

GI Bill and Post-9/11 Bill Benefits: On-the-Job Training An Introduction for NATCA Members

As a result of many years of advocacy by NATCA, in 2008 the U.S. Department of Veterans Affairs (VA) certified three on-the-job training programs for entry-level air traffic controllers at the FAA. This VA certification allows air traffic controllers, who have proudly served in the military, to take advantage of VA educational benefits during their time training at the FAA.

Under both the Montgomery GI Bill and the Post-9/11 GI Bill, veterans can access financial support in order to learn a trade or skill through training on the job, rather than attending formal classroom instruction. The intent of the VA's on-the-job training or apprenticeship programs is to provide a supplementary stipend to a trainee while he or she is considered an apprentice and receives trainee-level pay, below the normal pay level of a journeyman or certified professional.

There are three, separate VA-certified apprenticeship/on-the-job training programs at the FAA in which veterans can use their educational benefits. The Terminal Air Traffic Controller Apprenticeship Training Program has been approved by the VA to last between 4,160 and 5,378 hours of training (or about 33 months). The En Route Air Traffic Controller Apprenticeship Training Program allows for between 6,240 and 8,043 hours of training (or about 48 months). Finally, the Airway Transportation Systems Specialist On-the-Job Training Program is approved for 4,528 hours training on the job (approximately 24 months).

Sources of Veterans' Educational Benefits:

The Montgomery GI Bill assists veterans with the pursuit of higher education degrees, certificates, and other education and training, mainly via the following two sub-programs:

- Active Duty (MGIB-AD/Chapter 30), for veterans and Servicemembers who have at least two years of active duty.
- Selected Reserve (MGIB-SR/Chapter 1606), for eligible members of the Selected Reserve, including the Army Reserve, Navy Reserve, Air Force Reserve, Marine Corps Reserve and Coast Guard Reserve, and the Army National Guard and the Air National Guard. Eligibility for this program is determined by the Selected Reserve components and the VA makes the payments.

The VA also offers other GI Bill educational and training benefits programs, including:

- Reserve Educational Assistance Program (REAP/Chapter 1607), for members of the

Reserve components called or ordered to active duty in response to a war or national emergency declared by the President or Congress. (This program will expire on November 25, 2019 and has largely been replaced by the Post-9/11 GI Bill – see below.)

- Survivors' and Dependents' Educational Assistance Program (DEA/Chapter 35), for eligible dependents of veterans who are permanently and totally disabled due to a service-related condition or of veterans who died while on active duty or as a result of a service-related condition.
- Veterans Educational Assistance Program, specifically for those veterans who made contributions from their military pay in order to participate.

The Post-9/11 GI Bill provides for up to 36 months of higher education or training benefits to veterans and service members who have served for at least 90 days of aggregate service after September 10, 2001. To be eligible for 100% of the available benefit, an individual must have served an aggregate of 36 months of active duty service, or have been discharged for a service-connected disability after 30 days of continuous service after September 10, 2001.

Please note that while you may be eligible for more than one VA educational or training benefit program, generally however, you can only receive payments from one program at a time.

Award Process:

New employees at the FAA Academy in Oklahoma City who want to learn more about their eligibility for benefits should visit the VA website at <https://benefits.va.gov/gibill/> as early as possible, in order to protect your rights and timely access your entitlements. Before arriving at your facility, please ensure you have already registered with the VA for your benefits and have a copy of your Certificate of Eligibility available. The easiest way to do this is to submit an application on the VA Veterans Benefits Administration website. Otherwise, you can call the VA and ask for a paper application to be mailed to you.

Once you have done this and the VA determines you are eligible for benefits, an appropriate FAA point-of-contact will act as the Certifying Official and will be responsible for completing your enrollment and reporting your monthly training hours to the VA. If you graduate from the Academy and are assigned to an FAA facility, you will complete enrollment at your facility in concert with the facility Certifying Official. (You will, however, get back pay for your time at the Academy – see below.) Only those who do not graduate from the Academy to a facility will have their paperwork processed by an FAA point-of-contact at the Academy.

The VA will then review your application in relation to eligibility data it receives directly from the Department of Defense. Once the VA establishes your eligibility, you and the FAA Certifying Official from your facility will submit the required data, including a training

agreement and certification of your enrollment in the applicable FAA training program. The VA will then calculate the award amount for which you are eligible. The FAA Certifying Official will continue to be responsible for verification of your attendance and training hours, on a form that you must submit to the VA on a monthly basis. The VA will pay a monthly benefit stipend in accordance with the documentation received from you and the Certifying Official, and its award calculations based on your individual eligibility.

Back Pay:

After the VA determines an applicant's eligibility, it will, according to the training dates supplied by the FAA's Certifying Official, calculate any back pay that may be due to the individual. Most likely, you will receive a lump sum of back pay covering your Academy time and your time at your facility, to date. In each case, the initial award letter from the VA should clarify how it calculated your payments. The initial award letter will also include a description of the VA appeal process, should you believe that its calculations are in error.

If you file an appeal, it is important to follow the VA's instructions closely. The first, crucial step is the required notification of your intention to dispute the award. This initial notification initiates the appeal process and protects the applicant's right to appeal. Ultimately, the VA claims department will review the appeal and make the appropriate final determination. The FAA plays no part in the appeal. You should deal directly with the VA regarding any appeal.

Training Wages:

Under the Montgomery GI Bill, the VA generally pays as follows, to supplement the employer's wages during the veteran's on-the-job training period:

- 75% of the full-time GI Bill rate for the first six months of training
- 55% percent of the full-time GI Bill rate for the second six months of training
- 35% percent of the full-time GI Bill rate for the remainder of the training program

Under the Post-9/11 Bill, the calculation differs slightly, based on the amount of the award for which you are eligible:

- 100% of your applicable award for the first six months of training
- 80% of your applicable award for the second six months
- 60% of your applicable award for the third six months
- 40% of your applicable award for the fourth six months
- 20% of your applicable award for any remaining training time

Because the Bills' coverage differs depending on the unique circumstances of each applicant, the pay rates for each trainee vary as well. Remember that all of the published pay scales are in general terms. Any numbers and percentages published regarding the program for air traffic controllers are generalities as well.

Training Hours:

In order to receive the full individual benefit from the VA, a veteran must train for 120 hours during the month in question. These hours must be hours in a paid duty status. In accordance with law, the VA will not pay the benefit if the trainee was not in a work status covered by the program. For example, if you use a total of 14 days of various types of leave during a month and are only on duty for a total of seven days (all other days being RDOs), you will only be eligible to receive a benefit commensurate with seven days of training.

As a special note on the FAA's training program hours, an FAA trainee may be eligible to use training hours from more than one FAA program, depending on the circumstances. For example, a controller who receives VA educational benefits for training in the FAA's En Route Training Program, but as a result of not progressing transfers into a Terminal Training Program, is entitled to use the approved hours of the FAA Terminal Training Program, up to the individual controller's VA-approved maximum benefit, which controls in all cases.

FAA Involvement:

The FAA's role in the award process is limited. An FAA Certifying Official for each facility enrolls applicants in the program, and certifies training data, including the trainee's start date (generally the Academy start date) and projected certification date. The Certifying Official reports monthly training hours to the VA, and must also notify the VA of any wage increases. Finally, he or she is required to maintain all records for at least three years after training is complete (though you as the trainee should do so as well, as the VA may audit the training records).

As a best practice, NATCA recommends that a trainee should address any dispute over eligibility issues or a specific amount paid by the VA by dealing directly with the VA, using the formal processes established by the VA for reviewing eligibility, pay computations, or other determinations.

TMCs, CICs, and CPC-ITs:

For clarification, veterans are not entitled to receive the VA's GI Bill or Post-911 Bill on-the-job training benefits when training to becoming a Traffic Management Coordinator (TMC).

These program benefits are designed to compensate for the fact that trainees/apprentices receive reduced on-the-job training/apprenticeship wages while training. The benefits end once the trainee or apprentice achieves journeyman status and certifies in the profession, which is also generally the time when the reduced, trainee-level wages come to an end and the individual first receives journeyman-level pay.

As TMCs are, by definition, Certified Professional Controllers (meaning they have reached the journeyman level and achieved certification), they can no longer receive the on-the-job training benefits meant for those who have yet to receive certification. When learning to become a TMC, controllers do not receive the artificially-low salary of a trainee; they receive the journeyman-level wage of a certified air traffic controller. Therefore, certified air traffic controllers training for the TMU cannot receive on-the-job training benefits from the VA.

The law provides that VA may only pay on-the-job training benefits to veterans and other eligible individuals while they pursue *approved* training programs, like the approved programs for air traffic controllers (and airway transportation system specialists) at the FAA. There is no approved program for TMCs, because these individuals have already reached the journeyman level in the profession and achieved certification. Even if you may have heard anecdotal stories about others receiving the benefits when training for the TMU, it is important to note that the VA may audit the records of approved training programs for mistakes, and will seek repayment of any overpayment of benefits.

The above also holds true for air traffic controllers training to become controllers-in-charge, or training for a supervisory or management position. You may not use your GI Bill or Post-9/11 Bill benefits for these types of trainings.

New Benefit for CPC-ITs – Air Traffic Controllers may now receive educational benefits when training as CPC-ITs.

Conversely and uniquely, according to the FAA, air traffic controllers *are* approved by the VA to receive educational benefits when training as CPC-ITs. Air traffic controllers are the only professionals approved to use their benefits in this way, after certification/journeyman status, recognizing the singular nature of the air traffic controller training progression. A CPC-IT with remaining veterans' educational benefits should immediately speak with the FAA Certifying Official at the new facility about claiming these benefits. You should also contact the VA in the same manner as when you first accessed benefits, about all aspects of the benefit for which you are eligible.

Questions:

If you have specific questions about your benefits application, award, or payments, please contact the VA as discussed above. In addition, if you have any questions about the information contained in this document or if you have general questions about GI Bill Benefits, please submit your questions to NATCA at GIBill@natca.net.