Chapter 20: Name Change (Nature of Action 780)

Contents

New text changes and/or additions are distinguished in >dark red font surrounded by angled brackets<. Deletion/removal of text is distinguished with *** in green font.

1. **Coverage**

   This chapter explains when and how to change the name documented on an employee's personnel records. More information on how an employee's name may be recorded on personnel records is found in Chapter 3 of this Guide.

   Do not use this chapter to correct previous personnel actions that contain errors in the employee's name. Follow the instructions in Chapter 32 of this Guide to correct those actions.

2. **Rules on Processing Name Changes**

   a. **Mandatory changes.** The employing agency ***must*** accept and process an employee's request for change in name when:

      i. the change results from marriage or;

      ii. court action, such as a divorce or legal name change or any other reason.

   b. **Optional Changes.** The agency is under no obligation to process a name change that does not result from marriage or other court action. It ***may*** accept and process such a request only when the following conditions are met:

      i.   the laws of the employee's state of residence *do not* expressly provide that name changes can be accomplished only by court action;

      ii. the agency has no reason to believe that the name change is being made by the employee with the intention of fraud or deceit; and,

      iii. the employee expects to continue to use the new name on all employment and employment-related records, including social security records.

   c. **Acceptable proof that the name change is a proper action.** The agency may accept any document that gives reasonable assurance of the appropriateness of the action.

      i. When documentation used to support the determination that the name change is an appropriate action is retained, great care should be taken to ensure that very personal documents are not retained which may be sensitive to the employee, such as divorce decrees that list property settlements or visitation rights.

   d. **Effective date of a name change action**. The effective date of a name change is to be the date on which the [Standard Form 50](#), Notification of Personnel Action, is prepared. The action may be prepared on any date the agency chooses, as long as it is no earlier than the date of the event (marriage, divorce, etc.) that is the basis for the change. An agency may, for the convenience of its payroll office, make the change action effective at the beginning of a pay period; however, there is no requirement to do so.

3. Use of the Standard Form 52

Although the [Request for Personnel Action](#) is needed as the input document for many actions, its use for Name Change action is optional. The employee may use either a Standard Form 52 or a memorandum to submit a request for a name change.

When a memorandum is used, the personnel action may be prepared directly from the information in the employee's Official Personnel Folder (or the agency's automated processing system) and on the memorandum.

If agency procedures require the use of the Standard Form 52, it should be prepared in the requesting office.

4. Nature of Action and Legal Authority

Use >[Table 20-A](#) to document a Name Change action.< ***

Job Aid

Instructions on Processing Personnel Actions for Name Changes

Step	Action
1	Advise the employee that each State has laws on legal names and that a name change in the Official Personnel Folder is not a legal name change under State law.
2	Confirm that the employee has reported the name change to the Social Security Administration before the name change action is processed. Since a new card may not be issued prior to the timely processing of the name change action, an agency may accept the employee's assurances that the Social Security Administration was notified of the change.
3	If the action is due to a change in marital status: Refer to 5 CFR 870, subpart C, the employee may be eligible to make a change in health benefits. If eligible, advise the employee on agency procedures for making a change in coverage. >Refer to 5 CFR 870, subpart E, the employee may be able to make a change in life insurance. If eligible, advise the employee on agency procedures for making a change in coverage.< If the employee is already enrolled in a health benefits plan, advise the employee on agency procedures for changing the name with the health plan carrier. Advise the employee to review any designations of beneficiary filed under the old name to see if >they< want to make changes.
4	Follow instructions in Chapter 4, of this Guide, to complete the Standard Form 50, Notification of Personnel Action. Follow agency instructions to have it signed or authenticated.
5	Record the new name on the label of the employee's Official Personnel Folder and on all the employee's other records, including agency locator files, etc.
6	Distribute copies of the Standard Form 50 as appropriate.

Table

Table 20-A. Name Change

>Notes column has been added<

Nature of Action	Legal Authority	Notes
780/Name Change from (previous name)	CGM/5 U.S.C. 552a(e)(5)	If due to space limitation an agency's automated system cannot accommodate the previous name in block 5-B, type in "see remark" where the previous name would have been shown. Then show the previous name in the Remarks Section of the personnel action (i.e., block 5-B would read "Name Change from (see remark)"; and block 45 remark would read "Previous name was Last name, First M.").