

EMPLOYEE BENEFITS

- 1. REASON FOR ISSUE:** To revise Department of Veterans Affairs (VA) procedures on employee benefits.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook contains mandatory procedures on employee benefits. This revision contains procedures regarding the U.S. flag recognition benefit for deceased civilian Federal employees. Part IV and related appendices have been added. This change will be incorporated into the electronic version of VA Handbook 5009 that is maintained on the [Office of Human Resources Management Web site](#).
- 3. RESPONSIBLE OFFICE:** Worklife and Benefits Service (058), Office of the Deputy Assistant Secretary for Human Resources Management.
- 4. RELATED DIRECTIVE:** VA Directive 5009, Employee Benefits.
- 5. RESCISSIONS:** None.

CERTIFIED BY:

/s/
LaVerne H. Council
Assistant Secretary for
Information and Technology and
Chief Information Officer

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
Gina S. Farrissee
Assistant Secretary for
Human Resources and Administration

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BENEFITS

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[EMPLOYEE BENEFITS

PART IV. U.S. FLAG RECOGNITION BENEFIT FOR DECEASED FEDERAL
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**[PART IV. U.S. FLAG RECOGNITION BENEFIT FOR DECEASED
FEDERAL CIVILIAN EMPLOYEES**

1. PURPOSE. This part implements the “Civilian Service Recognition Act of 2011” (Public Law 112-73) which authorizes a United States flag to be furnished to a beneficiary on behalf of an employee who died of injuries incurred in connection with his/her employment under specific circumstances. This part establishes the Department of Veterans Affairs (VA) procedures for the approval, request, and distribution of the United States flag for this benefit.

2. RESPONSIBILITIES

a. The Assistant Secretary for Human Resources and Administration (AS/HRA) is responsible for:

(1) Reporting the death of the employee to the Office of Personnel Management’s (OPM) Enterprise Human Resources Integration (EHRI) Warehouse using the nature of action code 354;

(2) Maintaining a Service Level Agreement (SLA) with the Office of Acquisition, Logistics and Construction (OALC) to provide flags for the flag recognition benefit at the unit price currently being charged to Veterans Benefits Administration for Veteran burial flags;

(3) Maintaining Memorandums of Understanding (MOU) with the Veterans Health Administration, Veterans Benefits Administration and National Cemetery Administration to annually bill for the cost of flags that exceed the annual \$300.00 waiver limitation prescribed by OALC;

(4) Coordinating with Staff Offices to annually bill for the cost of flags that exceed the \$300.00 annual waiver limitation prescribed by OALC;

(5) Approving or disapproving flag recognition benefit requests;

(6) Requesting that OPM add the deceased employee’s name to the OPM Wall of Honor upon request from the deceased employee’s Facility Director; and

(7) Notifying employees annually of the flag recognition benefit.

b. The Worklife and Benefits Service, Office of Human Resources Management (OHRM), is responsible for:

(1) Providing guidance regarding the flag recognition benefit to Human Resources (HR) Officers;

(2) Analyzing and making recommendations for approval or disapproval of flag recognition benefit requests;

(3) Forwarding approved flag recognition benefit requests to OALC to furnish flags to the appropriate facility HR Office;

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(4) Maintaining record of the number of flags furnished to Administrations and Staff Offices annually; and

(5) Providing flag counts and billing amounts to OHRM Resources Management Service if the cost of flags exceeds the annual \$300.00 waiver limitation prescribed by OALC.

c. OHRM Resources Management Service is responsible for billing Administrations and Staff Offices annually if the cost of furnished flags exceeds the annual \$300.00 waiver limitation prescribed by OALC.

d. Facility Directors are responsible for:

(1) Submitting requests through appropriate channels to the AS/HRA for approval of the flag recognition benefit (see sample in Appendix A); and

(2) Submitting requests through appropriate channels to the AS/HRA to request that the flag recognition benefit recipient's name be included on the OPM Wall of Honor (see sample in Appendix B).

e. Facility HR Officers are responsible for:

(1) Documenting that a deceased employee meets the eligibility criteria to receive the flag recognition benefit;

(2) Preparing requests for the flag recognition benefit in accordance with paragraph 6 of this part;

(3) Distributing flags to qualified beneficiaries within 30 days of receipt from OALC; and

(4) Notifying the flag beneficiary of the OPM Wall of Honor benefit.

f. OALC is responsible for:

(1) Purchasing, storing and mailing flags in response to requests from AS/HRA; and

(2) Billing AS/HRA once annually for any flags issued at the unit price currently being charged to Veterans Benefits Administration for Veteran burial flags, which is inclusive of all shipping and handling, providing the annual cost to support the flag recognition benefit exceeds \$300.00 in any given year.

g. Qualified beneficiaries are responsible for:

(1) Providing documentation establishing the relationship to the deceased employee that may include: copy of a marriage certificate for a spouse, copy of a birth certificate or adoption papers for a child, copy of a divorce decree, or a domestic partnership declaration; and

(2) Submitting a written request for the name of the recipient of the flag recognition benefit to be added to or deleted from the OPM Wall of Honor to the facility HR Officer.

3. REFERENCES

- a. 5 CFR, part 550, subpart O
- b. 5 U.S. C. § 2105
- c. 5 U.S.C. § 5570
- d. Civilian Service Recognition Act of 2011, Public Law 112-73; December 20, 2011
- e. Department of Veterans Affairs Use of Flag and Correct Folding Method, VA Form 10082.

4. DEFINITIONS

- a. **Eligible employee.** An individual who:

- (1) Was an employee of the Department (as defined in 5 U.S.C. 2105), and

- (2) Who died on or after December 20, 2011, of injuries incurred in connection with such individual's employment with the Federal Government, suffered as a result of a criminal act, act of terrorism, a natural disaster, or other circumstances as determined by the President.

NOTE: *A flag may not be furnished when the death is the result of unlawful or negligent action of the employee; willful misconduct of the employee; or activities unrelated to the employee's status as a Federal employee.*

- b. **Beneficiary.** An individual qualified to request and receive the flag recognition benefit on behalf of a fallen employee in the following order of precedence:

- (1) Widow or widower

- (2) If none, a child, (including step, foster or adopted child) according to age (i.e. oldest to youngest);

- (3) If none, a parent (including step, foster or adoptive parent);

- (4) If none, a sibling (including step, half or adopted sibling) according to age (i.e. oldest to youngest; and

- (5) If none, any individual related by blood or close family affiliation, including domestic partnership.

- c. **OPM Wall of Honor.** A memorial that displays names of employees who died in the line of duty. Eligibility requirements are the same as those for the flag recognition benefit. The memorial is located in the lobby of the OPM Headquarters building in Washington, D.C.

5. FORMS AND APPLICATION PACKAGES

- a. **Forms.** Application for U.S. Flag Recognition Benefit for Deceased Federal Civilian Employees, OPM Form 1825 can be found on the OHRM Benefits website and SharePoint site.
- b. **Initial Applications.** Facility HR Officers must submit OPM Form 1825 and appropriate documentation outlined in paragraph 6 below through appropriate channels to the AS/HRA for approval.
- c. **Wall of Honor Beneficiary Applications.** Qualified beneficiaries who receive the flag recognition benefit may subsequently request in writing to the AS/HRA that the flag benefit recipient's name be added to the OPM Wall of Honor.

6. REQUEST SUBMISSION AND DISTRIBUTION PROCEDURES

- a. If the HR Officer determines that the deceased employee is a candidate for receipt of the flag recognition benefit, the HR Officer will contact the qualified beneficiary and notify him/her of the flag recognition benefit, procedures for submitting a request for the flag recognition benefit; and documentation requirements for meeting eligibility criteria (see Appendix C).
- b. Upon receipt of a request for the flag recognition benefit from a qualified beneficiary, the facility HR Officer will prepare a request for the flag recognition benefit, including:
 - (1) OPM Form 1825;
 - (2) Memorandum requesting flag recognition benefit (see sample in Appendix A); and
 - (3) Documentation that both employee and beneficiary eligibility criteria are met.
- c. If the Facility Director concurs with the request, the complete package will be forwarded through appropriate channels to the AS/HRA.
- d. The OHRM Worklife and Benefits Service will review the request for completeness and make a recommendation for approval or disapproval.
- e. The AS/HRA will approve/disapprove the request in writing within 60 days of receipt. The response for any request that is not approved will include the reason for disapproval.
- f. The OHRM Worklife and Benefits Service will forward approved flag recognition benefit requests to OALC and request that a flag be furnished to the appropriate facility HR Office.
- g. Upon approval of a flag recognition benefit and receipt of the flag, the facility HR Officer will:
 - (1) Notify the beneficiary of the flag recognition approval;
 - (2) Fold the flag according to VA Form 10082, Department of Veterans Affairs Use of Flag and Correct Folding Method;

(3) Present the flag to the beneficiary within 30 days of receipt of the flag;

(4) Notify the beneficiary of the OPM Wall of Honor; and

(5) Forward the beneficiary's request, if applicable, through appropriate channels to the AS/HRA to have the flag recognition benefit recipient's name be added or deleted from the OPM Wall of Honor.

h. OALC will:

(1) Issue the flag from the Service and Distribution Center to the appropriate facility HR Office; and

(2) Bill AS/HRA once annually providing the annual cost to provide flags for the recognition benefit exceeds \$300.00 in any given year.

7. RETROACTIVE REQUESTS

a. Facility HR Offices will review death in service employee records dating back to December 20, 2011 to see if any deceased employees qualify for the flag recognition benefit.

b. If the HR Office finds that a deceased employee does retroactively qualify for the flag recognition benefit, they will follow the Request Submission and Distribution Procedures in paragraph 6 above.]

March 2, 2016

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APPENDIX A

[APPENDIX A. SAMPLE REQUEST FOR FLAG RECOGNITION BENEFIT

Department of
Veterans Affairs

Memorandum

Date:

From: Director, VA Name of Facility () identify mail code

Subj: Request for Beneficiary to Receive Flag Recognition Benefit

To: Assistant Secretary for Human Resources and Administration (006)

Thru: (Name and mail code of applicable Under Secretary or Assistant Secretary)

1. I am requesting that the beneficiary of (deceased employee's name) receive the flag recognition benefit.
2. (deceased employee's name) was an employee of the Department of Veterans Affairs and died on (date of employee death), of injuries incurred in connection with such individual's employment with the Federal Government, suffered as a result of (cite specific circumstances that meet criteria for receipt of flag recognition benefit).
3. We request that your decision be provided as expeditiously as possible. Questions regarding this request may be directed to (name of contact), (title) and (telephone).

(Name of the Director)

Attachment (supporting documentation that deceased employee has met the criteria to receive the flag recognition benefit)

Concur/ Do Not Concur:

Administration or Staff Office Head (as appropriate)

Date

Approve/Disapprove:

Assistant Secretary for
Human Resources and Administration]

Date

[APPENDIX B. SAMPLE REQUEST FOR OPM WALL OF HONOR RECOGNITION

Department of
Veterans Affairs

Memorandum

Date:

From: Director, VA Name of Facility () identify mail code

Subj: Request for Recognition of Flag Benefit Recipient on OPM Wall of Honor

To: Assistant Secretary for Human Resources and Administration (006)

Thru: (Name and mail code of applicable Under Secretary or Assistant Secretary)

1. I am requesting that (deceased employee's name), a fallen civilian employee receiving the flag recognition benefit, be added to the Office of Personnel Management's Wall of Honor.
2. (deceased employee's name) was an employee of the Department of Veterans Affairs and died on (date of employee death), of injuries incurred in connection with such individual's employment with the Federal Government, suffered as a result of (cite specific circumstances that meet criteria for receipt of flag recognition benefit).
3. (deceased employee's name) beneficiary received the flag recognition benefit on (date).
4. We request that your decision be provided as expeditiously as possible. Questions regarding this request may be directed to (name of contact), (title) and (telephone).

(Name of the Director)

Attachment (Flag Recognition Benefit Approval)

Concur/ Do Not Concur:

Administration or Staff Office Head (as appropriate)

Date

Approve/Disapprove:

Assistant Secretary for
Human Resources and Administration]

Date

March 2, 2016

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APPENDIX C**

**[APPENDIX C. SAMPLE BENEFICIARY NOTIFICATION OF ELIGIBILITY TO RECEIVE
CIVILIAN FLAG BENEFIT**

Name of Beneficiary
Street Address
City, State Zip Code

Dear Sir/Ma'am,

Please accept my condolences for the loss of your (relationship to employee) who died while performing public service as a federal employee. I am honored to inform you that Public Law 112-73, the "Civilian Service Recognition Act," authorized the VA to acknowledge your loved one's death with the provision of a United States Flag. This benefit is provided to eligible beneficiaries of Federal civil servants who die in the line of duty due as a result of a criminal act, terrorist attack, natural disaster or other circumstance as determined by the President.

If you wish to receive this flag or have any questions about this benefit, please contact (insert name and telephone number of the Human Resources Office point of contact).

Sincerely,

Human Resources Officer]

March 2, 2016

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APPENDIX D**

[APPENDIX D. SAMPLE NEXT OF KIN NOTIFICATION OF WALL OF HONOR MEMORIAL

Name of Beneficiary
Street Address
City, State Zip Code

Dear Sir/Ma'am,

I am honored to inform you that your loved one's name will be included on the list of honorees for the Wall of Honor Memorial in recognition of (his/her) contribution and sacrifice in the service to our country.

On April 11, 2013, the Office of Personnel Management dedicated the Wall of Honor Memorial to recognize those civilian Federal employees who have made the ultimate sacrifice in service to their country. The circumstances of the death of your loved one while performing federal service meet the criteria to be listed among the names of the other Federal civil servants who have died in the line of duty. The name of your loved one will be made public during a Wall of Honor Memorial ceremony. If you wish to participate or have any questions about the recognition, please contact (insert name and telephone number of Human Resources Office point of contact).

Sincerely,

Human Resources Officer]