations. An employee who has a total of at least 5 years of creditable service under the Civil Service Retirement Act should be advised of his right to apply for disability retirement when it is determined that he is no longer capable of performing the duties of his position because of disability. An eligible employee who applies, or on whose behalf the command applies for retirement will not be separated for disability until a determination is made by the Commission on his retirement application. ★See NCPI 352.4-7a for guidance concerning when the command should apply for disability retirement on behalf of the employee.★

(2) Notice and appeal rights.—"Separation-Disability" actions will be processed in accordance with the notice and appeal rights as outlined in section 12, below. ★The advance notice should not rely on the employee's condition as the reasons for action. Instead, the notice should describe the deficiencies in performance or conduct, or the potential hazard to others or himself which is considered to exist due to the condition.★ See NCPI 352.4-7 concerning notice to the employee when it is not practical or medically advisable to furnish him with a detailed statement concerning his condition.

(3) Effective date.—The effective date of separation will be determined after consideration of the following:

- (a) Where there remains unused sick leave to the employee's credit or annual leave for which the employee cannot be paid in a lump sum, the effective date will be extended to permit use of such leave. See CMPI 630.5-2, DISPOSITION OF LEAVE UPON SEPARATION.
- (b) In the case of an employee who is receiving injury compensation, "Separation-Disability" may not be effected prior to the expiration of the period of mandatory leave without pay. See NCPI 630.8-3d(2).
- (c) When an employee is reached for reduction in force while he is on sick leave pending disability retirement or separation disability, reduction in force in general takes precedence. However, see CMPI 351.3-5 for information concerning extensions of reduction-in-force notices.

SECTION 9, RETIREMENT

Paragraph No.
9-1
9-2
9-3

General
Procedures
Effective date of annuities

9-1. **GENERAL.**—★The Civil Service Commission is primarily responsible for the administration of matters within the scope of the Civil Service Retirement Act. Regulatory and procedural material implementing the Act is comprehensively treated in the Federal Personnel Manual. This section supplements, but does not duplicate, the FPM. The material herein is incorporated only to emphasize a particular policy or administrative responsibility and to provide general information for afloat personnel.★ CMPI 310.2 regulates coverage in the retirement system based on type of

appointment. Civilian Marine employees covered by the Retirement Act are furnished Standard Form 105, "Certificate of Membership in the United States Civil Service Retirement Act", which outlines the basic provisions of the Retirement Act. Enclosure 12 gives information on the minimum age and service requirements which retiring employees must meet. Enclosure 13 is a copy of the APPLICATION FOR RETIREMENT, Standard Form 2801. Detailed information concerning all aspects of the Retirement Act is available in the Industrial Relations Office, home port.

9-2. PROCEDURES.

- a. Age retirement.
 - (1) Notification to employee.—The Industrial Relations Office shall notify the employee in writing at least 60 days in advance of the effective date of automatic retirement. Should the Industrial Relations Office, through error, fail to give timely notification, the employee may not be separated without his consent until the end of the month in which the 60-day notice expires. In such cases the date notice was given shall be recorded on the personnel action form. Except in the most unusual circumstances employees should be kept on the rolls in a work status during the 60-day notice period prior to age retirement.
 - (2) Application for annuity.—The employee should fill out Standard Form 2801, APPLICATION FOR RETIREMENT, and file it with the Industrial Relations Office, home port. The Industrial Relations Office should render every assistance to the employee in completing the application by explaining in detail the types of annuity available to him, helping him to select the type best suited to his circumstances, and explaining the effect of making deposit or redeposit.
 - (3) Separation of employee.—Separation will be at the end of the month in which the employee first meets all the conditions for age retirement, assuming he has had the required 60-day notice referred to above. If separation occurs at the end of a furlough or period of leave without pay, the date pay ceased shall be shown under "Remarks" on the Personnel Action form.
- b. Optional retirement.
 - (1) General statement.—An employee who wishes to apply for optional retirement must execute Standard Form 2801, Application for Retirement, and file it with the Industrial Relations Office, home port. Every assistance will be rendered to the employee in completing his application by explaining in detail the types of annuity available to him, helping him select the type best suited to his circumstances, explaining the effect of making deposit or redeposit and getting a statement from the employee to accompany his application showing all unverified prior service, if any, with other agencies.
 - (2) ★Separation of employee.—The effective date will be the last day of duty, fixed in advance by the employee, after all age and service requirements (see FPM, Chapter R-5) have been met.★ If the separation occurs at the end of a furlough or period of leave without pay, the date pay ceased shall be entered under "Remarks".
 - (3) Discontinued service retirement.—An employee who is eligible for discontinued service annuity at the date of involuntary separation or within three months thereafter, should file an APPLICATION FOR RETIREMENT, Standard Form 2801, with the Industrial Relations Office ashore. The Industrial Relations Office will render every assistance to the employee in completing his application.

d. Disability retirement.

(1) General statement.—Normally an employee must make application for disability retirement by completing Standard Form 2801, Application for Retirement, except that if he is mentally incompetent his guardian, his relative, or some other interested person may make it in his behalf. Commands are authorized, however, to apply for disability retirement on behalf of an employee who:

- (a) is incapacitated for duty under the criteria of section 8, above,
- (b) has at least 5 years of creditable service under the CS Retirement Act, and
- (c) refuses (or whose guardian or relatives refuse) to make such application.

If application is made by a command, it must be filed with the Civil Service Commission before the employee is separated. If application is made by the employee, his guardian, or some other interested party, it must be made before separation from the service or within one year thereafter. All applications should be submitted in accordance with the provisions of NCPI 830.2-5, DISABILITY RETIREMENT. However, in executing SF 2801-A, "Superior Officer's Statement", if the "immediate superior officer" does not have sufficient information to complete all the items required, the form may be completed ashore by any authorized representative. A notification should be made on the form that it was not completed by the applicant's immediate superior but that the information submitted is a compilation of material obtained from personnel records and other sources.

(2) Date of separation.—The Commission will notify MSTS of the action of allowance or disallowance of the claim. If disability retirement is disallowed the subordinate command will be informed by letter. However, regardless of disapproval by the Commission of an employee's application for disability, if the employee's physical or mental condition renders him incapable of performing the duties of his position in a satisfactory manner, he may be separated for disability in accordance with section 8 above and advised of his right to appeal the decision of the Commission with respect to disability retirement annuity. If disability retirement is allowed, the employee's date of separation will be fixed in accordance with the provisions of NCPI 830.

9-3. EFFECTIVE DATE OF ANNUITIES.—An immediate retirement annuity of any type begins on the day following the employee's separation, or on the day after the employee's salary ceases and he meets the service and age (or disability) requirements. A deferred annuity begins on the day after the separated employee attains age 62.

★SECTION 10, FURLOUGH

Paragraph No.
10-1
10-2

General
Procedures

10-1. GENERAL.—Furlough, in the context of this paragraph, is a temporary non-pay status and absence from duty for a period not to exceed 30 days, required by the appointing authority to cover temporary periods of lack of funds or lack of work due to the lay-up of ships, reduction of crew lists, or other similar causes. Furloughs

for more than 30 days must be accomplished under reduction-in-force procedures contained in CMPI 351. Employees will not be furloughed when they have annual leave to their credit which they request to cover the non-duty period and funds are available for the payment of such leave. Furlough action will not be taken where the employee wants leave without pay in lieu of furlough. Furlough action will be initiated as soon as possible after the decision is made that employees will have to be furloughed due to lack of work or funds. As a matter of practice, employees who apply for annual leave and/or leave without pay to cover the furlough period will generally be the first to be recalled to duty as work becomes available. See CMPI 630.2-4 for provisions governing placing employees on annual leave without their consent. See 1-4, above, for furloughs of Masters and civilian marine personnel assigned to the Receiving Branch.

10-2. PROCEDURES.—When furlough action becomes necessary, the home port will advise the ship of the reason for the furlough, the employees to be furloughed, and the annual leave balances of such employees. Actions to furlough employees for 30 days or less under the provisions of this section will be processed as indicated below. Check the Civilian Marine Employee Ship Record to determine veteran status and completion of a trial period.

a. Employees serving in a trial period.—Advance notice of furlough for 30 days or less is not required for employees (veteran or non-veteran) who are serving in a trial period. However, employees will be given an opportunity to apply for annual leave and/or leave without pay to cover the period of proposed furlough. When employees have annual leave to cover part of the furlough period, and do not request leave without pay to cover the remainder of the period, or do not request annual leave, they will be notified of the furlough action in line with enclosure 9. Furloughs should begin on the expiration of annual leave. The furlough action will be confirmed by SF-50 upon return to the home port. The "Remarks" block on the SF-50 will contain statements to the effect that following expiration of annual leave, the employee will be carried in a non-duty, non-pay status for a period not to exceed 30 calendar days and that he will be restored to duty and pay as soon as work requirements permit. Such employees may request an administrative review by COMSTS of the action to furlough for 30 days or less. A request for administrative review will be submitted to COMSTS via Commander, home port, not later than 10 days after the effective date of the action.

b. Employees who have completed a trial period.

(1) Non-veterans.—Same as in 10-2a, above, except that non-veterans who have completed a trial period may appeal furloughs of 30 days or less under the provisions of CMPI 770.4-1a.

(2) Veterans.—When it becomes necessary to furlough the veteran who has completed a trial period, the provisions of section 12, below, shall be followed, except as provided in (a) below. In addition, the employee will be given the opportunity to apply for annual leave or leave without pay to cover the proposed furlough period. Note that a veteran may not be placed on annual leave during the notice period without his written consent. See enclosures 10 and 11 for sample notices of furlough to veterans.

(a) Exception to advance notice and opportunity to answer requirements.—Advance written notice and opportunity to answer are not required in cases of furlough (or involuntary annual leave) necessitated because of unforeseeable circumstances such as sudden breakdown of equipment,

acts of God, or emergencies requiring immediate curtailment of activities. Therefore, thirty-days notice will not be required because of unforeseeable curtailment, without adequate notice, of military shipping requirements over which MSTS has no control. However, the employee must be given a written notice of furlough. Such notice will state:

1. The reason(s) for the furlough,
2. The reason why the employee cannot be given 30 days advance notice and an opportunity to answer,
3. That he has the appeal rights as provided in 12-2a(1)(e) and (f) and 12-2b(c). Also, if the employee initially elects to appeal to COMSTS, he will, if he requests, be given a hearing in the home port. The report of any hearing held shall be submitted to Commander, home port, for consideration and inclusion in the appeal record.

SECTION 11, CHANGES TO LOWER GRADE

Paragraph No.
General
Delegation of authority to effect changes to lower grade
Notices and appeals of change to lower grade
Change at employee's request

11-1. **GENERAL.**—Change to lower grade is the position change of an employee to a position in which he will receive a lower base pay rate. Changes to lower grade are made at the request of the employee or are initiated by the command. This section governs all changes to lower grade except the following:

a. **RIF action.**—Changes to lower grade based on reduction-in-force action are governed by CMPI 351.

b. **Security matters.**—Changes to lower grade based on the requirements of the security program are governed by NCPI 732.

c. **Changes in lieu of proposed separation action.**—This section is not applicable when a change to lower grade is made in lieu of proposed separation action under CMPI 750 or other provisions of this Instruction. Changes to lower grade based on inefficiency, disqualification, or delinquency in conduct or performance should never be initiated. Instead, when indicated by CMPI 750 or other sections of this Instruction, appropriate action should be taken to remove the employee. However, in his subsequent review of the case, Commander, home port, may change the action to change to lower grade if he determines that the employee may efficiently perform the duties of some lower position and an appropriate vacancy is available.

d. **Temporary employees.**—Civilian marine employees holding Excepted Appointments NTE (date) may not be changed to lower grade but must receive new appointments in order to be moved to a position of a lower pay rate.

11-2. **DELEGATION OF AUTHORITY TO EFFECT CHANGES TO LOWER GRADE.**—CMPI 340.1-4 lists those individuals authorized to effect changes to lower grade and also provides that Masters may be delegated authority by the Commander, home port, to effect changes to lower grade following temporary promotion. See 1-4 above for changes to lower grade of Masters and Receiving Branch personnel.

11-3. **NOTICES AND APPEALS OF CHANGE TO LOWER GRADE.**—Changes to lower grade following temporary promotions made under the provisions of CMPI 340.2-5 will be processed as indicated below.

- a. **Following Temporary Promotion of 90 Days or Less.**—
(1) **Nonveterans.**—Advance notice of change to lower grade (that is, return to his permanent pay rate) is not required for the nonveteran who is changed to lower grade following a temporary promotion of 90 days or less. However, when feasible, the nonveteran should be notified in advance when his change to lower grade will be effected at a date other than the date specified at the time of his promotion. Nonveteran employees may appeal changes to lower grade following temporary promotion under the procedures of CMPI 770, GRIEVANCES.
- (2) **Veterans.**—The veteran preference eligible who has completed his trial period who was temporarily promoted for 90 days or less and who consented to the arrangement may be changed to lower grade without advance notice of proposed adverse action. Veteran employees who are changed to lower grade following temporary promotion of 90 days or less and who consented to the arrangement may appeal the action under the procedures of CMPI 770, GRIEVANCES. The veteran preference eligible who has completed a trial period who is changed to lower grade following temporary promotion and who has not consented to the arrangement is entitled to the same notice and appeal rights as the veteran who receives a temporary promotion exceeding 90 days. (See b(2), below.)
- b. **Following Temporary Promotion Exceeding 90 Days.**—
(1) **Nonveterans.**—Same as in 11-3a(1), above.
- (2) **Veterans.**—The veteran preference eligible who has completed a trial period (see 12-1b, below) who is changed to lower grade following temporary promotion in excess of 90 days has the right of notice and appeal as provided in section 12, below, for separation actions. Note, however, that the advance notice may be given at any time after the effective date of the temporary promotion even though several months may elapse before the employee is changed to lower grade. This permits subordinate MSTS commanders to give the advance notice at the same time, or shortly after, the temporary promotion is effective. See enclosures 7 and 8 for sample notices of change to lower grade.

11-4. **CHANGE AT EMPLOYEE'S REQUEST.**—The marine employee may request a change to lower grade for personal reasons. However, he may not be required to request a change to lower grade. Whenever a marine employee voluntarily requests a change to lower grade the request should be initiated in writing and the full facts and circumstances of the action should be a part of the record of the activity. The employee must be eligible for the position change, and it must be clearly evident that:

- a. The request is initiated by the employee, not the command,
- b. The command has not exercised any pressure,
- c. The employee fully understands the action and considers it to be for his benefit, and
- d. The employee has clearly indicated that he wishes the action to be taken.★

SECTION 12, NOTICE AND APPEAL RIGHTS

	Paragraph No.
General	12-1
Summary of involuntary separation rights	12-2
Contents of notice of proposed separation	12-3
Status during notice period	12-4
Hearings	12-5
Contents of final decision	12-6
Appeals	12-7

12-1. **GENERAL.**—The advance notice and appeal rights afforded an employee who is involuntarily separated are dependent upon his entitlement to veteran preference and whether or not he has completed a one-year trial period.

a. **Veteran.**—A person entitled to the benefits of Section 14 of the Veterans' Preference Act of 1944, as amended. (Veteran status is determined by the home port and recorded on the Civilian Marine Employee Ship Record (MSTS Form 12135-2).)

b. **Completion of one-year trial period.**—All employees serving under Excepted Appointments have completed a trial period. As provided in CMPI 310-2, TYPES OF APPOINTMENTS, employees serving under Excepted Appointments (Conditional) and Excepted Appointments (Indefinite) must complete a one-year trial period. Employees serving under Excepted Appointment NTE (date) do not serve a trial period. However, for the purposes of this Instruction employees who serve continuously in temporary appointments for more than one year are considered to have completed a trial period when they have met creditable service requirements outlined in CMPI 310.2-3b.

c. **Exceptions.**—The provisions of this section are not applicable when separating any employee for mandatory age retirement under paragraph 9-2, above, or when any of the following actions are taken against any non-veteran or a veteran with less than 12 months current continuous service:

- (1) Termination of temporary appointments under section 5.
- (2) Furlough under section 10.
- (3) Change to lower grade under section 11.

12-2. SUMMARY OF INVOLUNTARY SEPARATION RIGHTS.

a. **Employees who have completed a 1-year trial period.**

(1) **Non-veterans.**

- (a) Right to written notification of the specific reasons for proposed separation.
- (b) ★Right to answer in writing, in person, or both. As a general rule, the employee should be required to answer within 3 calendar days but never less than 24 hours after receipt of the notice.★
- (c) Right to request and have a hearing.
- (d) Right to written notification of final decision of Commander, home port.
- (e) ★Right to appeal the merits and/or the procedure of separation to COMSTS at any time after notice of final decision by Commander, home port, but not later than ten (10) days after the effective date of the action.
- (f) Following decision by COMSTS, the right of further appeal to the Office of the Secretary of the Navy, within 10 days after receipt of COMSTS decision or the effective date of the action, whichever is later.★

SEPARATIONS, FURLOUGH, CHANGE TO LOWER GRADE

(2) **Veterans.**—Veterans who have completed a one-year trial period have all the rights listed in (1) above plus:

- (a) The right to 30-day advance notice of proposed separation.
- (b) Right to answer in person, in writing, or both is extended to within 5 days after receipt of notice.
- (c) ★The right to appeal the merit and/or procedure of the separation to the Civil Service Commission. If he elects to appeal to the Commission in lieu of appeal to COMSTS (see 12-2a(1)(e), above) he forfeits his right to appeal to COMSTS and to the Office of the Secretary of the Navy. If he initially elects to appeal to COMSTS, he may appeal the COMSTS decision to the Commission, in lieu of appeal to the Office of the Secretary of the Navy (see 12-2a(1)(f), above.) If he elects to appeal the COMSTS decision to the Office of the Secretary of the Navy, he forfeits his right to appeal to the Commission.★

b. **Employees who have NOT completed a 1-year trial period.**

(1) **Veterans and non-veterans.**

- (a) Right to written notification of the specific reasons for the proposed separation.
- (b) Right to answer in writing within 3 days of receipt of notice.
- (c) Right to written notification of final decision of Commander, home port.
- (d) Right to administrative review by COMSTS. A request for administrative review may be made any time after receipt of final notice of separation but not later than 10 calendar days after the effective date of action. ★Note: Employees serving under Excepted Appointment NTE (date) do not serve a trial period. (See 12-1b.) However, under the procedures of this Instruction, they may request an administrative review of their separation by the Commander, home port.★

12-3. CONTENTS OF NOTICE OF PROPOSED SEPARATION.—The notice of proposed separation shall contain the following information.

a. The reasons, specifically and in detail, for the proposed separation.

b. That the employee may reply in writing within the period of time specified in 12-2 above. However, if the employee has completed a trial period he should be notified that he may reply ★in person, in writing, or both★ and he may provide affidavits in support of his reply.

c. If the employee has completed a trial period, a statement that he will be given a hearing, if requested, and may have representation and witnesses as provided in CMPI 750.4.

d. A statement concerning his duty status pending a decision on his proposed separation (see 12-4.)

e. Veteran employees who have completed a trial period will be advised in the notice that the proposed separation notice is being issued in accordance with the provisions of section 14 of the Veterans' Preference Act, as amended.

12-4. STATUS DURING NOTICE PERIOD.—Employees will normally be continued in an active duty status until the effective date of separation. However, in unusual cases where retention of the employee in an active duty status in his position during the notice period may result in damage to government property, would be injurious to the employee, his fellow employees, or the general public, he may be:

- a. Temporarily assigned to duties in which these conditions would not exist.
- b. Placed on sick leave, if appropriate.
- c. Placed on annual leave or leave without pay at his request. However, non-veteran employees may be placed on annual leave without their consent.
- d. Suspended. See CMPI 630.4-4, ADMINISTRATIVE SUSPENSIONS.

12-5. HEARINGS.—Hearings will be held in accordance with the procedures of CMPI 750.4, HEARINGS.

12-6. CONTENTS OF FINAL DECISION.—All employees are entitled to notification of the final decision to separate them from MSTS. See enclosure 6 for a sample notice of final decision. The contents of the final decision notice should:

- a. State that this is a notification of final decision of separation.
- b. Restate the reasons for the separation with a statement that the reasons have been found supported by the facts and warrant separation. However, care should be taken to insure that the notice gives only the reasons given in the advance notice.
- c. Identify any reasons for separation which have been dropped because they were not sufficiently supported. In such cases, it should be stated that the remaining reasons are considered sufficient to warrant separation.
- d. If a hearing was held, or the employee replied to the advance notice, state that all the information presented has been considered in making the final decision.
- e. State the effective date of separation.
- f. If the employee is entitled to separation rights listed in 12-2a(1), above, state that he is entitled to appeal the merit and/or the procedure of separation to *COMSTS at any time after the notice of adverse decision but not later than 10 days after the effective date of the action and that, after receipt of COMSTS decision, he will have the additional right of appeal to the Office of the Secretary of the Navy. State that any appeal to COMSTS must be submitted via Commander, home port.★
- g. If the employee is a preference eligible, also state:
- ★(1) That, as an alternative to appeal to COMSTS, he may appeal the merit and/or procedure to the Civil Service Commission. That, if he appeals to the Commission, he forfeits the right to appeal to COMSTS and the Office of the Secretary of the Navy.
- (2) That he may appeal the COMSTS decision to either the Office of the Secretary of the Navy or the Civil Service Commission, but not to both.
- (3) The office and address of the Civil Service Commission to which such appeal may be made.
- (4) That any appeal to the Civil Service Commission may be submitted at any time after the notice of adverse decision but not later than 10 days after the effective date of the action.
- (5) That any appeal must contain the reasons, with offer of proof, for believing the separation was improper.

12-7. APPEALS.

- a. Right to appeal.—Employees have the appeal rights outlined in paragraph 12-2 above.
- b. Time limitations.—In general, an appeal or request for administrative review from separation or change to lower grade may be submitted at any time after receipt of the notice of decision but not later than 10 days after the effective date of the action. When the initial appeal is to COMSTS, appeals to the Office of the Secretary of the

Navy or the Civil Service Commission may be submitted within 10 days after receipt of COMSTS decision. Exceptions to this general rule may be made when unusual circumstances prevent timely submission of the appeal.

- c. Procedures.—Requests for administrative review and appeals will be submitted and processed in accordance with the procedures of CMPI 750.6-5.★

SECTION 13, APPLICABLE PROVISIONS OF NCPI

Paragraph No. 13-1

Cross references to NCPI

13-1. CROSS REFERENCES TO NCPI.—The provisions of the NCPI's listed below will be binding in making determinations ashore concerning furlough, changes to lower grade, separations, and retirement actions. (These provisions are not of direct interest in the day-to-day relationships of personnel afloat.)

- a. NCPI 352.2-3.—CANCELLATION OR CORRECTION OF SEPARATION ACTIONS.
- b. NCPI 352.2-4i.—For information regarding advice to employee concerning eligibility for reemployment.
- c. NCPI 352.4-9.—SEPARATION-FAILURE TO ACCEPT NEW ASSIGNMENT.
- d. NCPI 352.4-8a(3).—For procedure to be used when the Civil Service Commission orders an employee's separation.
- e. NCPI 352.4-7c(1)(b).—Procedures (for information regarding notice to employee when it is not medically advisable to furnish him detailed statement concerning his condition.)
- f. NCPI 352.4-7d.—Record of court order.
- g. NCPI 290-Encl. 2.—Information required by the Civil Service Commission on Standard Form 50.
- h. NCPI 317.2—ACTIVITY ACTION AT TIME EMPLOYEE LEAVES (to enter active military service.)
- ★i. NCPI 352.5-2.—DELIVERY OF NOTICES OF ADVERSE ACTION.
- j. NCPI 352.2-8.—UNEMPLOYMENT COMPENSATION.★

SECTION 14, ENCLOSURES

- 14-1. Advance notice of separation to an employee serving in a trial period.
- 14-2. Advance notice of separation to a veteran who has completed a trial period.
- 14-3. Advance notice of separation to a non-veteran who has completed a trial period.
- 14-4. Sample form for employee in replying to separation notice.
- 14-5. Notice of Master's decision.
- 14-6. Notice of final decision of separation.
- ★14-7. Sample notice of proposed change to lower grade following temporary promotion of a veteran.
- 14-8. Sample notice to a veteran of decision to change to lower grade following temporary promotion.
- 14-9. Sample notice of furlough to a non-veteran and/or an employee serving a trial period.
- 14-10. Advance notice of furlough to a veteran who has completed a trial period.

14-11. Notice of decision to furlough to a veteran who has completed a trial period.★
 14-12. Eligibility for retirement.
 14-13. Standard Form 2801, Application for Retirement.
 14-14. Standard Form 2801-A, Superior Officer's Statement in Connection with Application for Total Disability Retirement.
 14-15. Standard Form 2801-B, Physician's Statement in Connection with Application for Total Disability Retirement.

File No. - MSTS 22:OIR 240

ENCLOSURE 1, ADVANCE NOTICE OF SEPARATION
TO AN EMPLOYEE SERVING IN A TRIAL PERIOD

This notice may be used when the separation of an employee (veteran or non-veteran) who is serving in a trial period is proposed. Execute in duplicate after the Master or Department Head has discussed the proposed action with the employee involved. Deliver original to the employee. Obtain employee's signature on copy.

From: Master, USNS _____ (Date)

To: _____ (Employee) (Position Title)

Subj: Advance notice of proposed separation

1. Following discussion with you, I have concluded that your separation from employment with MSTS is warranted on the basis of the following reason(s): (State specific reason(s) with details.)

2. In discussing this matter with you, you stated: (Insert substance of any oral statement made by the employee regarding the reasons for proposed separation.)

3. Your separation will be recommended to the Commander, home port. You may submit in writing any statement you desire. Such statement shall be addressed to the Commander, home port, via the Master within 3 calendar days after receipt of this notice. It will be included with the record of your case forwarded to the Commander, home port.

4. You will be retained in an active duty status while afloat, subject to further action regarding your duty status in the home port. However, if during the notice period it becomes apparent that your continuance in a duty status would jeopardize the safety of the ship, her passengers, crew or cargo, you will be placed in a non-duty status in accordance with CMPI 630.4-4., ADMINISTRATIVE SUSPENSIONS.

5. You are directed to report to the Receiving ★Branch★ in the home port immediately following your separation from this ship.

/s/ _____
(Master)

Original received on _____
(Date)

(Signature of Employee)

ENCLOSURE 2, ADVANCE NOTICE
TO A VETERAN WHO HAS COMPLETED A TRIAL PERIOD

This advance notice may be used when the separation of a veteran who has completed his trial period is proposed. Check the Civilian Marine Employee Ship Record to determine completion of the trial period and veteran status. Execute in duplicate with the original to employee. Obtain employee's signature on copy.

From: Master, USNS _____
(Date)

To: _____
(Employee) _____
(Position Title)

Subj: Advance notice of proposed separation

1. Following discussion with you, I consider that your proposed separation from the Military Sea Transportation Service is warranted on the basis of the following reason(s): (State specific reason(s) with details.)

2. I further consider that the reasons for separation are such that, if sustained, your separation from MSTS will promote the efficiency of the service. Unless your reply convinces me that you should not be separated, I shall recommend such separation to the Commander, home port.

3. This notice of proposed separation is issued under the provisions of Section 14 of the Veterans' Preference Act of 1944, as amended, which require that you be informed that:

- (1) The proposed adverse action, if taken, will be effective no less than 30 calendar days from the day after the date of your receipt of this notice unless the Commander, home port, determines that your separation should legally and properly be taken at an earlier date, in which case you will be so informed by him.
- (2) You may reply to the reasons for your proposed separation ★ in person, in writing, or both★ and may submit affidavits to support your answer. Your written answer, if any, must be submitted within 5 calendar days after receipt of this notice.

4. The Purser Department is available to assist you in preparing your reply and to type your reply if you so request.

5. You may have a hearing before the Master, if you so request. At such hearing you may be represented and may introduce witnesses as provided in CMPI 750.4.

6. If you fail to reply within 5 days, the reason(s) stated in paragraph 1 will be considered fully sustained and your separation will be recommended to the Commander, home port. If your reply or hearing produces evidence which I consider does not warrant separation, you will be notified accordingly. You will be notified in writing of my decision in either case.

7. You will be retained in an active duty status while afloat, subject to assignment without pay change to any duties afloat and subject to further action regarding your duty status in the home port. However, if during the notice period, it becomes apparent that your continuance in a duty status would jeopardize the safety of the ship, her passengers, crew or cargo, you will be placed in a non-duty status in accordance with CMPI 630.4-4, ADMINISTRATIVE SUSPENSIONS.

/s/ _____
(Master)

Original received on _____
(Date)

(Signature of Employee)

ENCLOSURE 3, ADVANCE NOTICE OF SEPARATION
TO A NON-VETERAN WHO HAS COMPLETED A TRIAL PERIOD

This advance notice may be used when proposing the separation of a non-veteran who has completed a trial period. Check the Civilian Marine Employee Ship Record to determine trial period and veteran status. Execute in duplicate with original to employee. Obtain employee's signature on copy.

From: Master, USNS _____
(Date)
To: _____
(Employee) _____
(Position Title)

Subj: Advance notice of proposed separation

1. Following discussion with you, I consider that your separation from the Military Sea Transportation Service is warranted. Such consideration is based on the following reason(s): (State reason(s) specifically and in detail.)
2. I further consider that the reasons for separation are such that, if sustained, your separation from MSTS will promote the efficiency of the service. Unless your reply convinces me that you should not be separated, I will recommend such separation to the Commander, home port.
3. You may answer the reasons **★**for your proposed separation in writing, in person, or both **★** and may submit affidavits supporting your answer. Your written answer, if any, must be submitted within _____ (usually "three calendar days" - never less than "twenty-four hours") days after receipt of this notice. The Purser Department is available to assist you in preparing your reply and to type your reply.
4. You may have a hearing, if you so desire. At such hearing you may be represented and may introduce witnesses as provided in CMPI 750.4.
5. You will be retained in an active duty status while afloat, subject to further action regarding your duty status in the home port. However, if during the notice period it becomes apparent that your continuance in a duty status would jeopardize the safety of the ship, her passengers, crew or cargo, you will be placed in a non-duty status in accordance with CMPI 630.4-4, ADMINISTRATIVE SUSPENSIONS.

/s/ _____
(Master)

Original received on _____
(Date)

(Signature of Employee)

ENCLOSURE 4, SAMPLE FORM
FOR EMPLOYEES IN REPLYING TO SEPARATION NOTICE

This enclosure may be used by veterans and non-veterans who have completed their trial period against whom separation action has been proposed. The employee should set forth briefly, but clearly, in the space below, any reply he wants to make regarding the proposed separation action. He should provide any specific facts which serve to show why he considers his separation is not warranted. He may attach any affidavits which support the answer. He should indicate whether he wants a hearing before the Master. (Normally, no hearings ashore will be provided.) If requested by the employee, the Purser Department may use this form in preparing the employee's reply. Use the back of this form, if necessary. Execute in duplicate. The employee should keep a copy of his reply.

From: _____
(Employee's name and position title) _____
(Date)

To: Master, USNS _____

Subj: Proposed separation action

1. This is my reply to your letter dated _____ which proposed that I be separated from employment in MSTS.
2. (Employee should state any facts regarding his proposed separation which serve to show why he considers his separation is not warranted. He may attach any affidavits which support the answer.)
3. I (want , do not want) a hearing regarding this matter.

At such hearing I want to be represented by _____
(Name)

I want the following persons called as witnesses:

(Signature of employee)

ENCLOSURE 5, NOTICE OF MASTER'S DECISION

This enclosure may be used when the involuntary separation of a veteran or a non-veteran with a year or more of current continuous MSTS marine employment has been proposed. Execute in duplicate, with original to employee. Obtain employee's signature on copy. OBTAIN APPROVAL OF THE INDUSTRIAL RELATIONS OFFICE BEFORE ASSIGNING A VETERAN PREFERENCE ELIGIBLE TO THE RECEIVING BRANCH.

From: Master, USNS _____

_____ (Date)

To: _____ (Employee)

_____ (Position Title)

Subj: Separation action; notice of Master's decision

1. Following thorough review of the information developed as a result of investigation of your proposed separation, together with careful consideration of your position in the matter, I have concluded the facts warrant: (Insert either statement a or b below.)

a. A recommendation to the Commander, home port, for your separation from MSTS. The Commander, home port, will notify you of his decision. (If separation is recommended, repeat the reasons shown in the proposed separation notice. Show whether each specific reason is sustained or not sustained. Include any additional remarks necessary.)

b. No further action in view of the fact that the evidence presented does not support the proposed action.

_____ (Signature of Master)

YOU ARE DIRECTED TO REPORT TO THE RECEIVING BRANCH IN THE HOME PORT IMMEDIATELY FOLLOWING YOUR SEPARATION FROM THIS SHIP.

Original received on _____ (Date)

_____ (Signature of Employee)

ENCLOSURE 6, NOTICE OF FINAL DECISION OF SEPARATION

This may be used by the Commander, home port, in rendering decisions in cases of proposed separation. Execute in triplicate with original to employee and a copy to the Master.

From: _____ (Commander, home port) _____ (Date)

To: _____ (Employee) _____ (Position Title)

Subj: Separation action; notice of final decision concerning

1. Following thorough review of all the information developed as a result of the inquiry into your proposed separation from MSTS, together with careful consideration of your statements and position in the matter, I have concluded: (Insert statements a or b as appropriate.)

a. that your separation from MSTS is warranted and will promote the efficiency of the service. Accordingly, you will be separated effective _____ (date)

(Allow at least 31 full calendar days in veteran cases from the date of delivery of advance notice of separation.) This action is taken because the reason(s) for your separation are supported by the following facts:

(Restate the reasons for separation with a statement that they have been found supported by the facts and warrant separation. Be sure to state only the reasons given in the notice for proposed separation. If any reasons were dropped they should be identified with a statement that they were not sufficiently supported.)

b. that the evidence does not support the reasons given for your proposed separation and therefore no separation action will be taken.

2. Your appeal rights are as follows: (Insert statements a, b, c, or d, as appropriate.)

a. As a veteran you are advised of your right to appeal the merit and/or procedures of this adverse action. Such appeal may be submitted at any time after receipt of this notice but not later than 10 days after the effective date noted above. Such appeal may be made:

(1) ★To COMSTS, via the Commander, home port, or ★
(2) To the _____ U. S. Civil Service _____

★If you choose to appeal to the Civil Service Commission instead of COMSTS, you will forfeit your right of appeal to COMSTS and the Office of the Secretary of the Navy.

If you initially appeal to COMSTS, after receipt of the COMSTS decision, you will have the right to appeal the COMSTS decision to the Office of the Secretary of the Navy or the Civil Service Commission. Instructions on submitting an appeal to COMSTS are found in CMPI 750.6-5.★ Instructions concerning submission of an appeal to the Civil Service Commission are found below. A copy of any such appeal should be sent to Commander, home port. To be acceptable, an appeal addressed to the office of the Civil Service Commission must:

- (1) Be in writing.
- (2) Set forth in detail all of the facts and circumstances of the adverse action.
- (3) Be accompanied by copies of the reasons for separation, your answer, affidavits in support of answer, and notice of the adverse action and by such documentary evidence in support of the appeal as you may wish to submit.
- (4) State whether you desire to make a personal appearance or an appearance through, or accompanied by, a representative designated by you before a representative of the Commission.
- (5) Be supported by acceptable evidence of your entitlement to veteran preference.
- (6) Set forth detailed information regarding your status such as the date and nature of appointment and whether you have completed one year of current continuous MSTS marine employment, and any other data bearing on whether you are within the purview of Part 22 of the Commission's Regulations.

b. As a non-veteran who has completed a trial period, you may appeal the merit and/or procedures of this separation at any time after receipt of this notice but not later than ten (10) days after the effective date noted above to ★COMSTS, via the Commander, home port. Following the decision by COMSTS you will have the right to appeal the COMSTS decision to the Office of the Secretary of the Navy.★

c. As an employee serving in a trial period, you may request administrative review by COMSTS at any time after receipt of this notice but not later than 10 days after the effective date noted above.

d. As an employee serving under an Excepted Appointment NTE (date) without 12 months of current continuous service, you may request administrative review by the Commander, home port.

/s/

(Commander, home port)

Copy to:

Master, USNS _____

★ENCLOSURE 7, SAMPLE NOTICE OF PROPOSED CHANGE TO LOWER GRADE FOLLOWING TEMPORARY PROMOTION OF A VETERAN

(NOTE: See CMPI 352.11-3 for provisions governing this notice. Such a notice must be given to the veteran preference employee who has completed his trial period at least 30 days before changing him to lower grade following a temporary promotion in excess of 90 days. It is executed in duplicate with original to the employee and the employee's acknowledgement of receipt may be requested on the copy.)

(date)

From: (Commander, home port)

To: (Name of employee, position title)

Subj: Notice of proposed change to lower grade

1. On (date of temporary promotion) you were given a temporary promotion to the position of (position title). At that time you were informed of the temporary nature of the promotion (As appropriate: and you acknowledged receipt of the information and consented to the arrangement.) This letter advises you that it is proposed to return you to your permanent position of (permanent position title, annual pay rate) effective on (date). The reasons for returning you to your permanent position are that your promotion to (temporary position title) was temporary and that your services as a (temporary position title) will no longer be required as of (date of change to lower grade).

2. This notice of proposed change to lower grade is issued under the provisions of Section 14 of the Veterans' Preference Act of 1944, as amended, which require that you be informed that:

a. The proposed adverse action, if taken, will be effective no less than 30 calendar days from the day after you receive this letter.

b. You may reply to the reasons for your proposed change to lower grade in person, in writing, or both, and you may submit affidavits in support of your answer. Your answer, if any, must be submitted to the undersigned within five calendar days after receiving this letter.

3. The (As appropriate: Purser's Department or Employee Relations Division) is available to assist you in preparing your reply and to type your reply if you request. Full consideration will be given to any answer you may desire to submit and, whether you answer or not, you will be notified in writing of the final decision in this proposed action.

4. You may have a hearing, if you so request. At such hearing, you may be represented and may introduce witnesses as provided in CMPI 750.4.

5. You will remain in an active duty status in your present position during this period of advance notice.

(Signature)

(Title)

By direction

Original received on _____
(Date)

(Signature of Employee)

Copy to:

Personnel folder of (name of employee)★

★ENCLOSURE 8, SAMPLE NOTICE TO A VETERAN OF DECISION TO CHANGE TO LOWER GRADE FOLLOWING TEMPORARY PROMOTION

(NOTE: See CMPI 352.11-3 for provisions governing this notice; see also enclosure 7 for the sample notice of proposed adverse action which precedes this notice. Such a notice must be furnished to the veteran preference eligible who has completed his trial period. This notice is executed in duplicate, with original to the employee, and the employee's acknowledgment of receipt may be requested on the copy.)

(date)

From: (Commander, home port)

To: (Name of employee, position title)

Subj: Notice of adverse decision

1. Following a thorough review of your proposed change to lower grade (As appropriate: together with careful consideration of your answer) and of your position in the matter, I have concluded that your change to lower grade is required. Accordingly, you will be returned to your permanent position of (permanent position title, annual pay rate) effective (date). The reasons for returning you to your permanent position are that your promotion to (temporary position title) was temporary and that your service as a (temporary position title) will no longer be required as of (date of change to lower grade).

2. You are advised of your right to appeal the merit and/or procedures of this change to lower grade. Such appeal may be submitted at any time after receipt of this notice but not later than 10 days after the effective date noted above. Such appeal may be made:

a. To COMSTS, via the Commander, home port or

b. To the _____ U. S. Civil Service _____

If you choose to appeal to the Civil Service Commission instead of COMSTS, you will forfeit your right of appeal to COMSTS and the Office of the Secretary of the Navy. If you initially appeal to COMSTS, after receipt of the COMSTS decision, you will have the right to appeal the COMSTS decision to the Office of the Secretary of the Navy or the Civil Service Commission. Instructions on submitting an appeal to COMSTS are found in CMPI 750.6-5. Instructions concerning submission of an appeal to the Civil Service Commission are found below. A copy of any such appeal should be sent to Commander, home port. To be acceptable, an appeal addressed to the office of the Civil Service Commission must:

- (1) Be in writing.
- (2) Set forth in detail all the facts and circumstances of the adverse action.

- (3) Be accompanied by copies of the reasons for change to lower grade, your answer, and notice of the adverse action and by such documentary evidence in support of the appeal as you may wish to submit.
- (4) State whether you desire to make a personal appearance or an appearance through, or accompanied by, a representative designated by you before a representative of the Commission.
- (5) Be supported by acceptable evidence of your entitlement to veteran preference.
- (6) Set forth detailed information regarding your status such as the date and nature of appointment and whether you have completed one year of current continuous MSTS marine employment, and any other data bearing on whether you are within the purview of Part 22 of the Commission's Regulations.

(Signature)

(Title)

By direction

Original received on _____
(Date)

(Signature of Employee)

Copy to:

Personnel folder of (name of employee)★

ENCLOSURE 9, SAMPLE NOTICE OF FURLOUGH TO NON-VETERAN
AND/OR EMPLOYEE SERVING A TRIAL PERIOD

This may be used by the Master when notifying a non-veteran and/or employee serving in a trial period of proposed furlough for 30 days or less. Check the Civilian Marine Employee Ship Record to determine veteran status and completion of the trial period. Execute in duplicate, with the original to employee. Obtain employee's signature on copy.

From: Master, USNS _____
(Date)To: _____
(Employee) _____
(Position Title)

Subj: Notice of proposed furlough

1. The Commander, home port, has notified this ship that (insert reason(s) as provided by home port) requires a temporary reduction of marine personnel in a duty status. The Command has directed that all personnel concerned who do not wish to apply for annual leave and/or leave without pay be issued notices of furlough.

2. For the reason(s) stated in paragraph 1, above, you, upon return to home port, will be furloughed from duty and pay for a period of no more than 30 days. If you elect to take leave, the period of furlough shall not begin until the end of such leave. If you are available, you will be returned to duty and pay status as soon as work requirements in your rating will permit.

3. The Purser Department will advise you, upon request, of the approximate date of arrival in the home port. The Purser Department will also advise you of the amount of annual leave to your credit.

4. Confirmation of this action will be made by the home port. You should not enter a non-duty status until you have received such confirmation in writing on Standard Form 50.

/s/
MasterOriginal received on _____
(Date)

(Signature of employee)

ENCLOSURE 10, ADVANCE NOTICE OF FURLough TO A VETERAN WHO HAS COMPLETED A TRIAL PERIOD

This advance notice may be used when it is proposed to furlough for 30 days or less a veteran who has completed a trial period. Check the Civilian Marine Employee Ship Record to determine completion of the trial period and veteran status. Execute in duplicate, with the original to employee. Obtain employee's signature on copy. (See CMPI 352.10 and 12 for provisions governing this notice.)

From: Master, USNS _____

(Date)

To: _____
(Employee)

(Position Title)

Subj: Advance notice of furlough

1. The Commander, home port, has notified this ship that (insert reason(s) as provided by home port) requires a temporary reduction of marine personnel in a duty status. Because of the resulting lack of work, it has been determined that your retention in a duty status will not be in the interest of the service. The Commander, home port, has directed that all personnel concerned who do not wish to apply for annual leave and/or leave without pay to cover the period of lack of work be issued notices of proposed furlough. As a veteran, you are entitled, under Section 14 of the Veterans' Preference Act of 1944, as amended, to at least 30 days advance written notice of this proposed adverse action and the reasons therefor. This notice is issued accordingly.

2. For the reason(s) stated in paragraph 1 above, your furlough from duty and pay under the conditions described below is proposed. You will remain in a duty status during this notice period unless you elect to take leave. Upon the expiration of this notice period it is proposed to furlough you from pay and duty for a period not to exceed 30 days. You will be returned to duty at the earliest date that the work of MSTS will permit.

3. The proposed adverse action, if taken, will be effective not less than 30 calendar days from the day after the date of your receipt of this notice.

4. You may reply to the reasons for your proposed furlough in person, in writing, or both and may submit affidavits to support your answer. Your answer, if any, must be submitted within 5 calendar days after receipt of this notice. The Purser Department is available to assist you in preparing your reply and to type your reply if you so request.

5. You may have a hearing regarding this notice before the Master or by his designated representative, if you so request. Your position in this matter will be carefully considered.

6. The Purser Department will advise you, upon request, of the approximate date of arrival in the home port. The Purser Department will also advise you of the amount of annual leave to your credit.

7. The final decision concerning this proposed adverse action will be made on the basis of available information following your return to the home port. You should not enter a non-duty status in the home port until you have been notified of this decision.

/s/

(Master)

Original received on: _____
(Date)

(Signature of employee)

ENCLOSURE 11, NOTICE OF DECISION OF FURLOUGH TO A VETERAN WHO HAS COMPLETED A TRIAL PERIOD

This may be used by the Commander, home port, in sending decisions to veterans who have completed a trial period in cases of furlough for 30 days or less. Execute in triplicate with original to employee and a copy to the Master. (See CMPI 352.14, enclosure 10 for the sample notice of proposed adverse action which precedes this notice.)

From: _____
(Commander, home port)

(Date)

To: _____
(Employee) (Position Title)

(Commander, home port)

1. On (insert date of advance notice) you were advised by the Master of your ship of your proposed furlough due to (insert reasons as stated in the advance notice.) Your position in this matter has been carefully considered. However, because of lack of work in your rating, this Command has no alternative but to furlough you for 30 days to a non-duty, non-pay status effective _____ (Allow at least 31 full calendar days from the date of delivery of advance notice of furlough.)

2. You are advised of your right to appeal the merit and/or procedure of this adverse action. Such appeal may be submitted at any time after receipt of this notice but not later than 10 days after the effective date noted above. Such appeal may be made:

- a. To COMSTS, via the Commander, home port, or
- b. To the _____ U. S. Civil Service

If you choose to appeal to the Civil Service Commission instead of COMSTS, you will forfeit your appeal rights within the Department of the Navy. If you initially appeal to COMSTS, after receipt of the COMSTS decision, you will have the right to appeal to the Office of the Secretary of the Navy, or to the Civil Service Commission. Instructions on submitting an appeal to COMSTS are found in CMPI 750.6-5. Instructions concerning submission of an appeal to the Civil Service Commission are found below. A copy of any such appeal should be sent to the Commander, home port. To be acceptable, an appeal addressed to the office of the Civil Service Commission must:

- (1) Be in writing.
- (2) Set forth in detail all the facts and circumstances of the adverse action.
- (3) Be accompanied by copies of the reasons for furlough, your answer, affidavits in support of answer, and notice of the adverse action and by such documentary evidence in support of the appeal as you may wish to submit.

- (4) State whether you desire to make a personal appearance or an appearance through, or accompanied by, a representative designated by you before a representative of the Commission.
- (5) Be supported by acceptable evidence of your entitlement to veteran preference.
- (6) Set forth detailed information regarding your status such as the date and nature of appointment and whether you have completed one year of current continuous MSTS civilian marine employment, and other data bearing on whether you are within the purview of Part 22 of the Commission's Regulations.

Copy to:

Master, USNS _____

ELIGIBILITY FOR RETIREMENT

1. *General Requirements.*—There are two general requirements which retiring employees must meet. They are:

- (a) You must have at least 5 years of civilian service.
- (b) Unless you retire on account of total disability, you must have had at least 1 year of civilian service under the Retirement System within the 2-year period preceding the separation on which your retirement is based.

2. *Immediate Retirement.*—If you meet the general requirements and any combination of minimum age and service, as well as the special requirements (if any) shown in the following table, you may retire and be paid an immediate annuity.

Minimum Age	Minimum Service (Years)	Special Requirements
62	5	None
60	30	None
55 *	30	None
any * age	25	Your separation must be involuntary without cause.
50 *	20	Your separation must be involuntary without cause.
any age	5	You must be totally disabled for service in the position you occupy.
70	15	Separation is compulsory.

*Annuity is reduced if under age 60 (see Encl. 13 Item 5, Reduction for Retirement Before Age 60).

3. *Deferred Retirement.*—If you meet the general requirements and are separated from the Federal service for any reason before you are eligible for immediate retirement, you may be paid an annuity when you reach age 62, unless you give up your right to this annuity by applying for and being paid a refund of your retirement deductions.

STANDARD FORM NO. 2801 CHAPTER RS F. P. M.	APPLICATION FOR RETIREMENT CIVIL SERVICE RETIREMENT SYSTEM		6 GAO 5000 2801-104		
<i>To avoid delay in processing claim—1. Read information carefully; 2. Complete application in full; 3. Typewrite or print in ink.</i>					
1 NAME MR MRS MISS		(Last) (First) (Middle)	2. LIST ALL OTHER NAMES YOU HAVE USED		
3. DATE OF BIRTH (Month) (Day) (Year)					
4 ADDRESS (Number and street)		(City and zone number)	(State)		
5. DEPARTMENT OR AGENCY IN WHICH PRESENTLY OR LAST EMPLOYED, INCLUDING BUREAU OR DIVISION		6. LOCATION OF LAST EMPLOYMENT (City and State)	7. TITLE OF LAST POSITION		
8. DATE OF FINAL SEPARATION (Month) (Day) (Year)		9. DO YOU HAVE FEDERAL EMPLOYEES' GROUP LIFE INSURANCE? <input type="checkbox"/> YES <input type="checkbox"/> NO	10. APPROXIMATE NUMBER OF YEARS OF CIVILIAN SERVICE		
11. (A) ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA? <input type="checkbox"/> YES <input type="checkbox"/> NO		11. (B) IF THE ANSWER IS "NO," OF WHAT COUNTRY ARE YOU A CITIZEN?			
12. (A) ARE YOU MARRIED? <input type="checkbox"/> YES <input type="checkbox"/> NO		12. (B) IF THE ANSWER IS "YES," GIVE THE FOLLOWING INFORMATION: WIFE'S OR HUSBAND'S NAME (First) (Middle) HER (OR HIS) BIRTH DATE (Month) (Day) (Year) DATE OF MARRIAGE (Month) (Day) (Year) PLACE OF MARRIAGE (City and State) MARRIAGE PERFORMED BY CLERGYMAN OR JUSTICE OF THE PEACE OTHER (Specify)			
<i>Only applicants for disability retirement will complete item 13</i>					
13. (A) WHEN DID YOU BECOME TOTALLY DISABLED? (Month and year)		13. (B) BRIEFLY DESCRIBE YOUR DISABILITIES, WHEN AND HOW INCURRED, AND HOW THEY INTERFERE WITH PERFORMANCE OF THE DUTIES OF YOUR POSITION			
14. (A) IF YOU HAVE RENDERED ACTIVE SERVICE IN THE ARMY, NAVY, MARINE CORPS, AIR FORCE, OR COAST GUARD OF THE UNITED STATES, AND YOUR SERVICE WAS TERMINATED UNDER HONORABLE CONDITIONS, COMPLETE THE FOLLOWING SCHEDULE. ATTACH A COPY OF YOUR DISCHARGE CERTIFICATE IF AVAILABLE.					
BRANCH OF SERVICE	SERIAL NO.	DATE OF ENTRANCE ON ACTIVE DUTY	DATE OF SEPARATION FROM ACTIVE DUTY	LAST GRADE OR RANK	ORGANIZATION AT DISCHARGE (Div., Regiment, Co., etc.)
14. (B) ARE YOU IN RECEIPT OF OR HAVE YOU APPLIED FOR MILITARY RETIRED PAY? (Retired pay does not include pension or compensation)		14. (C) IF YOUR ANSWER IS "YES," WERE YOU RETIRED FROM A RESERVE COMPONENT UNDER TITLE III, PUBLIC LAW 810, 80TH CONGRESS?		14. (D) IF YOU WERE IN THE MILITARY SERVICE ON OR AFTER JANUARY 1, 1957, GIVE YOUR SOCIAL SECURITY NUMBER	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	
15. (A) HAVE YOU EVER RECEIVED OR MADE APPLICATION FOR COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT?		15. (B) IF THE ANSWER IS "YES," STATE THE NUMBER OF YOUR COMPENSATION CLAIM AND THE PERIOD FOR WHICH YOU RECEIVED COMPENSATION.			
<input type="checkbox"/> YES <input type="checkbox"/> NO		CLAIM NUMBER		FROM (Month, Day, Year)	TO (Month, Day, Year)
16. (A) HAVE YOU PREVIOUSLY FILED ANY APPLICATION UNDER THE CIVIL SERVICE RETIREMENT SYSTEM, INCLUDING APPLICATION FOR RETIREMENT, REFUND, SERVICE CREDIT, OR VOLUNTARY CONTRIBUTIONS?		16. (B) IF THE ANSWER IS "YES," INDICATE THE TYPE(S) OF APPLICATION AND GIVE THE CLAIM NUMBER(S) IF KNOWN		CLAIM NUMBER(S)	
<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> RETIREMENT <input type="checkbox"/> SERVICE CREDIT <input type="checkbox"/> REFUND <input type="checkbox"/> VOLUNTARY CONTRIBUTIONS			
17. (A) HAVE YOU EVER BEEN EMPLOYED UNDER ANOTHER RETIREMENT SYSTEM FOR FEDERAL OR DISTRICT OF COLUMBIA EMPLOYEES?		17. (B) IF THE ANSWER IS "YES," GIVE THE NAME OF THE OTHER RETIREMENT SYSTEM			
<input type="checkbox"/> YES <input type="checkbox"/> NO					

(CONTINUE ON OTHER SIDE)

Your answer to the next question is your election of the type of annuity you wish to receive. Read the explanation of each type of annuity and consider the matter carefully before you write your answer. No change in election will be permitted after an annuity has been granted.

18. INDICATE BY AN "X" IN THE APPROPRIATE BOX A, B, OR C, BELOW, THE TYPE OF ANNUITY YOU ELECT TO RECEIVE. IF YOU ELECT TYPE B OR C, BE SURE TO FILL IN THE OTHER INFORMATION CALLED FOR.

A.

LIFE ANNUITY

- This type is available to all retiring employees.
- It provides annuity payments to you only.

B.

REDUCED ANNUITY WITH BENEFIT TO WIDOW OR WIDOWER

SPECIFY THE PORTION OF YOUR ANNUITY WHICH YOU ELECT TO USE AS A BASE FOR YOUR WIDOW'S OR WIDOWER'S ANNUITY SHE (OR HE) WILL RECEIVE 50% OF THE PORTION YOU SPECIFY

ALL	REDUCTION WILL BE 2 1/2% OF FIRST \$2,400 OF YOUR ANNUITY, PLUS 10% OF ANY AMOUNT OVER \$2,400
-----	--

\$2,400, OR ALL, IF LESS	REDUCTION WILL BE 2 1/2% OF \$2,400 OR OF ALL YOUR ANNUITY, IF LESS
--------------------------	---

ANY OTHER AMOUNT (Specify)	REDUCTION WILL BE 2 1/2% OF FIRST \$2,400 OF YOUR ANNUITY, PLUS 10% OF ANY AMOUNT OVER \$2,400
----------------------------	--

C.

REDUCED ANNUITY WITH BENEFIT TO PERSON HAVING AN INSURABLE INTEREST

SPECIFY THE NAME, RELATIONSHIP AND DATE OF BIRTH OF THE PERSON YOU WISH TO RECEIVE THE SURVIVOR ANNUITY

NAME (First, middle, last)

RELATIONSHIP DATE OF BIRTH (Mo., day, yr)

(SEE ITEM 8, "HOW ANNUITIES ARE COMPUTED," FOR EXPLANATION OF REDUCTION IN YOUR ANNUITY)

WARNING.—Any intentional false statement in this application or willful misrepresentation relative thereto is a violation of the law punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both (62 Stat. 698; 18 U. S. C. 287).

I hereby certify that all statements made in this application are true to the best of my knowledge and belief.

(DATE)

(SIGNATURE OF APPLICANT)

FOR USE OF THE EMPLOYING DEPARTMENT OR AGENCY
(See Chapter R5 of the Federal Personnel Manual for instructions)

PLACE "X" IN APPROPRIATE BOX BELOW.

- THE APPLICANT NAMED ABOVE IS NOW SERVING IN A POSITION SUBJECT TO THE RETIREMENT ACT
- INDIVIDUAL RETIREMENT RECORD, STANDARD FORM NO. 2806, AND REGISTER OF SEPARATIONS AND TRANSFERS, STANDARD FORM NO. 2807, ARE ATTACHED HERETO
- INDIVIDUAL RETIREMENT RECORD, STANDARD FORM NO. 2806, WAS SENT TO U. S. CIVIL SERVICE COMMISSION ON _____ WITH REGISTER OF SEPARATIONS AND TRANSFERS, STANDARD FORM NO. 2807, NO. _____ (DATE)

(SIGNATURE)

(OFFICIAL TITLE)

(DEPARTMENT OR AGENCY)

(The applicant will detach the information sheet before filing the application)

INFORMATION REGARDING APPLICATION FOR RETIREMENT
CIVIL SERVICE RETIREMENT SYSTEM

GENERAL INFORMATION

1. Complete the attached application in full.
2. Typewrite or print in ink.
3. If this application is for retirement based upon total disability:
 - (a) The applicant must submit a statement from his personal physician on Standard Form 2801-B, or a narrative statement on the physician's stationery, describing the nature and extent of disability, with an expression of opinion as to whether or not the applicant is totally disabled for useful and efficient service in his position and as to whether the disease or injury is due to vicious habits, intemperance, or willful misconduct. The statement must include the date when such disability began. If the physician prefers he may furnish this statement in a sealed envelope marked with the applicant's name and the words "Disability Retirement—Privileged-Private" directly to the applicant's employing agency which will forward it unopened, together with the Application for Retirement, to the appropriate Medical Officer of the Civil Service Commission.
 - (b) The employing agency must attach a statement by the employee's superior officer on Standard Form 2801-A.
4. If not yet separated, or if separated 30 days or less, submit the completed application to the employing department or agency.
5. If separated more than 30 days, send the completed application direct to the Retirement Division, Bureau of Departmental Operations, United States Civil Service Commission, Washington 25, D. C.
6. You will be notified by post card when your application is received by the Civil Service Commission and you will be fully informed about your retirement annuity when adjudication of your claim has been completed.
7. There are several sources from which you may obtain any additional information you may need to assist in completing this application:
 - (a) Refer to your "Certificate of Membership in the Civil Service Retirement System."
 - (b) Contact the personnel office of the department or agency in which you are presently employed.
 - (c) If neither of these sources of information is available to you, contact the nearest regional office of the U. S. Civil Service Commission or the Retirement Division, Bureau of Departmental Operations, U. S. Civil Service Commission, Washington 25, D. C.

WHO MAY RECEIVE ANNUITIES

1. GENERAL REQUIREMENTS

- (a) A minimum of 5 years of civilian service is required before annuity is payable in any case.
- (b) Except for retirement on account of total disability, an employee must have been subject to the Retirement Act for at least 1 out of the last 2 years before the separation on which the retirement is based.
- (c) Public Law 769, 83d Congress (68 Stat. 1142) prohibits payment of annuities to persons who have committed certain specified offenses or acts, mainly in connection with their Federal employment. An employee who is barred by this law may not receive an annuity.

2. BASED UPON AGE AND SERVICE

An immediate annuity is payable to an employee upon separation for any reason if he has at least

- (a) 5 years of service and is 62 years of age or over.
- (b) 30 years of service and is 55 years of age or over.

3. BASED UPON INVOLUNTARY SEPARATION

An immediate annuity is payable to an employee upon involuntary separation, not for cause, if he has at least

- (a) 20 years of service and is age 50 or over.
- (b) 25 years of service, regardless of age.

(CONTINUED ON NEXT PAGE)

HOW ANNUITIES ARE COMPUTED

The amount of annuity payable depends primarily upon length of service and the "high-5" average salary, which is the highest salary obtainable by averaging the rates of basic salary in effect during any 5 consecutive years of service with each rate weighted by the time it was in effect. The basic annuity is subject to reductions and increases, as indicated.

1. BASIC ANNUITY FORMULA FOR EMPLOYEES GENERALLY

- (a) Take: $1\frac{1}{2}\%$ of the "high-5" average salary and multiply the result by 5 years of service;
- (b) Add: $1\frac{1}{4}\%$ of the "high-5" average salary multiplied by years of service between 5 and 10;
- (c) Add: 2% of the "high-5" average salary multiplied by all service over 10 years.

Instead of using the $1\frac{1}{2}\%$, $1\frac{1}{4}\%$, and 2% , there may be substituted $1\frac{1}{2}\%$ of the "high-5" average salary plus \$25 for any or all of these percentages if such a substitution will produce a higher annuity.

2. BASIC ANNUITY FORMULA FOR LAW-ENFORCEMENT PERSONNEL

The basic annuity of an employee who retires under the special provision covering law-enforcement personnel will be 2% of the "high-5" average salary, multiplied by the total years of service.

3. LIMITATION ON BASIC ANNUITY

The basic annuity may not be more than 80% of the employee's "high-5" average salary.

4. GUARANTEED MINIMUM DISABILITY ANNUITY

An employee retiring on account of total disability is guaranteed a minimum basic annuity which amounts to the lesser of—

- (a) 40% of his "high-5" average salary, or
- (b) the sum obtained by using the formula in (1) above, but increasing the length of actual service by the number of years between the date of the employee's separation for retirement and the date he reaches age 60.

If the basic "earned" annuity computed in (1) above is greater than the guaranteed minimum, this basic "earned" annuity will be used.

5. REDUCTION FOR RETIREMENT BEFORE AGE 60

Except where retirement is on account of total disability, or under the special provision for law-enforcement personnel, an employee who retires before age 60 will have his basic annuity reduced by—

- (a) $\frac{1}{2}\%$ of 1% (1% a year) for each full month he is under age 60 (but not under age 55), and
- (b) $\frac{1}{2}\%$ of 1% (2% a year) for each full month, if any, he is under age 55.

6. REDUCTION FOR NON-DEDUCTION SERVICE

An employee who has service on or after August 1, 1920, during which no retirement deductions were made from his salary and for which he has not made a deposit in the Retirement Fund, will, in most cases, have his annuity reduced by 10% of the amount due as deposit. This reduction does not apply and no deposit need be made for service prior to August 1, 1920, for military service, or for service in the Panama Railroad Company prior to January 1, 1924.

7. REDUCTION FOR WIDOW'S OR WIDOWER'S SURVIVOR ANNUITY

An employee who names his wife (or husband) as survivor annuitant will have his annuity reduced. The reduction depends upon what portion of his annuity the employee elects to use as a base for the survivor's benefit. The reduction is:

- (a) $2\frac{1}{2}\%$ of that portion, up to \$2,400, elected as a base for the survivor's benefit, PLUS
- (b) 10% of that portion over \$2,400 elected as a base for the survivor's benefit.

8. REDUCTION FOR SURVIVOR ANNUITY TO PERSON WITH INSURABLE INTEREST

An employee who names a person with an insurable interest as survivor annuitant will have his annuity reduced. The amount of the reduction depends upon the difference in ages of the employee and the person named, as shown in the following table:

AGE OF PERSON NAMED IN RELATION TO THAT OF RETIRING EMPLOYEE	REDUCTION IN ANNUITY OF RETIRING EMPLOYEE
OLDER, SAME AGE, OR LESS THAN 5 YEARS YOUNGER	10%
5 BUT LESS THAN 10 YEARS YOUNGER	15%
10 BUT LESS THAN 15 YEARS YOUNGER	20%
15 BUT LESS THAN 20 YEARS YOUNGER	25%
20 BUT LESS THAN 25 YEARS YOUNGER	30%
25 BUT LESS THAN 30 YEARS YOUNGER	35%
30 OR MORE YEARS YOUNGER	40%

9. ADDITIONAL ANNUITY PURCHASED BY VOLUNTARY CONTRIBUTIONS

An employee who, in addition to the amounts withheld from his salary, has made voluntary contributions to the Retirement Fund will be paid, in addition to the regular annuity, \$7, plus 20¢ for each full year he is over age 55 at retirement, for each \$100 in his voluntary contribution account. If with respect to his voluntary contributions an employee elects a survivor annuity, the additional annuity purchased will be reduced as indicated in (8) above.

10. ADDITIONAL ANNUITY FOR PANAMA CANAL AND ALASKA RAILROAD CONSTRUCTION SERVICE

An employee who is a citizen of the United States and not in receipt of a Panama Canal Construction benefit will be paid an additional annuity of \$36 for each year he may have served in the construction of the Panama Canal or the Alaska Railroad.

11. ADJUSTMENT AND ACCRUAL OF ANNUITY

All annuities are payable in monthly installments on the first business day of the month following the one for which the annuity has accrued. All monthly payments are adjusted to the nearest dollar.

Standard Form No. 2801-A
Chapter R5 F. P. M.

**SUPERIOR OFFICER'S STATEMENT
IN CONNECTION WITH
APPLICATION FOR TOTAL DISABILITY RETIREMENT
CIVIL SERVICE RETIREMENT SYSTEM**

6 GAO 5000
2801-201

This statement must be completed by the applicant's immediate superior officer and attached by the agency to his Application for Retirement (S. F. 2801) if the application is for retirement on account of total disability.

TO: SUPERIOR OFFICER.—To be eligible for disability retirement the applicant must become totally disabled for useful and efficient service in the grade or class of position last occupied by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part within the 5 years next prior to becoming so disabled. By answering the following questions as completely as you can you may help the Medical Officers of the Civil Service Commission considerably in determining whether the applicant is eligible and thereby avoid delay in processing his application.

1. NAME OF APPLICANT FOR DISABILITY RETIREMENT (Last) _____ (First) _____ (Middle) _____	2. HOW LONG HAVE YOU BEEN THE APPLICANT'S SUPERIOR OFFICER? _____
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3. BRIEFLY DESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE APPLICANT'S POSITION AND ALSO IMPORTANT ENVIRONMENTAL FACTORS CONNECTED WITH THE JOB. OR ATTACH OFFICIAL COPY OF JOB DESCRIPTION, IF MORE CONVENIENT.

4. WHICH OF THE DUTIES DESCRIBED IN ITEM 3 WAS THE APPLICANT UNABLE TO PERFORM ON ACCOUNT OF HIS DISABILITY?

5. AS FAR AS YOU WERE ABLE TO OBSERVE, HOW DID THE APPLICANT'S DISABILITY INTERFERE WITH OR PREVENT HIS PERFORMANCE OF THE DUTIES LISTED IN ITEM 4?

6. APPROXIMATELY HOW MANY DAYS HAS THE APPLICANT BEEN ABSENT BECAUSE OF ILLNESS WITHIN THE PAST 2 YEARS?

7. DESCRIBE ANY INSTANCES OF EMOTIONAL INSTABILITY OR ABNORMAL BEHAVIOR ON THE PART OF THE APPLICANT.

8. AS FAR AS YOU KNOW, HAS EXCESSIVE USE OF ALCOHOL OR DRUGS EVER INTERFERED WITH APPLICANT'S PERFORMANCE OF HIS DUTIES? IF SO, PLEASE GIVE DETAILS.

9. IF THE APPLICANT WAS FIRST HIRED WITH A PHYSICAL HANDICAP, PLEASE STATE WHETHER OR NOT THERE HAS BEEN ANY AGGRAVATION OF THE HANDICAP SINCE HE ENTERED ON DUTY. IF THE ANSWER IS "YES," PLEASE STATE WHEN SUCH AGGRAVATION WAS FIRST NOTICED AND TO WHAT DEGREE IT HAS NOW PROGRESSED.

10. PLEASE STATE ANY OTHER FACTS CONCERNING THE APPLICANT'S DISABILITY WHICH YOU FEEL MAY BE HELPFUL TO THE MEDICAL OFFICERS OF THE CIVIL SERVICE COMMISSION IN DETERMINING WHETHER THE APPLICANT MEETS THE ELIGIBILITY REQUIREMENTS FOR RETIREMENT ON ACCOUNT OF TOTAL DISABILITY.

11. WHAT EFFORTS HAVE BEEN MADE TO ASSIGN THE APPLICANT TO ANY OTHER JOB FOR WHICH HE IS QUALIFIED?

(SIGNATURE OF SUPERIOR OFFICER) (TITLE) (DATE)

(NAME OF AGENCY) (MAILING ADDRESS OF AGENCY)

NOTE: This completed statement must be attached by the employing agency to the Application for Retirement (S. F. 2801).

Standard Form No. 2801-B
Chapter RS F. P. M.

**PHYSICIAN'S STATEMENT
IN CONNECTION WITH
APPLICATION FOR TOTAL DISABILITY RETIREMENT
CIVIL SERVICE RETIREMENT SYSTEM**

6 GAO 5000
2801-301

INSTRUCTIONS TO APPLICANT

1. Complete PART A of this form.
2. After you have filled in PART A, give this form to your personal physician. PART B should be completed by the doctor and the form mailed by him to the address you have written in Item 4, PART A.
3. Your doctor's report is confidential and will be reviewed only by a medical officer of the Civil Service Commission.
4. Neither your employing office nor the Civil Service Commission can pay any expense incurred in completing this form. However, the Government will pay for any official examination which may later be required.

PART A.—TO BE COMPLETED BY APPLICANT

1. FULL NAME (Last, middle, first—please type or print)	2. DATE OF BIRTH (Month, day, year)
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3. I HEREBY GIVE MY PERMISSION FOR YOUR RELEASE TO THE U. S. CIVIL SERVICE COMMISSION DIRECTLY OR THROUGH MY EMPLOYING OFFICE OF ANY OR ALL INFORMATION OR RECORDS CONNECTED WITH MY ILLNESS.

YOUR SIGNATURE	ADDRESS	DATE
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4. IF NOT YET SEPARATED OR IF SEPARATED 30 DAYS OR LESS, GIVE THE NAME AND ADDRESS OF YOUR EMPLOYING OFFICE TO WHICH YOUR DOCTOR SHOULD SEND THIS REPORT. IF YOU HAVE BEEN SEPARATED MORE THAN 30 DAYS SHOW THE FOLLOWING NAME AND ADDRESS: RETIREMENT DIVISION, BUREAU OF DEPARTMENTAL OPERATIONS, U. S. CIVIL SERVICE COMMISSION, WASHINGTON 25, D. C.

NAME OF EMPLOYING OFFICE	NUMBER AND STREET	CITY, ZONE AND STATE
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5. IF YOU ARE PRESENTLY EMPLOYED IN ANY JOB OTHER THAN YOUR FEDERAL (OR D. C.) GOVERNMENT POSITION GIVE DETAILS CONCERNING JOB, INCLUDING TYPE OF WORK PERFORMED.

PART B.—TO BE COMPLETED BY PHYSICIAN

DOCTOR: The Civil Service Retirement Law defines disability as meaning totally disabled for useful and efficient service in the grade or class of position last occupied by the employee by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part within the five years next prior to becoming so disabled.

In addition to observing the procedural instructions below, I ask your cooperation in making this report as comprehensive and objective as you can, particularly with respect to the condition which is considered totally disabling. The matter of retirement is of the utmost importance to the patient and the Government. If your report is complete and objective, our medical staff may be able to use it as a basis for deciding whether the patient is totally disabled. This would save delay and inconvenience to the employee of having to undergo an official examination as well as expense to the Government. Your report will be privileged and confidential. MEDICAL DIRECTOR, U. S. CIVIL SERVICE COMMISSION.

INSTRUCTIONS TO PHYSICIAN

1. Do not incur any expense to the Government in completing this statement.
2. Send completed form in a sealed envelope to address given by patient in Item 4 of PART A.
3. Mark envelope with name of patient and the words "Disability Retirement—Privileged—Private."
4. Your report will be opened and reviewed only by a medical officer of the Civil Service Commission.

1. PATIENT'S HEIGHT	2. WEIGHT	3. PHYSIOLOGICAL OR APPARENT AGE	4. MUSCULAR DEVELOPMENT	5. COLOR EYES	14. PULSE	15. RESPIRATION
6. COLOR HAIR	7. COMPLEXION	8. NUTRITION	9. POSTURE	10. GAIT	AT REST	AT REST
11. GENERAL APPEARANCE	12. TEMPERATURE	13. BLOOD PRESSURE			IMM. AFTER EXERCISE	IMM. AFTER EXERCISE
		SYSTOLIC _____ DIASTOLIC _____			3 MIN. AFTER EXERCISE	3 MIN. AFTER EXERCISE
					DO NOT EXERCISE IF CONTRAINDICATED	

(CONTINUE ON OTHER SIDE)

PART B.—TO BE COMPLETED BY PHYSICIAN (Continued)

16. SINCE WHAT DATE HAS PATIENT BEEN UNDER YOUR PROFESSIONAL CARE FOR THE DISABILITY ON WHICH THIS APPLICATION IS BASED?		17. ON WHAT DATE DID YOU LAST SEE PATIENT FOR EXAMINATION OR TREATMENT?	
DATE		DATE	
18. WHAT HISTORY OF ONSET OF THE DISABILITY ON WHICH THIS APPLICATION IS BASED DID YOU ELICIT?			
19. CAN PATIENT DO WORK INVOLVING DUTIES WHICH ARE: <input type="checkbox"/> LIGHT <input type="checkbox"/> MODERATE <input type="checkbox"/> ARDUOUS? OR DO YOU CONSIDER PATIENT TOTALLY DISABLED FOR ANY KIND OF WORK? <input type="checkbox"/> YES <input type="checkbox"/> NO			
IF YOU CONSIDER PATIENT TOTALLY DISABLED—			
20. WHEN DID TOTAL DISABILITY BEGIN? (DATE)		21. IS TOTAL DISABILITY INDEPENDENT OF INTEMPERANCE, VICES, HABITS, OR WILFUL MISCONDUCT? <input type="checkbox"/> YES <input type="checkbox"/> NO	
22 (A). IS TOTAL DISABILITY EXPECTED TO LAST ONE YEAR OR MORE? <input type="checkbox"/> YES <input type="checkbox"/> NO		22 (B). IF ANSWER IS "NO," GIVE PROBABLE DURATION: (PROBABLE DURATION)	
IF PATIENT IS OR RECENTLY WAS HOSPITALIZED, PLEASE STATE—			
23 (A). NAME AND ADDRESS OF HOSPITAL OR SANATORIUM—		23 (B). DATE OF ADMISSION	
		23 (C). DATE OF DISCHARGE	
24. PHYSICAL FINDINGS: Please describe objectively and in detail. If available, include the date of and a summary of any X-ray, fluoroscopic, a. k. g., e. e. g., blood count, blood chemistry, or such other laboratory data or pathologic findings on biopsy or operation as enabled you to arrive at the diagnosis shown below. If patient has nervous or mental disorder, include a neuropsychiatric summary. If patient was recently hospitalized a medical summary or abstract of the hospital records may be submitted in lieu of completing this side of the form. If you prefer you may use your own stationery to report your findings and diagnosis.			
(If additional space is required, please continue on separate sheet)			
25. DIAGNOSIS			
26. REMARKS			
SIGNATURE OF PHYSICIAN		ADDRESS	
		DATE	