



THE

BROTHER JONATHAN FIELD GUIDE

What They Don't Tell You About Signing Bonuses,
Clawback Clauses, and Training Repayment Agreements

“Sam sends you the bill. I read you the fine print.”

— BROTHER JONATHAN

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2026 Edition

WHAT'S INSIDE

1. The Signing Bonus Trap

What that check really costs you

2. Training Repayment Agreements (TRAs)

The bill they send when you leave

3. Clawback Clauses

How they claw back what they gave you

4. Your Rights When They Say 'You Owe Us'

Waiver authority, constructive discharge, and limits

5. The 30-Day FECA Window

Workplace injuries they won't tell you about

6. Resignation: What They Don't Want You to Know

Your actual options for leaving

7. Federal Resources

Every link, form, and phone number you need

"The fine print isn't theoretical. It's in real contracts being handed to real people — your people, people you know — right now."

— BROTHER JONATHAN

1. THE SIGNING BONUS TRAP

Federal agencies and government contractors are offering signing bonuses of \$10,000 to \$50,000 or more. They make it sound like a gift. It is not a gift. It is a contract — and the contract has teeth.

How It Works

You accept a position. They hand you a check and a stack of papers. The check is on top. The clawback clause is on page 7. They know exactly what they're doing.

The clause typically requires **full repayment** — sometimes with interest — if you leave the position before a specified period (usually 1–4 years). This applies whether you resign, are terminated for cause, or in some cases are laid off.

What They Don't Tell You

- The repayment obligation may exceed the original bonus amount once interest and fees are added
- “Voluntary” separation includes constructive discharge — being forced out through intolerable conditions
- Collection is civil, not criminal — they cannot arrest you for non-payment
- Agencies have **waiver authority** to forgive repayment but rarely volunteer this information
- The IRS already taxed the bonus as income — clawback may not refund the taxes you paid

What You Can Do

Read every word before you sign. If you've already signed, you still have options. Waiver authority exists under 5 U.S.C. § 5514 and agency-specific regulations. An attorney can help you navigate a waiver request.

■ Key Resource: Service Agreement Review

Before signing any federal bonus agreement:

OPM Service Agreement Guidance

5 U.S.C. § 5753 — Recruitment/Relocation Bonuses

2. TRAINING REPAYMENT AGREEMENTS

If the government paid for your training, they may require you to work for a specified period afterward — or repay the full cost. These Training Repayment Agreements (TRAs) are standard in law enforcement, intelligence, and specialized technical roles.

The Mechanics

Training costs can range from \$20,000 to \$150,000+ for specialized programs like the Federal Law Enforcement Training Centers (FLETC), intelligence community programs, or technical certifications. The agreement typically requires 2–4 years of continued service.

- Training costs are calculated at full institutional rates, not marginal cost
- The clock resets if you transfer to certain positions
- Pro-rata reduction may apply — served 75% of the period, you may owe only 25%
- Some agencies calculate repayment including salary paid during training

Your Rights

Agencies have discretion to waive or reduce repayment obligations. They are not required to tell you this. Under 5 C.F.R. § 410.309, agencies “may” waive repayment when collection would be “against equity and good conscience.” Key factors:

- Whether you left due to conditions beyond your control
- Whether the training primarily benefited the agency
- Whether repayment would cause financial hardship
- Whether the agency’s conduct contributed to your departure

■ Key Resource: Training Agreement Rights

5 C.F.R. § 410.309 — Training Agreement Regulations

FLETC Training Programs Overview

3. CLAWBACK CLAUSES

A clawback clause is any contractual provision that requires you to return compensation already received. In federal employment, these appear in signing bonuses, relocation incentives, retention bonuses, and student loan repayment programs.

Where They Hide

- **Relocation incentives** — up to 25% of basic pay, with 12-month minimum service requirement
- **Retention bonuses** — up to 25% (50% in some cases), clawed back if you leave during the service period
- **Student Loan Repayment Program (SLRP)** — up to \$10,000/year, \$60,000 lifetime — with a 3-year service obligation per payment
- **Tuition assistance** — reimbursed education costs with continued service requirements

The Collection Process

If you leave before the service period expires, the agency will:

- Send you a debt notification letter with the amount owed
- Offset the debt against any final pay, unused leave, or retirement funds
- If unpaid, refer the debt to the Treasury Offset Program
- Report the debt to credit bureaus after 120 days of delinquency

Critical fact: Collection is a civil process. You cannot be criminally prosecuted for non-repayment of a clawback obligation. No one goes to jail for this.

■ Key Resource: Debt Collection Rights

Federal Claims Collection Standards (31 C.F.R. Part 900)

Treasury Offset Program

Debt Collection Improvement Act

4. YOUR RIGHTS WHEN THEY SAY ‘YOU OWE US’

Waiver Authority

Under 5 U.S.C. § 5584, the head of an agency (or designee) may waive a claim against an employee when collection would be “against equity and good conscience and not in the best interests of the United States.”

Under 5 U.S.C. § 5514, salary offset to collect debts must follow due process: written notice, opportunity to inspect records, opportunity for a hearing, and the right to propose a repayment schedule.

Constructive Discharge

If you resigned because working conditions were made intolerable — reassignment to dangerous duty without justification, harassment, retaliation for whistleblowing, hostile work environment — you may have been **constructively discharged**. This is legally equivalent to being fired, which can void or reduce clawback obligations.

Whistleblower Protection

If you left federal service after reporting waste, fraud, abuse, or violations of law, you may be protected under the Whistleblower Protection Act (5 U.S.C. § 2302(b)(8)). Retaliation — including aggressive debt collection — may itself be actionable.

■ Know Your Rights: Key Contacts

Office of Special Counsel (Whistleblower Disclosures)

Merit Systems Protection Board (Appeals)

5 U.S.C. § 5514 — Salary Offset Due Process

5 U.S.C. § 5584 — Waiver of Claims

5. THE 30-DAY FECA WINDOW

The Federal Employees' Compensation Act (FECA) covers work-related injuries and illnesses for federal employees. This includes **psychological injuries** like PTSD, anxiety disorders, and trauma from workplace conditions.

What Counts as a Workplace Injury

- Physical injuries during operations
- PTSD from traumatic events witnessed or experienced on duty
- Acoustic trauma — hearing damage, tinnitus, hyperacusis from sustained noise exposure
- Psychological injuries from hostile work environments
- Anxiety, sleep disruption, and hypervigilance from operational conditions

The Filing Deadline

You must file within 30 days of the injury or onset of symptoms for traumatic injury claims (Form CA-1). For occupational disease claims (Form CA-2), you have 30 days from when you first became aware of the connection between your condition and your employment. Filing within 30 days preserves your right to continuation of pay (COP) for up to 45 days.

How to File

- **Form CA-1:** Traumatic injury (specific event/date)
- **Form CA-2:** Occupational disease (developed over time)
- File through your agency's workers' compensation office
- Your supervisor is **required** to provide the form and receipt
- Keep copies of everything — your agency copy, your personal copy, the receipt

■ File Now: FECA Forms and Resources

- Form CA-1 — Traumatic Injury
- Form CA-2 — Occupational Disease
- OWCP (Office of Workers' Compensation)
- FECA Agency Contacts Directory



6. RESIGNATION: WHAT THEY DON'T WANT YOU TO KNOW

If you're considering leaving federal service, there are rights and options your agency is not going to volunteer. Here's what you need to know.

You Can Resign At Any Time

Federal employment is at-will from the employee's side. You can resign with two weeks' notice (standard), or effective immediately if necessary. Your resignation does not require approval. Once submitted, it is effective on the date you specify.

What Happens to Your Benefits

- **TSP (Thrift Savings Plan):** Your account is yours. Leave it, roll it to an IRA, or withdraw (with tax consequences)
- **FEHB (Health Insurance):** Continue coverage up to 18 months under TCC — you pay full premium plus 2% admin fee
- **FERS Retirement:** With 5+ years of creditable service, you're vested. Benefits deferred until minimum retirement age (55–57)
- **Unused Leave:** Lump-sum payment for unused annual leave

Before You Submit

- Calculate your exact financial exposure (bonuses, TRAs, SLRP)
- Review all service agreements you've signed
- Document any workplace conditions that contributed to your decision
- Consult an attorney specializing in federal employment law
- File any pending FECA claims before your last day

■ Separation Resources

[OPM Retirement Services](#)

[TSP Withdrawal Options](#)

[FEHB Temporary Continuation of Coverage](#)

[USAJobs — Career Transition](#)

7. FEDERAL RESOURCES

Every link, form, and phone number you need — in one place. All official government resources. Bookmark this page.

Employment Rights & Protections

■ Protections

- Office of Special Counsel — Whistleblower Protections
- Merit Systems Protection Board — Appeals
- Equal Employment Opportunity Commission
- Inspector General Directory

Benefits & Retirement

■ Benefits

- OPM Retirement Services
- Thrift Savings Plan (TSP)
- FEHB Health Insurance
- Federal Employee Dental & Vision (FEDVIP)

Workplace Injury & Compensation

■ Injury Claims

- OWCP — Federal Workers' Comp
- Form CA-1 (Traumatic Injury)
- Form CA-2 (Occupational Disease)
- FECA Agency Contacts Directory

Career Transition & Job Search

■ Next Steps

- USAJobs — Federal Career Transition
- Workforce Opportunity Tax Credit (WOTC)
- State Bar Lawyer Referral Services

Legal Assistance

■■ Legal Help

American Bar Association — Lawyer Referral

Government Accountability Project

National Whistleblower Center

Federal Practice Group (Employment Law)

“They want you fighting your neighbor so you don’t notice who’s picking both your pockets.”

— BROTHER JONATHAN

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“We must consult Brother Jonathan.” — attributed to George Washington