

Frequently Asked Questions and Answers

Q. Can an excepted Service employee be **management directed reassigned (MDRed)** to a competitive service position if the employee has reinstatement eligibility to the same graded position?

A: There is a provision in law that would allow this, provided the vacancy had been announced for applicants to apply under ICTAP. However, DoDEA is not using that provision since it would disadvantage excepted service employee who are not reinstatement eligible. Vacant positions are being advertised so all excepted service employees may apply.

Q. Would the **timing of the moves** (reassignments) be able to be flexible to coincide with the end of the school year for those with children in school?

A. If there is a RIF, the effective date of the actions would be 24 June 2016 which is the end of a pay period. If dates need to be adjusted for departing/reporting, the HR staff would work with the gaining and losing managers to make adjustments, if possible.

Q. There appears to be an inconsistency, and lack of equity in the **MDRing** of some personnel in specific division, and not in others.

A. The filling of vacant positions, through either vacancy announcement or MDRs, is reviewed to determine if there is a potential for adverse impact. If the filling of the vacant position would not have a potential adverse impact OR if it is a critical need position, it is authorized for filling.

Q. Is the **'Expedited Hiring Authority'** for certain acquisition positions (such as contracting) being considered? This authority allow, for example, a 'by name request'.

A. The authority for acquisition positions exists but prior to being authorized to use it there are specific conditions that must be met. The situation within DoDEA does not meet those conditions at this time.

Q. **Priority Placement Program (PPP)** will lock reinstatement from being hired. All the P1, P2, and overseas registrants will block selection of excepted service employees. Is there going to be a PPP exception so outside (Army, Navy, etc.) don't take positions and displace current employees?

A. First, individuals registered in Priority Placement Program (PPP) do NOT displace employees currently encumbering a positions - a PPP match is ONLY AGAINST a vacant position. DoDEA will request a PPP exception for Phase II of the RSA. However, that will not enable the reassignment of an excepted service employee into a competitive service vacant position.

Q. How do I know where I need to go to **register in PPP**, if necessary?

A. If downgrade or separation notices are issued the appropriate HR office will provide specifics for PPP registrations to those employees, including setting up appointments for the registration (either by phone or face-to-face).

Q. What is the timing of **PPP and RIF** – which comes first? Which trumps which?

A. Generally employees register in PPP once they receive a notice of separation or downgrade due to the RIF. If an overseas employee is currently registered in PPP and they receive such a notification they would need to contact the HR Office to update the PPP registration to Priority 1.

If an employee is matched through PPP between the time of the notice of separation or downgrade and the effective date (24 June 2017) the PPP valid offer would replace the pending separation/downgrade. If not a valid offer or no match prior to the separation/downgrade effective date then the separation would occur although the individual remains registered in PPP.

Q. Can **Merit Promotion vacancies** Area of Consideration (AOC) be “DoDEA employees only” first?

A. The decision has been made that vacancies will be filled as competitive service positions and will announced as both Merit Staffing and Open to all U.S. Citizens. This allows the DoDEA employees to apply for the vacancies. If the vacancy is only announced under Merit Staffing for DoDEA employees only the excepted service employees would not be able to considered for the vacancy.

Q. If offered a position in lieu of RIF to Americas, would that position be in the **excepted service**?

A. No. Since all vacant positions are to be filled in the competitive service no vacant positions will be offered as excepted service employees if they are notified of separation due to RIF.

Q. Why not use the original July 24th date that we have historically used for **effective date of the RIF**? This would allow employees that are 3 weeks shy of age eligibility [for retirement to retire].

A. The historical 24 July date referred to appears to have been used for educators in the Americas since that is the end of the DDESS school year and a logical effective date. It was used in Phase I – Educators for the same reason. Under Phase II the employees are generally year-round employees so the end of the school year is not a driving factor. We considered workload for both the HR staff and DLA, the peak relocation season, the ability for individuals to relocate and get settled before new school years starts for their children and it is the end of pay period. The 24 July date is not the end of a pay period and extending the date allow someone to meet retirement eligibility could be seen as giving preferential treatment to one individual and someone else could argue they only need 4 weeks, or 5 weeks, and so on.

There is a provision for **Extended Employment for Retirement and/or Health Benefits** which authorizes the use of annual leave for an involuntarily separated individual (separated due to RIF) to remain on DoD rolls in order to reach **initial eligibility** for retirement and/or continuance of health benefits.

Q. Will both VERA and VSIP be offered to the 2210 series (IT Specialists)?

A. No decision has been made regarding VERA and/or VSIP, of whether it would be offered nor whether it would include the entire DoDEA employee populations under the RSA Phase II (F&BO) or only a defined segment of that populations (for example only specific locations or specific job series).

Q. If you accept **VERA and/or VSIP** are you required to remain employed until the Jun 24, 2017 date to be off the roles as an employee.

A. If VERA and/or VSIP is offered it will indicate the period when an individual would need to separate. Usually the window is sometime during the period of 3-4 weeks immediately before the effective date of the RIF, but before the RIF date.

Q. What is the **earliest date I can separate** if approved for VERA and/or VSIP?

A. When a decision is made on whether or not to authorize VERA and/or VSIP, the dates employees may separate/retire will be determined and announced.

Individuals who receive VSIP are not allowed to return to work for DoD with 12 month period. If they return to a Federal position with 5 years of the VSIP they must return the entire amount of the VSIP to the government.

Q. How much **severance pay** would I receive if I am separated due to the RIF?

A. Severance pay is calculated based on the years of service, the current base pay, which are multiplied by an OPM established Factor to determine the final amount of severance pay entitlement. This amount is then paid out over a 12 months period – no lump sum payment.

The employee must have been a permanent employee for at least 12 months and must NOT be eligible for retirement. Additionally employees may only receive 52 weeks of severance pay during the career so if they received it previously, they would only be eligible for the period of time that would result in 52 weeks. If they already received the maximum they are not entitled to an additional payment of severance pay. Also, if the employee is re-employed in a Federal position during the period they are receiving severance pay their severance payments stop.

Q. If an overseas employee who was locally hired is reassigned to another overseas duty location would the packages for determination of eligibility for **living quarters allowance (LQA)** be forwarded to them so a determination can be made?

A. Since it will not be known whether an employee is receiving LQA during the RIF process, the form used for Determination of Eligibility for LQA will be posted and available on the RSA website for individuals who are being relocated in the Overseas area to use.

Q. If an employee wants to exercise their **return rights** before they have not met their tour obligation does their previous agency have to honor the request for early return?

A. If an employee is notified of curtailment of tour or abolishment of position then the HR office should work with the agency holding the return rights to coordinate an effective date for return.

Q. When will DoDEA publish **organization charts** of all parts of DoDEA Americas?

A. The organization charts that are approved are on SharePoint and can be viewed/printed by managers. These charts are the official charts for the new structure. If there is an approved 'change request', the charts will be updated.

Q. If you are an AD-09 (excepted service) Child Nutrition Director at Fort Benning and the new position is GS-09 (competitive service) Child Nutrition Director at Fort Benning (job is materially the same but now is a GS) do you have to **apply for the** GS-09 Child Nutrition Director job?

A. If an excepted service employee is in a position that is **NOT** being moved or materially changed (different grade, location or duties/qualification requirements) that employee would not be displaced (moved from the position) and the position would not become competitive until it becomes vacant. At that time it would be announced as a competitive service position.

Q. Is there a process for management or employees to request a **management directed move** to assist in this RSA process.

A. The RSA Office meets with the functional managers to discuss options for filling vacancies, including management directed reassignment.

Employees may submit a request for reassignment up their supervisory chain at any time. There is no requirement for management to approve a reassignment request. However, employee should be aware that, if approved, it is a voluntary action so they would not be eligible for grade retention or saved pay.

Q. It appears management is not maximizing their opportunities to relieve the angst of the employees as they are going through the restructuring process. Specific examples are (1) **Merit promotions** are Federal wide- they could be DoDEA (or even smaller) area of consideration, (2) People in positions that are changing are being **required to compete** for the positions when in a RIF, they could be offered or would outright 'win' the position., (3) **Mock RIF** results are not shared with the affected employees although it is not prohibited. Management is giving the

appearance of 'cleaning house' rather than keeping and doing whatever can be done for current employees.

A. 1. The decision has been made that vacancies will be filled as competitive service positions and will announced as both Merit Staffing and Open to all U.S. Citizens. This allows all DoDEA employees to apply for the vacancies. If the vacancy is only announced under Merit Staffing for DoDEA employees, the excepted service employees would not be able to apply and be considered for the vacancy.

2. If a position was NOT materially changing (no change to grade, location duties/qualification) and it is held by an excepted service employee they would remain in the position. However, if the position IS materially changed the excepted service employee will be notified that their current position is abolished and they will be separated. In a RIF excepted service employees can NOT reassigned to competitive service positions. They must apply to vacancy announcements.

3. There is no requirement to conduct a Mock RIF. If it is conducted the results of the Mock RIF are not distributed since they are a management tool to determine what additional actions may be appropriate to mitigate the adverse impact of a RIF. Sharing information from the Mock RIF would be premature since there are tools that may be used to reduce the impact of RIF so any notice to employees of the results would be premature and inaccurate.

Q. When do you anticipate the date of the **Mock RIF**?

A. The current plan is to conduct the Mock RIF starting the week of 24 October. Please remember that the results of the MOCK RIF are not distributed since they are a management tool to determine what additional actions may be appropriate to mitigate the adverse impact of a RIF.

Q: During the briefing you stated if the position was staying the same we would be moved into it. My question is I have been told positions like mine which is currently a GS12 position are being posted (the already vacant ones) as GS13. So if my **position is changing** to a GS13 do I keep the position? I am already competitive but only a 12 step 2.

A. No, you would not keep the position in the example you provided. If a position was NOT materially changing and it was held by an excepted service employee they would remain in the position. In your scenario the position grade is changing, therefore the position is NOT remaining the same – it has materially changed (the grade is higher which would indicate that the duties have changed). Even though you are a competitive service employee you would need to apply to the vacancy announcement. We cannot place someone into a position at a grade level they have not previously held. If a competitive service employee is on a career ladder for the higher grade, they could be matched to the position since they have already competed and been selected for the higher grade.

Q. One of the IT Technician positions under me is finally being posted and will be competitive. I have an excepted service employee who wants to **apply** for it so she can become competitive and keep her GS12. Is that even necessary?

A. Yes, she should apply under the vacancy announcement. If a position has been posted we have already reviewed the position to determine if it needs to be announced. Any vacant position must be advertised as a competitive service position. It is announced under both Merit Staffing and Open to U.S. Citizens. This enables excepted service employees an opportunity to apply for competitive service positions. We cannot move an excepted service employee into a vacant position since DoDEA has determined that all vacant positions are to be filled as competitive service positions.

Q. Will **spousal hires** lose their job due to lack of status or appointment? Will married couples be allowed to remain together in their current location or in another location?

A. All employees are placed on the retention register based on their competitive area and the 4 factors (below) and they are placed based on those factors.

- Competitive Level
- Tenure Group
- Veterans preference sub-group
- Length of service (as adjusted for performance).

The individual's appointment under the family member authority or whether they are a married couple wanting to remain in or move to the same location are not factors to be considered.

Q. The briefing slides include a statement that the SCD for RIF "does not include most **NAF service time**."

A. The RIF regulations generally do not allow for inclusion of NAF time in the SCD-RIF, however there is an exception so we cannot say NAF time does not get included.

We asked individuals to indicate if they have NAF service on their PDS sheet so we can check to see if that time/service meets the criteria for exception.

Q. What are the **pay implications** if I am downgraded to a lower graded position?

A. If you are downgraded due to management action and through no fault of your own, you will be entitled to Grade Retention for up to 2 years and if your salary is not within the pay table limits for our grade, you will continue to receive saved pay, with 50% of the annual increase instead of the full increase) until your pay is within the pay table for your grade. If you are offered a position which would reinstate you to your original grade the Grade Retention/Saved pay would stop.

Q. Why can't we request **specific locations**?

A. The retention registers are based on the 4 factors: Competitive Level; Tenure Group; Veterans preference sub-group and Length of service (as adjusted for performance). Decision on where to place employees who are to be reassigned is based on the mission and the placement based on the closest geographic location where a vacant position available for placement.

Q. Why can't I remain **overseas** for over 5 years?

A. The overseas tour length limitation is based on the DODI 1400.25, Volume 1230 and the DoDEA Administrative Instruction 5666.01. It is not a factor used on the retention register standings.