

§ 842.909

chapter, such separation will be considered erroneous.

§ 842.909 Review of decisions.

The following decisions may be appealed to the Merit Systems Protection Board under procedures prescribed by the Board:

(a) The final decision of the Department of Energy issued to an employee, former employee, or survivor as the result of a request for determination filed under § 842.906; and

(b) The final decision of the Department of Energy that a break in service referred to in § 842.904(a)(2) did not begin with an involuntary separation within the meaning of 5 U.S.C. 8414(b)(1)(A).

§ 842.910 Oversight of coverage determinations.

(a) Upon deciding that a position is a nuclear materials courier position, the agency head must notify OPM (Attention: Associate Director for Retirement and Insurance) stating the title of each position, the number of incumbents, and whether the position is primary or secondary. The Director of OPM retains the authority to revoke the agency head's determination that a position is a primary or secondary position, or that an individual's service in any other position is creditable under 5 U.S.C. 8412(d).

(b) The Department of Energy must establish a file containing each coverage determination made by the agency head under § 842.903 and § 842.904, and all background material used in making the determination.

(c) Upon request by OPM, the Department of Energy will make available the entire coverage determination file for OPM to audit to ensure compliance with the provisions of this subpart.

(d) Upon request by OPM, the Department of Energy must submit to OPM a list of all covered positions and any other pertinent information requested.

5 CFR Ch. I (1-1-10 Edition)

PART 843—FEDERAL EMPLOYEES RETIREMENT SYSTEM—DEATH BENEFITS AND EMPLOYEE REFUNDS

Subpart A—General Provisions

Sec.

- 843.101 Purpose.
- 843.102 Definitions.
- 843.103 Application required.

Subpart B—One-time Payments

- 843.201 Purpose.
- 843.202 Eligibility for payment of the unexpended balance to a separated employee.
- 843.203 Eligibility for a one-time payment upon death of an employee, separated employee, or retiree if no one is eligible for an annuity.
- 843.204 Eligibility for a one-time payment upon death of an employee, separated employee, or retiree if someone is eligible for an annuity.
- 843.205 Designation of beneficiary—form and execution.
- 843.206 Designation of beneficiary—proof of receipt.
- 843.207 Agent of next of kin.
- 843.208 Notification of current and/or former spouse before payment of unexpended balance to a separated employee.
- 843.209 Waiver of notification requirement.
- 843.210 Transfers between retirement systems.
- 843.211 Determining when children prevent payment of the unexpended balance.
- 843.212 Lump-sum payments which include contributions made to a retirement system for employees of a nonappropriated fund instrumentality.

Subpart C—Current and Former Spouse Benefits

- 843.301 Purpose.
- 843.302 Time for filing applications for death benefits.
- 843.303 Marriage duration requirements.
- 843.304 Commencing and terminating dates of survivor annuities.
- 843.305 Reinstatement.
- 843.306 Basic benefits on death of a non-disability retiree.
- 843.307 Basic benefits on death of a disability retiree.
- 843.308 Supplementary benefits on death of a retiree.
- 843.309 Basic employee death benefit.
- 843.310 Annuity based on death of an employee.
- 843.311 Annuity based on death of a separated employee.
- 843.312 Payment to former spouses.