



## DoDEA ADMINISTRATIVE INSTRUCTION 5820.01

### REDUCTION IN FORCE

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**Originating Division:** Human Resources Directorate

**Effective:** March 30, 2016  
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**Approved by:** Thomas M. Brady, Director, Department of Defense Education Activity  
***Change 1 Approved by:*** *Thomas M. Brady, Director, Department of Defense Education Activity*

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**Purpose:** The United States Office of Personnel Management (OPM) develops policy and provides guidance to Federal agencies regarding Reduction in Force (RIF) in accordance with the regulatory requirements contained in Part 351 of Title 5, Code of Federal Regulations (CFR).

- This Administrative Instruction (AI) establishes RIF policy and responsibilities, in adherence to applicable law and regulations, and in accordance with additional references governing RIF within the Department of Defense Education Activity (DoDEA).
- This AI is intended to establish consistency in the planning and application of processes and procedures to effectively ensure orderly measures to achieve necessary mission restructuring or other reductions in operations resulting from administrative or budgetary decisions.

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Sample RIF Planning Checklist

## SECTION 1: GENERAL ISSUANCE INFORMATION

### 1.1. APPLICABILITY.

a. ~~This Regulation applies to the Office of the Director, DoDEA; the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam); (hereafter collectively referred to as "DoDEA Area Directors"); and all DoDEA District Superintendents, School Administrators, Teachers, and Support Staff.~~

*This Regulation applies to the Office of the Director, DoDEA; the Principal Deputy Director and Associate Director for Academics, DoDEA; the Associate Director for Financial and Business Operations, DoDEA; the Chief of Staff, DoDEA; the Director for Student Excellence, DoDEA Americas (formerly the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba)); the Director for Student Excellence, DoDEA Europe (formerly the Director, Department of Defense Dependents Schools, Europe (DoDDS-E)); the Director for Student Excellence, DoDEA Pacific (formerly the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam)); (referred to collectively in this issuance as "DoDEA Region Directors for Student Excellence"); and all DoDEA Region, District, and Community Superintendents, School Administrators, Teachers, and Support Staff.*

b. To the extent that this AI changes conditions of employment for bargaining unit employees, it will apply to those employees once DoDEA has met its bargaining obligations under applicable laws, regulations, and collective bargaining agreements.

**1.2. POLICY.** It is DoDEA policy to fully adhere to the RIF policies and procedures established by the Office of Personnel Management (OPM).

## SECTION 2: RESPONSIBILITIES

### 2.1. ASSOCIATE DIRECTOR FOR FINANCIAL AND BUSINESS OPERATIONS

**(ADF&BO), DODEA.** Under the authority, direction, and control of the Director, DoDEA, the ADF&BO, DoDEA, ~~shall~~ implements this policy and ensure compliance across the activity and ensure that all applicable labor contract obligations are met.

### 2.2. DIRECTOR OF HUMAN RESOURCES DIRECTORATE (HRD), DODEA.

The Director, HRD, DoDEA, ~~will~~:

- a. Executes this AI and serve as the primary advisor to the DoDEA workforce.
- b. Ensures all Human Resources employees and other appropriate staff are properly trained in reduction in force policy and procedures.
- c. Establishes a RIF Team to ensure all necessary actions are identified and completed on time. The RIF Team leader is responsible for coordinating the team's work with both HRD and with agency management, as appropriate. Further guidance can be found in the United States Office of Personnel Management (OPM), "Workforce Reshaping Operations Handbook: A Guide for Agency Management and Human Resource Offices," Appendix M.

**2.3. DODEA MANAGEMENT OFFICIALS.** DoDEA Management Officials ~~will~~ assist the Director of HRD in all phases of planning and executing RIF activities including counseling and all mitigating action to minimize final RIF separations.

**2.4. DODEA HRD EMPLOYEES.** The DoDEA HRD employees ~~will~~ ensure all RIF procedures are followed and executed in accordance with this AI.

## SECTION 3: POLICY AND PROCEDURES

**3.1. OVERVIEW.** OPM develops policy and provides guidance to Federal agencies regarding RIF. This section serves as a reference to assist in locating pertinent information and content related to RIF in the Federal government.

*a.* In the Federal government, layoffs or terminations are called RIF actions. When an agency must abolish positions, the RIF regulations determine whether an employee keeps his or her present position, or whether the employee has a right to a different position.

*b.* DoDEA is required to use the RIF procedures when an employee is faced with separation or downgrading for a reason such as reorganization, lack of work, shortage of funds, insufficient personnel ceiling, or the exercise of certain reemployment or restoration rights. A furlough of more than 30 consecutive calendar days, or of more than 22 discontinuous work days, is also a RIF action. A furlough of 30 or fewer consecutive calendar days, or of 22 or fewer discontinuous work days, is an adverse action.

### 3.2. DISCRETIONARY POLICY.

*a.* Right to Make RIF Decisions. The Director, DoDEA, has the responsibility to determine which positions are abolished, whether a RIF is necessary, and when the RIF will take place. Once these decisions are made, retention registers determine which employee is actually reached for a RIF action.

*b.* Right to Reassign Employees. The abolishment of a position does not always require the use of RIF procedures. DoDEA has the right to avoid a RIF action by reassigning an employee to a vacant position at the same grade or pay without regard to the employee's rights under the RIF regulations. The vacant position may be in the same or in a different classification series, line of work, and/or geographic location. Such action may be taken when it will eliminate the need for a RIF within the given competitive area.

*c.* Defining the Competitive Area.

*(1)* Each agency defines the "Competitive Area" that establishes the geographical and organizational limits for RIF competition in accordance with Part 351.402 of Title 5, CFR. Competitive areas must be established at least 90 days prior to a RIF effective date unless, at its option, the agency requests an OPM exception.

*(2)* Unless otherwise directed, a competitive area must be defined solely in terms of DoDEA's organizational units and geographical locations and, it must include all employees within the competitive area. A competitive area may consist of all or part of an agency. The **minimum** competitive area is a subdivision of the agency under separate administration within the local commuting area. There is no maximum size for a competitive area.

d. **Defining the Local Commuting Area.** While defining its competitive area, DoDEA also defines the appropriate **local commuting area(s)** for the competitive area. A local commuting area usually includes one population center in which employees live and reasonably travel back and forth to work. OPM regulations do not define a mileage standard for a local commuting area. Instead, the agency must apply the regulations and determine what is reasonable for a specific geographic location. This applies to locations in the Continental United States (CONUS).

e. **Assignment Rights for DoDEA Excepted Service Employees.** It is DoDEA policy that assignment rights will not be used for its excepted service workforce. These employees do not have bumping and retreating rights in accordance with Part 351.705 of Title 5, CFR (see Glossary).

f. **Waiving Qualifications.** DoDEA may waive qualifications to place an employee who has been released from his/her competitive level into a vacant position. Decisions to waive qualifications will be made by the Director, DoDEA, or designee, upon advice of the appropriate Management Officials and the HRD representative. Documentation must be provided that demonstrates the employee has the capacity, adaptability, and special skills needed to satisfactorily perform the duties and responsibilities of the vacant position and, where applicable, the employee is willing to obtain any required certificates or licensure, as applicable.

**3.3. PLANNING FOR RESTRUCTURING AND RIF.** Advanced planning is essential to ensure a smooth transition of an organizational restructuring. Planning should account for legal and regulatory requirements, execution of discretionary actions, and ensuring the continuity of mission operations. While not all restructuring efforts will result in employee separations, the Federal RIF rules must be followed to ensure legal and regulatory requirements are met for final determination of employee placement rights. The actions leading up to the establishment of the restructured organization include:

a. **Identify Abolished Positions.** Once the decision is made regarding which positions will be abolished, by job title, grade, series, component, and location, the documentation will be the basis for conducting the RIF. No position may be abolished based on the individual occupying the position.

b. **Identify positions in the Post-RIF Organization.** DoDEA management must identify which positions will remain in support of the mission requirements by job title, series, grade, unit, and location. This documentation will be used in the conduct of the RIF.

c. **Documentation.** At a minimum, the documentation should identify positions by title, series, grade, position number, organization, and name of incumbent, along with additional information such as tour of duty, (e.g., full-time, part-time, seasonal, or intermittent), type of service (e.g., competitive or excepted).

d. Establish RIF Effective Date. This date will dictate the not-later than dates for milestones required by law or regulation that must occur prior to the RIF date, including notification to the Office of the Secretary of Defense, Congress, employees and union officials.

e. Determine Use of Mitigating Strategies to Minimize Impact to the Workforce and Operations. Strategies would include curtailment of overseas tours and exercising return rights or registration in the DoD PPP, offering of voluntary early retirement (VERA), voluntary separation incentive (VSIP), reassignments, releasing temporary employees, freezing vacancies, filling positions on a not to exceed basis, etc.

f. Obtain Information from Employees. Updated employment resumes, certification documents, and other required information will be requested from employees prior to development of any retention registers and determination of employee qualifications. The request for this information will be in writing and employees will be given a specific deadline by which to furnish these documents.

**3.4. MITIGATING RIF SEPARATIONS.** DoDEA management may use a number of ways to minimize the need for a RIF as a result of reshaping efforts including the following:

a. Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Program (VSIP), in accordance with DoD Instruction 1400.25.

(1) Purpose. Eligible and approved employees may be authorized to separate from service voluntarily (either by retirement or resignation) to avoid or minimize the need for involuntary separations due to RIF or for workforce restructuring.

(2) Timing of VERA/VSIP Offers. VERA and/or VSIP must be offered at least 30 days before RIF notices are issued to avoid involuntary separations.

(3) VSIP Payment. The buyout payment is equivalent to the amount the employee would be entitled to as severance pay, if the employee were entitled to severance pay up to a maximum of \$25,000 (before taxes and deductions) paid on the authorized voluntary resignation, early retirement, or optional retirement of a designated civilian employee. The amount of separation pay is not discretionary. The HRD calculates the payment amount using the approved severance pay formula specified in Section 7103 of Title 5, United States Code, which includes a reduction in the maximum entitlement based on severance pay previously received. The buyout may be paid in a lump sum or installments.

(4) Ineligible Employees for VSIP. An employee meeting any of the below criteria is ineligible for a buyout if the employee:

(a) is a reemployed annuitant.

(b) is or would be eligible for disability retirement under any Federal employee retirement system.

- (c) is on a Schedule C excepted appointment.
  - (d) is a non-compensated employee.
  - (e) has accepted a position with another Federal agency.
  - (f) has received a specific notice of RIF separation.
  - (g) has declined to relocate with his/her position or declined a transfer of function.
  - (h) has received a decision notice of involuntary separation for misconduct or unacceptable performance.
  - (i) has previously received a buyout.
  - (j) does not have a waiver. Waivers are granted in writing on a case-by-case basis by the VSIP approving authority. An employee meeting any of the following criteria is ineligible for a buyout:
    - 1. Is covered by a written service agreement such as, but not necessarily limited to, those required in conjunction with permanent change of station (PCS), training, student loan repayments, critical acquisition positions, recruitment or relocation.
    - 2. Is receiving a retention incentive.
    - 3. Is occupying a position defined as "hard to fill."
  - (k) Members of the Senior Executive Service and equivalent employees unless approved by the Principal Deputy Under Secretary of Defense (Personnel and Readiness).
- (5) Restrictions. When accepting a buyout, these restrictions on reemployment within the Federal Government apply:
- (a) An employee receiving VSIP who accepts employment with the Government of the United States (including employment in nonappropriated fund instrumentalities (NAFIs) or with an agency of the United States through a personal services contract with the United States) within five years after the date of separation on which payment of the buyout is based, shall be required to repay the entire amount of the buyout (before taxes and deductions) to DoD.
  - (b) A DoD employee who receives a buyout may not be reemployed by DoD (including NAFI employment or through a personal services contract) for a 12 month period beginning on the effective date of the employee's separation. The Secretary of Defense or designee may approve exceptions on a case-by-case basis.

(c) A DoD employee approved for payment of a buyout is prohibited from registering in the DoD PPP. If registered in error, the employee must be immediately removed from the program.

b. **Reassign Surplus Employees to Other Positions.** DoDEA may reassign an employee to another position at the same grade, as long as there is a legitimate management need for the employee in the position to which reassigned. This option is often the best tool for avoiding involuntary separations and downgrades when there is a pool of vacancies (particularly after freezing positions). Such actions may enable DoDEA to maintain continuity of operations and retain its investment in its current employees.

c. **Separate Temporary Employees.** A temporary employee will not be retained in a position if there are qualified permanent employees being adversely impacted by RIF.

d. **Separate Reemployed Annuitants.** A reemployed annuitant serves at the will of the agency and, regardless of type of appointment, can be terminated without regard to the RIF regulations. Separating a reemployed annuitant may free up a continuing position for a surplus employee. If the reemployed annuitant is not separated prior to the RIF effective date, the reemployed annuitant competes in the RIF on the same basis as other employees holding the same type of appointment.

e. **Train Employees for Other Positions.** DoDEA may train (or retrain) employees for placement into vacant positions as an alternative to minimize involuntary separations and downgrades by RIF.

**3.5. RIF NOTIFICATIONS.** Announcements of personnel reductions, closures of installations, realignments outside the local commuting area, and substantial reductions are coordinated and cleared within OSD before public notification of actions, release of information, or notification to members of Congress and other Executive agencies.

a. RIF actions shall not commence until 45 calendar days after the appropriate information is submitted to Congress pursuant to Section 1597 of Title 10, United States Code.

b. The Director, DoDEA, will submit written requests for coordination and clearance of announcements to the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) through the Defense Civilian Personnel Advisory Service with the information and format described in DoD Instruction 1400.25 at least 75 days before the effective date of the separations to allow for a 45-day congressional notification period.

c. RIF and other termination notices will not be issued or made effective on or between December 15 and January 3 of each year. The Director, DoDEA, may approve exceptions in accordance with DoD Instruction 1400.25.

d. Each competing employee affected by RIF is entitled to a **specific** written RIF notice issued at least 60 full calendar days (not counting notice delivery dates and effective dates)

before the effective date of the action. As applicable, any labor unions representing affected DoDEA employees must be notified.

### 3.6. RIF RULES AND PROCEDURES.

a. Competitive Areas. Competitive Areas in DoDEA are established as follows:

(1) ~~DDESS/DoDDS-Cuba~~ *DoDEA Americas*. The competitive area is defined as all employees of an entity (e.g., school(s), community superintendent office (CSO), and/or district superintendent office (DSO)) located on a particular military installation. Where there are schools on more than one military installation under the administration of one superintendent, the schools on each military installation form a separate competitive area unless they are in the same commuting area. The ~~DDESS-DoDEA Americas Area-Region~~ Headquarters is a separate and single competitive area.

(2) ~~DoDDS-E~~ *DoDEA Europe* and ~~DoDDS-P/DDESS-Guam~~ *DoDEA Pacific*. Competitive areas are established on a district-wide basis. For offices in the field above the district level (e.g., *Area-Region* Office), such an entity will be included in the competitive area in which they are co-located within a district.

(3) DoDEA Headquarters (HQ). For employees assigned and located at DoDEA HQ, the entire HQ is established as a separate, single competitive area.

*(4) Military Community and Family Policy (MC&FP) is designated as a separate, single competitive area for employees in the National Capital Region (NCR). MC&FP may designate separate areas to accommodate world-wide staff not located in the NCR.*

(5) DoDEA HQ employees assigned to ~~DoDDS-E~~ *DoDEA Europe*, ~~DoDDS-P/DDESS-Guam~~ *DoDEA Pacific* and ~~DDESS/DoDDS-Cuba~~ *DoDEA Americas*. Separate competitive areas will be established for these employees within the respective ~~DDESS~~ *DoDEA Americas* or ~~DoDDS~~ *DoDEA Europe or DoDEA Pacific* competitive area to which they are geographically assigned. These employees will only compete with other DoDEA HQ employees in that competitive area.

(6) Telework employees will be placed in the same competitive level as the unit in which they are assigned, e.g., DoDEA HQ telework employees will be assigned to the DoDEA HQ competitive area.

b. Rounds of RIF Competition.

(1) DoDEA employees competing for retention may be placed through two rounds of competition. In the first round, for both competitive and excepted service employees, DoDEA HRD will apply the four retention factors to each competitive level(s) to identify which employee has the lowest retention factor as described in paragraph 3.6.c. below. The agency may use RIF procedures to release the lowest-standing employee from the competitive level.

(2) In the second round, for competitive service employees, DoDEA HRD will again apply the four retention factors to determine whether a released employee has a bump or retreat right to a position in a different competitive level that is held by an employee with even lower retention standing. Excepted service employees will not compete in the second round as they do not have assignment rights as stated in paragraph 3.2.e.

c. **Establishing Retention Registers.** After grouping interchangeable positions into competitive levels, the agency applies the four retention factors in establishing separate **“retention registers”** for each competitive level that may be involved in the RIF. The **retention register** is the ranking of employees in the competitive level after the agency applies the four retention factors. The retention register lists the name of each employee on the retention register in the order of the employee’s relative retention standing. **The ordering of retention registers may change when the NDAA 2016 provisions regarding performance are implemented.**

(1) **Determining Retention Standing-Tenure.** Beginning with Group I as described below, employees will be ranked on a retention register in three groups according to their types of appointment:

(a) **Group I.** Group I includes career employees who are not serving on probation. A new supervisor or manager who is serving a probationary period that is required on initial appointment to that type of position is not considered to be serving on probation if the employee previously completed a probationary period.

(b) **Group II.** Group II includes career-conditional employees, and career employees who are serving a probationary period because of a new appointment.

(c) **Group III.** Group III includes employees serving under term and similar non-status appointments.

(2) **Determining Retention Standing – Veterans’ Preference.** Next, each of the three tenure groups are divided into three subgroups based upon employees’ entitlement to veterans’ preference for RIF purposes:

(a) **Subgroup AD.** Subgroup AD includes veterans who are eligible for RIF preference and who have a compensable service-connected disability of 30 percent or more.

(b) **Subgroup A.** Subgroup A includes veterans eligible for RIF preference who are not eligible for subgroup AD (including eligible spouses, widows or widowers, and mothers of veterans).

(c) **Subgroup B.** Subgroup B includes nonveterans and others not eligible for RIF preference in subgroups AD and A.

(3) **Determining Retention Standing - Total Creditable Service.** Within each subgroup, employees will be ranked by their respective service computation dates. For example, DoDEA HRD will place the employee with the most service at the top of the subgroup, and place the

employee with the least service at the bottom of the subgroup. Retention service credit includes all creditable Federal civilian and creditable military service.

(a) A retired member of the Armed Forces with 20 or more years of military service who is not eligible for veterans' preference under the RIF regulations receives retention credit only for Armed Forces service during a declared war, or service performed in a campaign or expedition for which a badge has been authorized.

(b) Service credit for performance is based upon the average of the last three annual performance ratings of record received during the four-year period prior to the date DoDEA either: (1) issues specific RIF notices, or (2) freezes ratings before issuing RIF notices. If an employee received more than three ratings during the four-year period, the agency uses the three most recent annual ratings of record.

d. Assignment Rights. Rights to be assigned to a position are provided in accordance with Part 351 of Title 5, CFR.

(1) DoDEA does not provide bump and retreat rights to competing employees in the excepted service as described in Subpart 351.701 of Title 5, CFR.

(2) DoDEA provides assignment rights to employees in the competitive service in accordance with Part 351 of Title 5, CFR.

(3) DoDEA does not provide an employee the right to displace another employee outside of his/her competitive area.

(4) DoDEA does not provide an employee the ability to displace another employee in a different competitive level who is in the same tenure and subgroup.

(5) DoDEA does not provide an employee in Tenure Group III (temporary) the ability to displace any other employee.

(6) Before a competing employee (i.e., an employee in tenure group I, II, or III) may be released from a competitive level, DoDEA will first separate from that competitive level each employee who holds a temporary appointment.

e. Physical Qualification for Assignment. Employees must be able to fulfill the physical requirements of the position to which he or she is assigned. However, application of RIF procedures does not eliminate making a reasonable accommodation to permit placement of an employee eligible for such accommodation.

## SECTION 4: PLACEMENT AND REEMPLOYMENT ASSISTANCE

**4.1. PPP.** The DoD PPP is an automated mandatory placement program used to match eligible well-qualified employees, most of whom are subject to separation, with vacant DoD positions. It enables the Department's components and agencies to maintain a relatively stable work force during base realignment and closure, RIF, and other displacement actions, and minimizes the adverse effect of these actions on employees. More information regarding the process and eligibility can be found in the DoD PPP Handbook. During times of workforce reshaping, the HRD representatives will work with affected employees to counsel them and assist in completing the registration process in PPP.

**4.2. RPL.** The RPL is a statutory placement program for competitive service employees administered under the provisions of Part 330, Subpart B of Title 5, CFR.

*a.* DoD is considered an "agency" for purposes of this program, and uses automated procedures to provide registration and mandatory referral of RPL eligibles for appropriate vacancies to all DoD activities within their commuting areas. Eligibility expires two years from the date of RIF separation or two years from the date the agency registers the applicant because of recovery from a compensable work injury. The employee is responsible for keeping the registering activity informed of current mailing address, phone number, e-mail address (if any), etc. This is the sole method for providing reemployment consideration to eligible RPL applicants. The RPL is automatically cleared when the area of consideration for a vacant position is outside of DoD.

*b.* DoDEA will establish RPLs for excepted service employees similar to the provisions of Part 330, Subpart B of Title 5, CFR. The purpose of these RPLs is to provide priority consideration for excepted employees who have been adversely impacted by RIF for placement assistance into DoDEA vacancies, and not covered under the competitive service RPL as stated above. Each RPL may differ based upon rules agreed to in any applicable bargaining unit agreement.

**4.3. OPM ICTAP.** Through the ICTAP, qualified competitive service DoD employees may receive employment preference for jobs in other Federal agencies within the same commuting area if those agencies are hiring from outside of their current workforce.

## GLOSSARY

### G.1. ACRONYMS.

DASD(CPP)	Deputy Assistant Secretary of Defense (Civilian Personnel Policy)
DDESS	Domestic Dependent Elementary and Secondary Schools
DoDEA	Department of Defense Education Activity
<i>DoDEA Americas</i>	<i>Department of Defense Education Activity Americas</i>
<i>DoDEA Europe</i>	<i>Department of Defense Education Activity Europe</i>
<i>DoDEA Pacific</i>	<i>Department of Defense Education Activity Pacific</i>
DoDDS-E	Department of Defense Dependents Schools-Europe
DoDDS-P	Department of Defense Dependents Schools-Pacific
D SO	District Superintendent Office
HRD	Human Resources Directorate
ICTAP	Interagency Career Transition Assistance Program
NAFI	Nonappropriated fund instrumentalities
OPM	Office of Personnel Management
PDUSD(P&R)	Principal Deputy Under Secretary of Defense (Personnel and Readiness)
PPP	Priority Placement Program
PCS	Permanent change of station
RIF	Reduction in Force
RPL	Reemployment Priority List
SCD	Service Computation Date
VERA	Voluntary Early Retirement Authority
VSIP	Voluntary Separation Incentive Program

**G.2. DEFINITIONS.** Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

**annuitant.** A former employee or Member who is receiving, or meets the legal requirements and has filed claim for, annuity under either Civilian Service Retirement System or Federal Employees Retirement System based on his or her service.

**assignment rights.** The right of a competing employee to be assigned in RIF competition to a

position in a different competitive level held by an employee with lower standing on the register.

**bump.** The act of assigning of an employee to a position in a different competitive level that is held by another employee in a lower retention tenure group or in a lower subgroup within the same tenure group. The affected employee does not have to have previously held the position into which they are bumping.

**commuting area.** The geographic area that constitutes one area for employment purposes, as determined by the activity, usually the surrounding localities where people live and can reasonably be expected to travel back and forth daily to their employment.

**competitive area.** The organizational and geographical boundaries in which employees compete in a RIF.

**competitive level.** A group of positions in the same grade, classification series and similar enough in duties, qualifications requirements, pay schedules, and working conditions so that the incumbent of one position can successfully perform the critical elements of any other position in the level without any loss of productivity.

**competitive service.** Consists of all civil service positions in the executive branch of the Federal Government with some exceptions. The exceptions are defined in Section 2102 of Title 5, United States Code (5 U.S.C. 2102). Competitive status is acquired by completion of a probationary period under a career-conditional or career appointment following open competitive examination, or by statute, Executive Order, or the Civil Service rules, without open competitive examination. An individual with competitive status may, without open competitive examination, be reinstated, transferred, promoted, or reassigned.

**discontinued service retirement.** A discontinued service or involuntary retirement provides an immediate, possibly reduced, annuity for employees who are separated against their will. Employees who are separated for cause on charges of misconduct or delinquency are not eligible for a discontinued service annuity.

**excepted service.** A term used to describe all civil service positions that are not in either the competitive service or the Senior Executive Service (See Part 213 of Title 5, CFR).

**hard to fill position.** An agency may determine that a position is hard to fill if the agency is likely to have difficulty recruiting candidates with the competencies required for the position in the absence of a recruitment or relocation incentive based on the fact that OPM has approved the use of a direct-hire authority.

**local commuting area.** The geographic area that usually constitutes one area for employment purposes. It includes any population center (or two or more neighboring ones) and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment (5 CFR 351.203).

**management official.** An individual employed by an agency in a position where the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the agency.

**optional retirement or voluntary retirement.** Employee meets all age and years of service requirements for a full annuity.

**position of record.** An employee's official position (defined by grade, occupational series, employing agency), as documented on the employee's most recent Notification of Personnel Action (SF-50 or equivalent) and current position description. A position to which an employee is temporarily promoted is not a position of record for RIF purposes. A position to which an employee is temporarily detailed is not documented as a position of record for RIF purposes.

**priority consideration.** Special placement consideration given to an employee who was affected by RIF.

**priority placement program.** An automated mandatory placement program used to match eligible well-qualified employees, most of whom are subject to separation upon RIF, with vacant DoD positions.

**qualified.** Meets OPM's qualification standards for a position, including any minimum education requirement, physical requirement (including providing reasonable accommodation to persons with disabilities who demonstrate that they can perform the work of the position to be filled), and is able to perform the duties and requirements of a position within 90 days without undue interruption.

**retention standing.** An employee's relative standing on a retention register based on tenure, veterans' preference, length of service, and performance ratings.

**reassignment.** The movement of an employee to another position for which he/she qualifies at the same grade level and with an equivalent target grade or equivalent band level, if applicable.

a. Reassignments can be "management directed." These actions are initiated by management to laterally move an employee to another position within the organization or between organizations. This often occurs when placing employees in order to avoid RIF actions or for other reasons when an employee's skills can be better utilized in another equivalent position.

b. A reassignment can also be a "voluntary request." These actions are initiated by an employee wishing to move to another position.

**reduction in force.** One of several downsizing methods that involves use of defined retention status and assignment rights to move or release employees from the workforce.

**release from competitive level.** Occurs when an agency releases an employee from their permanent position of record on the effective date of the RIF.

**reorganization.** Management initiated action to redistribute the work of the organization.

This action may result in the abolishment or reclassification of positions.

**retained pay.** The rate of pay to which an eligible employee may be entitled following management initiated reduction in grade and/or pay, as in RIF change to lower grade.

**retained grade.** Grade from which an employee is released in a downgrading action under RIF procedures or due to classification action. Eligible employees may be entitled to receive benefits of the position from which downgraded for a period of two years following change to lower grade provided they were on the grade for at least one year prior to the change.

**retention register.** A written record of all employees occupying positions in a competitive area and competitive level arranged by tenure group and subgroup, veterans' preference, service computation date, and performance appraisals. It is used in a RIF to determine which employees are retained and which are moved to other positions or separated from service.

**retreat.** The assignment of an employee to a position in a different competitive level that is held by another employee with less service in the same retention subgroup and was previously held by the employee affected by the RIF.

**separation-RIF.** A separation from the agency under Parts 351 or 359 of Title 5, CFR, or as a consequence of a RIF.

**service computation date.** The date, either actual or constructed, used to determine leave accrual rate, length of service for retirement, or retention standing for RIF. An employee with no prior creditable civilian or military service has a SCD that is the effective date of his/her first Federal civilian appointment.

**severance pay.** Amount paid to eligible employee who is involuntarily separated by RIF action; based on length of service, age, and rate of pay at time of separation.

**tenure group.** Category in which an employee is placed based on type and length of appointment which is one of the factors that helps determine an employee's retention standing in a RIF.

**transfer of function.** Movement of an entire activity or a portion of an activity's continuing function from one competitive area to another competitive area. Transfer of function only occurs if the function is not currently being performed at the new area.

## REFERENCES

- Code of Federal Regulations, Title 5, Part 351
- Code of Federal Regulations, Title 5 Subpart 351.402(b)
- Code of Federal Regulations, Title 5, Subpart 831.503
- Coordination and Clearance Requirements for Personnel Reductions, Closures of Installations and Reductions of Contract Operations in the United States," January 19, 2011
- Department of Defense Reemployment Priority List (RPL) Guide, June 2014
- Department of Defense (DoD) Priority Placement Program (PPP) Handbook, July 26, 2011
- DoD Instruction 1400.25, Volume 351, "DoD Civilian Personnel Management System,
- DoD Instruction 1400.25, Volume 1702, "DoD Civilian Personnel Management System, Voluntary Separation Programs," April 1, 2009
- United States Office of Personnel Management, "Workforce Reshaping Operations Handbook: A Guide for Agency Management and Human Resource Offices," July 2009
- United States Code, Title 10, Section 1597
- United States Code, Title 5, Section 7103

**TABLE**  
**SAMPLE RIF PLANNING CHECKLIST**

<b>RIF Items Checklist</b>	<b>Check if Applicable</b>
Management's Decisions to Implement a RIF	
Request RIF Approval	
Identify Abolished Positions	
Identify Positions in the Post-RIF Organization	
Documentation	
Establish RIF Effective Date	
Freeze Discretionary Personnel Actions	
Notify Collective Bargaining Representatives	
Establish RIF Team(s)	
<b>Management-Human Resource Directorate Coordination on Discretionary RIF Decisions —</b>	
Define the Competitive Area and the Local Commuting Area	
Develop Communication Plan	
Establish Policy on Discretionary RIF Procedures:	
--Use of Vacancies	
--Waiving or Modifying Qualifications When Filling Vacancies	
--Establish Procedures to Break Ties in Retention Standing	
--Assignment Rights for Excepted Service Employees	
--Assignment Rights for Tenure Group III Employees	
--Same Subgroup Displacement in Bumping Rights	
--Terminate Reemployed Annuitants Before the RIF	
--Terminate Temporary Employees Before the RIF	
--Using Discretionary Temporary Exceptions to the Usual Order of Release From the Competitive Level	
--Freeze Date to Update Performance Ratings of Record Available for RIF Competition	
--Define Performance Credit for Multiple Rating Patterns	
--Request Employees to Provide Qualifications Updates	
<b>Establish Policy to Reduce the Impact of the RIF —</b>	
--Designate Employees as Surplus for Early Registration in the Career	
--Issue Surplus Employees a Certification of Expected Separation (CES)	
--Provide Additional Consideration to Displaced Employees on the	
--Voluntary Early Retirement Authority (VERA)	
--Voluntary Separation Incentive Payment (VSIP)	
--Establish Agency Policy on Official Administrative Time for Released Employees	

<b>Preliminary Actions by the RIF Team —</b>	
Identify All Positions in RIF Competitive Area	
Document Noncompeting Employees on Nonpermanent Assignments	
Document Other Noncompeting Employees	
Document Each Employee in a Nonpay Status	
Document Each Employee Away on Active Duty in the Armed Forces	
Document Each Employee Who Has Returned From the Armed Forces With a Current Restoration Right	
Document Each Employee on Compensable Injury	
Review Position Descriptions	
Review Competitive Levels For Accuracy	
Determine Employees' Veterans' Preference Rights for Retention	
Determine Employees' Basic RIF Service Computation Dates	
Verify Employees' Performance Ratings of Record That Are Used for	
Determine Employees' Adjusted RIF Service Computation Dates	
Preparing and Using Retention Registers	
Prepare Retention Registers	
Separate Noncompeting Employees Before Releasing Competing	
Identify Employees Released From Competitive Level in First-Round Competition	
Determining Rights to Other Positions	
Determine Employees' Representative Rates	
Determine the Normal Line of Progression for Each Position	
Identify Vacancies Available for Assignment and Other Placement Offers	
Determine Released Employees' Assignment Rights	
Run Mock RIF and Review Results for Accuracy	
<b>Issuing RIF Notices —</b>	
Determine Each Released Employee's Eligibility for Benefits	
Prepare Specific Written RIF Notices and Mandatory Attachments	
Send Notices to Other Organizations if 50 or More Employees Receive	
Notify Bargaining Unit Representative(s)	
Determine How Agency Will Deliver RIF Notices	
Prepare Packages for Separating Employees	
Deliver RIF Notices	
Rerun RIF to Reflect Changes to the Personnel Roster in the Competitive	
Counseling Employees on Procedures and Options	
Planning for Effective Counseling	
Effective Outplacement Counseling	
<b>Post-RIF Actions —</b>	
Review the Agency's Planning and Implementation of the RIF	
Respond to RIF Appeals, Grievances, and Other Third-Party Actions	
Continue Outplacement and Rehiring Initiatives for Displaced Employees	

TABLE: RIF PLANNING CHECKLIST