Drill Pay Waivers (Refresher)

Instructor Lesson Plan

Time Required: 2.5 Hours

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| Lesson Description | |
| The information below provides the instructor with an overview of the lesson and the materials that are required to effectively present this instruction. | |
| TMS # | 4192946 |
| Prerequisites | Prior to this lesson, the Veteran Service Representatives (VSRs) should have completed VSR Post-Determination Challenge |
| target audience | The target audience for Drill Pay Waivers (Refresher) is VSR Intermediate or Journey Level.  Although this lesson is targeted to teach the VSR Intermediate or Journey Level employee, it may be taught to other VA personnel as mandatory or refresher type training. |
| Time Required | 2.5 hours |
| Materials/ TRAINING AIDS | Lesson materials:   * Drill Pay Waivers (Refresher) PowerPoint Presentation * Drill Pay Waivers (Refresher) Trainee Handouts |
| Training Area/Tools | The following are required to ensure the trainees are able to meet the lesson objectives:   * Classroom or private area suitable for participatory discussions * Seating, writing materials, and writing surfaces for trainee note taking and participation * Handouts, which include a practical exercise * Large writing surface (easel pad, chalkboard, dry erase board, overhead projector, etc.) with appropriate writing materials * Computer with PowerPoint software to present the lesson material   Trainees require access to the following tools:   * VA TMS to complete the assessment |
| Pre-Planning | * Become familiar with all training materials by reading the Instructor Lesson Plan while simultaneously reviewing the corresponding PowerPoint slides. This will provide you the opportunity to see the connection between the Lesson Plan and the slides, which will allow for a more structured presentation during the training session. * Become familiar with the content of the trainee handouts and their association to the Lesson Plan. * Practice is the best guarantee of providing a quality presentation. At a minimum, do a complete walkthrough of the presentation to practice coordination between this Lesson Plan, the trainee handouts, and the PowerPoint slides and ensure your timing is on track with the length of the lesson. * Ensure that there are copies of all handouts before the training session. * When required, reserve the training room. * Arrange for equipment such as flip charts, an overhead projector, and any other equipment (as needed). * Talk to people in your office who are most familiar with this topic to collect experiences that you can include as examples in the lesson. * This lesson plan belongs to you. Feel free to highlight headings, key phrases, or other information to help the instruction flow smoothly. Feel free to add any notes or information that you need in the margins. |
| Training Day | * Arrive as early as possible to ensure access to the facility and computers. * Become familiar with the location of restrooms and other facilities that the trainees will require. * Test the computer and projector to ensure they are working properly. * Before class begins, open the PowerPoint presentation to the first slide. This will help to ensure the presentation is functioning properly. * Make sure that a whiteboard or flip chart and the associated markers are available. * The instructor completes a roll call attendance sheet or provides a sign-in sheet to the students. The attendance records are forwarded to the Regional Office Training Managers. |

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| Introduction to Drill Pay Waivers (Refresher) | | |
| INSTRUCTOR INTRODUCTION | | Complete the following:   * Introduce yourself * Orient learners to the facilities * Ensure that all learners have the required handouts |
| time required | | 0.25 hours |
| Purpose of Lesson  Explain the following: | | This lesson is intended to refresh the intermediate or journey level VSR on the requirements for waiver of VA benefits when a Veteran is in receipt of active or inactive duty training pay (Drill Pay) in the Reserves or National Guard. This lesson will contain discussions and exercises that will allow you to gain a better understanding of:   * Reviewing VA Form 21-8951 and Preparing Information * Other types of Drill Pay Adjustments * Inputting the Award Information & Notification |
| Lesson Objectives  Discuss the following:  Slide 2  Handout p.2 | In order to accomplish the purpose of this lesson, the VSR will be required to accomplish the following lesson objectives.  TheVSR will be able to:   * Identify the steps in reviewing and preparing drill pay waiver award adjustments, to include development for missing information and sending a proposed adverse action notice if necessary * Understand less common adjustments involved with drill pay waivers * Input drill pay adjustment information into VA awards systems * Accurately notify Veterans of decisions regarding drill pay waivers | |
| Explain the following: | Each learning objective is covered in the associated topic. At the conclusion of the lesson, the learning objectives will be reviewed. | |
| Motivation | Explain to the VSRs the Veteran is ultimately responsible for reporting the number of drill days performed for the selected fiscal year, but it is equally important that the adjustment is done correctly by the VSR. This ensures the Veteran is paid correctly and pay adjustments are made in a timely manner. | |

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| STAR Error code(s) | B2, B3, G1, I1, I2, I3, K1, K2 |
| References  Slide 3  Handout p.3 | Explain where these references are located in the workplace.  All M21-1 references are found in the [Live Manual Website](https://vaww.compensation.pension.km.va.gov/).   * [10 U.S.C § 12316](https://www.law.cornell.edu/uscode/text/10/12316), Payment of certain Reserves while on duty * [38 U.S.C. § 5304 (c)](https://www.law.cornell.edu/uscode/text/38/5304), Prohibition against duplication of benefits * [38 CFR 3.654(c)](http://www.ecfr.gov/cgi-bin/text-idx?SID=75794814451aa554401c0867c0aeda13&mc=true&node=se38.1.3_1654&rgn=div8), Active service pay: Training duty * [38 CFR 3.700 (a)(1)(iii)](http://www.ecfr.gov/cgi-bin/text-idx?SID=75794814451aa554401c0867c0aeda13&mc=true&node=se38.1.3_1700&rgn=div8), General: Veterans: Active service pay: Reservists * [M21-1, Part I, Subpart 2](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Ftopic%2F554400000003064%2FChapter-2-Due-Process), Due Process * [M21-1, Part III, Subpart v, 4.C](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000014246%2FM21-1-Part-III-Subpart-v-Chapter-4-Section-C-Adjusting-Department-of-Veterans-Affairs-VA-Benefits-Based-on-a-Veterans-Receipt-of-Active-Service-Pay), Adjusting Department of Veterans Affairs (VA) Benefits Based on a Veteran’s Receipt of Active Service Pay * [VA Compensation Rate Tables](http://vbaw.vba.va.gov/bl/21/publicat/Manuals/Rates/rates_home.htm) * [Letter Creator Tool](http://vbaw.vba.va.gov/bl/21/rating/rat00.htm) * [VSR Assistant Resources – Adverse Action Calculator](http://epss.vba.va.gov/vsr_assistant/resource_index.html) |

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| Topic 1: Reviewing VA Form 21-8951 & Preparing Information | |
| Introduction | This topic will allow the trainee to refresh their knowledge of key elements and concepts of drill pay to include identifying fiscal years, payment rates, and drill pay calculations. |
| Time Required | 1 hour |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Identify the steps in reviewing and preparing drill pay waiver award adjustments, to include development for missing information and sending a proposed adverse action notice if necessary   The following topic teaching points support the topic objectives:   * Veteran’s Options for Completing VA Form 21-8951 * Initial Review of VA Form 21-8951 * Processing VA Form 21-8951 * Identify Fiscal Year (FY) & Number of Training Days * Failure to Return VA Form 21-8951 * Versions of VA Form 21-8951/8951-2 * Determining the Effective Date of Withholding |
| Veteran’s Options for Completing VA Form 21-8951  Slide 4-5  Handout p.4 | Discuss the four options the Veteran has when completing VA Form 21-8951/8951-2. |
| Initial Review of VA Form 21-8951  Slide 6  Handout p.5 | Emphasize what the date of claim should be. Either:   * The date the VA Form 21-8951 is received, or * The date of the 820 work item (WI)   Remind trainees to review the form for completeness when it is returned by the Veteran. (Acceptance of or disagreement with the information on the front, all required signatures, etc.) |
| Processing VA Form 21-8951  Slide 7-9  Handout p.5 | If required signatures are missing, the form must be sent back to the Veteran for completion. Give the Vet 30 days to return the completed form, under the existing EP. (Use *Form Not Completed* letter.)  Discuss what to do if the Veteran checks the box, *I received no military pay and allowances during the fiscal year(s) indicated on the front of this form*, or *I elect to waive military pay and allowances for the days indicated in order to retain my VA compensation or pension.*  Note that the actual VA Form 21-8951/8951-2 is not required as long as all information is provided. ([M21-1, Part III, Subpart v, C.3.a](https://vaww.compensation.pension.km.va.gov/system/templates/selfservice/va_ka/portal.html?encodedHash=%23!agent%2Fportal%2F554400000001034%2Farticle%2F554400000014246%2FM21-1-Part-III-Subpart-v-Chapter-4-Section-C-Adjusting-Department-of-Veterans-Affairs-VA-Benefits-Based-on-a-Veterans-Receipt-of-Active-Service-Pay).) |
| Identify Fiscal Year (FY) & Number of Training Days  Slide 10-12  *Handout p. 6-7* | Discuss the following:   * Standard 30-day month * Identify the FY period – October 1 to September 30 * Greater than 179 days * Determine the rates and number of days to withhold   Also discuss the steps to take when the Veteran received drill pay and was on active duty within the same FY. |
| Failure to Return VA Form 21-8951  Slide 13  *Handout p.7-8* | If the form is not returned within 60 days from the date it is sent out by Hines ITC, an 820 Drill Pay Waiver WI will be generated.  Discuss the steps involved in sending a notice of proposed adverse action (Due Process letter) to the Veteran, including what to do if there is no response after 65 days. |
| Versions of VA Form 21-8951/8951-2  Slide 14-15  *Handout p.8* | Discuss the changes that were made to VA Form 21-8951 dated December 2014 and VA Form 21-8951-2 dated February 2015 and how they differ from the prior forms. |
| Determining the Effective Date of Withholding  Slide 16-18  *Handout p. 8-9* | Explain the procedures for drill pay adjustments effective February 25, 2016. The effective date to begin the withholding will be October 1 of the current FY.  Explain that for pending due process prior to this date the adjustment will be processed as proposed. Discuss the “What are Your Options” paragraph.  Discuss the actions to take when the Veteran comes back in claiming financial hardship. |

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| Topic 2: Other Types of Drill Pay Adjustments | |
| Introduction | This topic will allow the trainee to gain knowledge of proper adjustment rates when variations in payment rates occur during a given fiscal year. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Understand less common adjustments involved with drill pay waivers   The following topic teaching points support the topic objectives:   * Advanced Notice of Receipt of Drill Pay * Paragraph 29 or 30 * Increased Rating * Decreased Rating |
| Advanced Notice of Receipt of Drill Pay  Slide 19  Handout p. 10 | Discuss the action to take when the Veteran notifies VA in advance that he or she will receive drill pay during a fiscal year. |
| Paragraph 29 or 30  Slide 19  Handout p.10 | Emphasize that the rate to withhold is the permanent rate that the Veteran was receiving at the end of the FY. If a Veteran has a *temporary* 100% evaluation under paragraph 29 or 30, we will not withhold at the 100% rate. |
| Increased Rating  Slide 19  Handout p.10-11 | Explain what happens when an increase is granted retroactively to the last day of the fiscal year for which benefits had already been adjusted, to include increasing the withholding and when due process is needed. |
| Decreased Rating  Slide 19  Handout p.11 | Explain the actions to take when the rates at the end of the FY for which benefits are being withheld are greater than the rate the Veteran received at the beginning of the current FY.  \* The table in M21-1 III.v.4.C.4.g provides instructions for when the monthly rate of payment at the end of the fiscal year in which the Veteran received drill pay is $0.00. |

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| Topic 3: Inputting Award Information & Notification | |
| Introduction | This topic will allow the trainee to refresh their understanding of how to input drill pay waiver adjustments in VBMS-A. |
| Time Required | 0.25 hours |
| OBJECTIVES/ Teaching Points | Topic objectives:   * Input drill pay adjustment information into VA awards systems * Accurately notify Veterans of our decision regarding drill pay waivers   The following topic teaching points support the topic objectives:   * Steps for inputting award information * Types of notification |
| Steps for inputting award information  Slide 20  Handout p.12-14 | Discuss how to navigate into the Award Adjustments screen to withhold for drill pay using the screen shot on slide 20 of the PowerPoint presentation. |
| Types of notification  Slide 21  Handout p.14 | Inform the trainees that notification can be done in either ADL or PCGL, but ADL should be used whenever possible. Emphasize that regardless of which letter is used, we have to manually add the evidence into the letter. |
| Regional Office Specific Topics | **This row should be included ONLY in the last topic before the Practical Exercise.**  At this time add any information pertaining to:   * Station quality issues with this lesson * Additional State specific programs/guidance on this lesson |

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| Lesson Review, Assessment, and Wrap-up | |
| Introduction  Discuss the following: | The Drill Pay Waivers (Refresher) lesson is complete.  Review each lesson objective and ask the trainees for any questions or comments. |
| Time Required | 0.25 hours |
| Lesson Objectives | You have completed the Drill Pay Waivers (Refresher) lesson.  The trainee should be able to:   * Identify the steps in reviewing and preparing drill pay waiver award adjustments, to include development for missing information and sending a proposed adverse action notice if necessary * Understand less common adjustments involved with drill pay waivers * Input drill pay adjustment information into VA awards systems * Accurately notify Veterans of our decision regarding drill pay waivers |
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| Assessment | Remind the trainees to complete the on-line assessment in TMS to receive credit for completion of the course.  The assessment will allow the participants to demonstrate their understanding of the information presented in this lesson. |
| Time Required | 0.5 hours |