



Office of the Staff Judge Advocate LEGAL SERVICES U.S. Army Japan and I Corps (Fwd)

Federal Employees To Get Supplemental Pay When Activated

Federal employees who are members of a National Guard or reserve unit often see their income drop when called to serve on active duty. Beginning March 15, they will now receive salary supplements to make up the difference.

The Office of Personnel Management announced the policy April 3, after Congress made it law last month with the passage of the 2009 omnibus appropriations bill.

However, the amount of supplemental payments is not yet clear. OPM will count locality pay and special rate supplements when determining employees' basic federal pay. But OPM and the Defense Department still must decide which military pay and allowances to include when

determining military income. And those allowances - such as for housing - could affect the payment amounts considerably.

Prior to the new law, federal employees could use up to 15 days of military leave per year to receive their full compensation when performing Guard or Reserve duty, and an additional 22 days if called up to support civilian authorities during a domestic disaster. But after that, activated federal employees earned only their military salary, until now.

The new OPM program has no requirements on mobilization time, and no limits on the amount of extra pay.

The Truth about PCS Claims

Moving due to a PCS is a part of life for every Soldier and DA civilian. Sometimes, however, moves can result in damage to or loss of the personal property being shipped. Claims are designed to help compensate for those damages or losses as well as to ensure that the carriers are held accountable. However, for this to happen, there are some key things you should do both before and after the move.

Before the move, document what you own - through pictures, video, bills, receipts, appraisals and any other proof of ownership - and note any pre-existing damage or defects on expensive items such as cars or antiques. One option is to purchase insurance for the move, either through a private insurance company or through the transportation office. If there is loss or damage, the Army Claims office can generally only pay the depreciated value or repair cost to the item, and not the full replacement cost. In addition, there are certain caps on the maximum that

can be paid for specific items. For example, the maximum that can be paid for stereo equipment claims is \$1,000 per item and \$4,000 per shipment. However, clients may choose to file directly with the carrier in an effort to try to obtain full replacement cost. Nevertheless, insurance is still a good idea. But remember, when considering the purchase of insurance, be sure to pay attention to the differing levels of insurance available and the extent of their coverage.

Certain items, such as cash or coin collections should never be packed, and due to their nature, no claims will be paid if they are lost. Small, valuable items, such as jewelry, should be carried with you. If jewelry must be included in the move, make certain that each piece of jewelry is photographed and listed separately on the final inventory. When the movers have finished packing and loading your goods into the truck, they will present an inventory of the household goods and furniture. Check this carefully to ensure that

ZAMA LEGAL ASSISTANCE OFFICE

Office of the Staff Judge Advocate
USARJ & I Corps (F)
Unit 45005 APO, AP 96343-5005
DSN: 315 263-4698
Commercial: 81-46-407-4698

The Truth about PCS Claims...continued

it is accurate and complete. Pre-existing damage to furniture and other items will be noted on this form using a code on the form. If you disagree with the extent or nature of any pre-existing damage listed by the movers, note this disagreement directly on the form in the "Remarks" section, identifying the specific property in question and the reason for the disagreement.

WE'RE ON THE WEB

HTTP://
WWW.USARJ.ARMY.MIL/
CMDSTAFFS/SJA/
LAO.ASPX

PROUD TO
SERVE
AMERICA'S
FINEST MEN
AND WOMEN

When the movers deliver your household goods, use this inventory to carefully check off each of the listed items and inspect all of your property for damage not already listed. You will be given a pink form (DD Form 1840R) by the movers which you can use to indicate any missing or damaged items. This form does not need to be filled out immediately. A claimant has 70 days from the date of delivery to notify the local claims office of any loss or damage. Filling out and turning in the DD Form 1840R does not mean a claim has been filed as it is merely a notification of loss or damage. Repair estimates or other research to demonstrate the amount of the loss are not needed until after you have turned in the DD Form 1840R. Once you have turned in the DD Form 1840R, the claims office will provide you with other forms and information on filing a claim. It is only at this point will you need to obtain repair estimates or other documentation to substantiate the amount of your loss as needed.

There is a two year deadline from the date of the original delivery of the household goods to file a claim, assuming that the DD Form 1840R was filed in the required 70 day window. Since damage or loss claims are paid by the moving company through the claims office and the government, filing a DD Form 1840R outside of the 70 day window or filing a claim outside of the 2 year window will result in the moving company refusing to pay any claim. As a result, the government will not be able to compensate you for the damaged or lost items. In addition, do not discard any damaged items or property until a final settlement has been reached. The moving company may request to inspect the property or may wish to take possession of it as part of a final settlement for its salvage value.

If you have any questions, comments, or suggestions, please contact the Legal Assistance Office at 263-4698.

TAX Q & A

Q: What is the easiest way to reduce taxes against income.

A: The easiest method to avoid taxation is to set up a savings account for your child. If you have several children, open a savings account for each child and let the interest build up to \$849 per child. If each child, assuming you have three children, earns the maximum \$849 per year, you have avoided paying taxes on \$2547 of income. For taxpayers in the 25% tax bracket, that is a savings of \$636.

Q: How do I check the status of my refund?

A: <https://sa1.www4.irs.gov/irfof/lang/en/irfofgetstatus.jsp>

