Restructuring for Student Achievement

Financial, Business and Support Operations

Workforce Shaping
Fall 2016
RSA Purpose
- To improve support to schools and become a standards-based education system -> aligned curriculum, instruction, assessments and professional development
- Realignment of full-time employees to meet DoDEA’s priorities

Scope
- Limited to above-school-level workforce DoDEA-wide
- Appears to be sufficient positions to accommodate those above-school-level employees – However some will need to apply to vacancy announcements
- Some positions may have different functions or will be performed in a new location or echelon
Workforces Reshaping continued...

- **Shaping Tools**
  - Release of Temporary employees (NTE appointees, Reemployed annuitants)
  - Management Directed Reassignments (MDR)
  - Overseas Tour curtailment/Exercise Return Rights
  - Voluntary Early Retirement Authority (VERA)/Voluntary Separation Incentive Pay (VSIP)
  - Reduction in Force (RIF)

- **Timing**
  - Phase 1 – Completed 24 July 2016 – Included HQ Education, CILs, district offices
    - NO employees were involuntarily separated!
  - Phase 2 – Finance and Business Operations Employees
    - If RIF is necessary projected effective date --- 24 June 2017

- **Communications**
  - General Notice of Possible RIF
  - DoDEA website [http://www.dodea.edu/Restructuring/index.cfm](http://www.dodea.edu/Restructuring/index.cfm)
The words no one wants to hear...

Our organization may be undergoing a RIF!

• Employee’s first thought is their job will be abolished and they will be unemployed. BUT, a RIF is *an orderly and systematic process for making necessary organizational changes.*

• Actions leading up to, and during, the RIF process can actually keep people from losing their jobs.
RIF Purpose/Cause

• RIF is the release of competing employees from the competitive levels by
  o reassignment, demotion, separation (or furlough of 30 days or more):

• When release is due to:
  o Lack of work;
  o Reorganization or downsizing;
  o Shortage of funds; or
  o The exercise of reemployment/restoration rights
RIF Preparation

Defining Competitive Areas (DODEA AI 5820.01)

• Establish Ground rules

• Data clean-up
  o Personnel Data Sheets (PDS)(preliminary in June, final in Sept)
  o Employees prepare/submit updated resume w/PDS
  o Correct OPFs as needed

• Identify employees:
  o On Workers’ compensation
  o On Leave Without Pay (LWOP) with return rights
  o With other mandatory return, re-employment or restoration rights (i.e., overseas employees)
Mechanics of RIF

- Establish Retention Registers – based on
  - Competitive Area
  - Competitive Level
  - Tenure group and veteran preference subgroups
  - Length of service – adjusted from RIF Service Computation Date (SCD)
  - Performance ratings*

NOTE: Competitive and Excepted Service employees (e.g., ADs, VRA, etc.) do not compete with each other in RIF

*NOTE: NDAA 2016 will change impact of performance ratings in RIF when implemented. Implementation is NOT anticipated until after Phase II
DoDEA Competitive Areas
(Boundaries within which employees compete)

- **HQ DoDEA:**
  - Employees located at HQ – single competitive area;
  - Employees assigned in Areas (physically away from HQ) – separate HQ competitive area in that district/location (complex)

- **DoDEA Pacific and Europe:** Geographical boundaries of current districts
  - **Pacific**
    - East
    - West
    - South
  - **Europe**
    - East
    - West
    - South

- **DoDEA Americas:** All Americas (previously known as DDESS) employees within a commuting area (school complex) to include district office employees if within same commuting area
  - Americas Southeast District Office is located at Fort Benning
  - Americas Mid Atlantic District Office is located at Fort Bragg
• Grouping of similar positions in the SAME COMPETITIVE AREA
  - Same grade (Block 18 on SF-50)
  - Same series (Block 17 on SF-50)
  - Same pay plan/pay schedule (Block 16 on SF-50)
  - Same work schedule (Block 32 on SF-50)
  - Same/similar duties
  - Same qualification requirements

• Separate competitive levels:
  - **Competitive** service positions and **Excepted** service positions (Block 34 on SF-50)
  - Different pay plans/pay schedules
  - Different work schedules
  - Trainee/developmental positions
Tenure Groups

• **GROUP I** – Career (generally over 3 years Federal service)

• **GROUP II** – Career Conditional (Generally 0-3 years of Federal service)

• **GROUP III** – Indefinite Appointment (Term and Temporary Employees >1 yr)

(This information is listed on the SF-50, Block 24; it will also be contained on the PDS)
• **Subgroup AD** – 30% or more compensable service connected disabled veterans

• **Subgroup A** – Other veterans who meet eligibility for preference

• **Subgroup B** – Non-preference eligible

(This information is listed on the SF-50, Block 26; it will also be contained on the PDS – Don’t confuse it with Veterans’ Prefence for employment which is Block 23)
RIF Service Computation Date (RIF-SCD)

- Reduction in Force Service Computation Date (RIF-SCD) - The constructed date from which an employee's length of service is derived for reduction-in-force (RIF) purposes. The computation includes:
  - All civilian service performed as a Federal employee
  - All active service performed in a uniformed service, UNLESS retired military – then only military service during a war declared by Congress or performed during a campaign or expedition for which a campaign badge has been authorized.
  - Does not include most Non-Appropriated Fund service time
Adjusted Length of Service Credit

- RIF-SCD is adjusted by credit for Performance:
  - Total creditable Federal civilian and military service
  - Adjusted to give credit for **average of 3 most recent** annual performance appraisals in the preceding 4 year period:
    - Exceptional – 20 years credit
    - Highly Successful – 16 years credit
    - Fully Successful – 12 years credit

**EXAMPLE:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Performance</th>
<th>Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Highly Successful/Proficient (4)</td>
<td>16</td>
</tr>
<tr>
<td>2015</td>
<td>Fully Successful (3)</td>
<td>12</td>
</tr>
<tr>
<td>2013</td>
<td>Exemplary (5)</td>
<td>20</td>
</tr>
</tbody>
</table>

Total = 48 divided by 3 = 16 years credit
Retention Registers

- Retention standing is designated first by the tenure group (I-Career, II-Career Conditional or indefinite) then by the veterans' preference sub-group (AD, A B).

- Service credit and performance ratings determine the standing within the group/subgroup combination.
Sample Retention Register

Employees are placed in order by Group/Subgroup, and in order within each grouping by RIF SCD, which is the adjusted date after including performance ratings.

<table>
<thead>
<tr>
<th>Group/Subgroup</th>
<th>Employee Name</th>
<th>SCD</th>
<th>RIF SCD</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-A</td>
<td>Brown, Nathaniel T.</td>
<td>11/14/1966</td>
<td>11/14/1950</td>
</tr>
<tr>
<td></td>
<td>Wilson, Chelsea A.</td>
<td>7/31/1965</td>
<td>7/31/1953</td>
</tr>
<tr>
<td>I-B</td>
<td>Downs, Christopher</td>
<td>6/17/1964</td>
<td>6/17/1944</td>
</tr>
<tr>
<td></td>
<td>White, Beatrice L.</td>
<td>8/22/1995</td>
<td>8/22/1979</td>
</tr>
</tbody>
</table>
RIF Competition

• **Competitive service:**
  o ROUND ONE - Determine which employee(s) has lowest retention standing. Then use RIF procedures to release the lowest standing employee(s) from the competitive level
  
o ROUND TWO – Use 4 retention factors, to determine if released employee(s) has a **bump** or **retreat right** to a position in a different competitive level (held by an employee(s) with an even lower retention standing)

• **Excepted service:**
  o One round only – released employee is separated – NO Bump or Retreat rights
Bump - displacing an employee on a different competitive level who is in a **lower tenure group**, or in a **lower subgroup** within the released employee’s own tenure group

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<td>7/31/1965</td>
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<td>Downs, Christopher</td>
<td>6/17/1964</td>
<td>6/17/1944</td>
</tr>
<tr>
<td></td>
<td>Finn, Charles N.</td>
<td>4/15/1993</td>
<td>4/15/1977</td>
</tr>
<tr>
<td></td>
<td>White, Beatrice</td>
<td>8/22/1995</td>
<td>8/22/1972</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GS-0343-09 FULL TIME</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td>Sup, Was</td>
<td>11/14/1966</td>
<td>11/14/1950</td>
</tr>
<tr>
<td></td>
<td>Stickmaker, Cand L.</td>
<td>7/31/1965</td>
<td>7/31/1953</td>
</tr>
<tr>
<td>I-B</td>
<td>Tale, Know D.</td>
<td>6/17/1964</td>
<td>6/17/1944</td>
</tr>
<tr>
<td></td>
<td>Diggett, Canue</td>
<td>8/22/1995</td>
<td>8/22/1982</td>
</tr>
<tr>
<td>II-B</td>
<td>Banks, Robyn</td>
<td>1/13/2002</td>
<td>1/13/1990</td>
</tr>
</tbody>
</table>

**Round 1:** Two positions in the competitive level have been abolished, so John Robinson and Susan Keane are released.

**Round 2:** John Robinson can “bump” Robyn Banks (John is a group II-A on his register while Robyn is the only II-B on the register) Susan Keane was in the lowest position on the retention register. Robyn Banks and Susan Keane are separated as a result of the 2 positions being abolished.
**Retreating** means displacing an employee on a different competitive level with *less service* within the released employee’s own tenure group and subgroup.

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**Round 1**: Beatrice White has been released.

**Round 2**: Beatrice can “retreat” to Canue Diggett’s position because Beatrice either previously held a GS-343-09 position, or a position that was essentially identical. (they are both in I-B, but Beatrice has an earlier RIF SCD.)
Sample Retreat to a Different Competitive Level

Example: Beatrice White, who was released from GS-343-12 competitive level by RIF, has the right to retreat to a position held by Charles Gabriel in the GS-560-11 competitive level. This is the best offer available to her, she is qualified for the position. Then we determine whether Charles Gabriel has a bump or retreat right to another position on a different retention register. No higher standing employee has a right to this GS-560-11 position.

<table>
<thead>
<tr>
<th>Group/Subgroup</th>
<th>Employee Name</th>
<th>SCD</th>
<th>RIF SCD</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-AD</td>
<td>Malone, Michael M.</td>
<td>01-19-79</td>
<td>01-19-65</td>
<td></td>
</tr>
<tr>
<td>I-B</td>
<td>Cook, Joseph G.</td>
<td>05-01-94</td>
<td>05-01-74</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Displaced by White; lowest retention standing; released; separated</td>
</tr>
<tr>
<td>Gabriel, Charles N.</td>
<td></td>
<td>08-13-93</td>
<td>08-13-81</td>
<td></td>
</tr>
</tbody>
</table>

After Beatrice White retreats to the position held by Charles Gabriel, the retention register for the GS-560-11 positions looks like this:

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<td>08/22/79</td>
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Reemployment Priority List (RPL)

- Provides reemployment consideration for former **competitive** employees of DoD
- Considered for vacancies within **commuting area** of former position only
- RPL must be cleared before filling position by new appointment, reinstatement or transfer from outside DoDEA
- **Optional** registration by employee
- Updated resume required
Employee RIF Notice

• Written notice to individual employee required at least 60 days before release from the competitive level by a RIF action

• Content:
  o Action being taken, reason, effective date
  o Employee’s competitive area, competitive level, subgroup, service date, and 3 most recent rating of record
  o Where employee may inspect regulations and record pertinent to their case
  o Reason for retaining a lower-standing employee in same competitive level (if applicable)
  o Reemployment rights:
    o Register on PPP
    o Register on RPL
  o Employee rights (appeal or grieve)
RIF Appeals and Grievances

• An employee who has been separated or downgraded due to RIF has:
  o Right to appeal to MSPB if employee believes agency did not properly follow the RIF regulations*

• File appeal within 30-day period from the effective date of the RIF action

*NOTE: An employee in a bargaining unit covered by a negotiated grievance procedure that does not exclude RIF must use the negotiated grievance procedure – can only appeal to MSPB if alleges action was based on discrimination
Recommended timeline based on the statutory 60-day employee notice period.

**DODEA TIMELINE**

**Jun 24** – RIF effective date

- **Feb – Jun**: Ongoing review for improved placements
- **Feb – RIF Notices**
- **Jan 2017** – Run RIF
- **Nov-Dec** – Gen RIF Notice
- **Oct – Mock RIF**
- **Sept – PDS**

**E-59**: Conduct mandatory PPP Registration

**E-60**: Mandatory RIF notice; may be delivered earlier

**E-70**: Terminate reemployed Annuitants & Temp employees; Conduct RIF process

**E-95**: Freeze discretionary personnel actions; offer VSIP

**E-105**: Mandatory Congressional notification
FACTS:

- Employee moved due to RIF – Gov’t funded Permanent Change of Station (PCS) (if meets criteria in Joint Travel Regulation (JTR))
- RIF – structured, orderly and systematic process
- Affected employees may review register they are on
- Displaced employees go on PPP or RPL (as appropriate)
- RPL list used to look for placement of separatees
- Separated employee may continue Federal Employees Health Benefits Temporary Continuation of Coverage (FEHB TCC) for 18 mos (@ same cost)
- Employee provided time for attending information sessions, counseling, PPP registration
- Final pay includes lump sum Annual Leave payout
- Sick leave remains on record (restored if return to any Federal position)
- May be eligible for Unemployment Compensation (Follow State rules)
MYTHS:

• Overseas employee moved due to RIF gets Living Quarters Allowance (LQA) – must be determined on a case by case basis
• Individual RIF Notice cannot be revised/canceled – continuous review of retention register through effective date of RIF
• The agency will find me a job – Employees should actively pursue employment opportunities
• Employee entitled to vacant position
• All separated employees get severance pay
• VERA and/or VSIP must be offered
RIF
• 5 USC Part 3351
• 10 USC 1597
• OPM Workforce Reshaping Handbook
• DoDI 1400.25, Volume 351
• DODEA AI 5820.01

PPP
• DOD Directive 1400.20
• DoD Civilian Personnel Manual, Chapter 18
• DOD PPP Operations Manual

RPL
• 5 USC 3315
• 5 CFR Part 330, Subpart B and Part 353
• DoD Civilian Personnel Manual, Chapter 330
• DOD RPL Guide

RESUME WRITING Webinars- Register online
• October 11th, 9-11 am (EDT)
  https://www.eventbrite.com/e/writing-your-federal-resume-dodea-oct-11-tickets-27744553707
• October 12, 7-9 pm (EDT)
  https://www.eventbrite.com/e/writing-your-federal-resume-dodea-oct-12-tickets-27744795430

DoDEA website:
http://www.dodea.edu/Restructuring/index.cfm
• **HQ RSA RIF Team**
  - Mabel (Jeanne) Scharch
  - Emily (Karen) Adelman

• **Ad Hoc Members**
  - Bryan Weekley, DoDEA Americas and staff
  - Sandi Nell, DoDEA Europe and staff
  - Alisha Gayle, DoDEA Pacific and staff
  - George Bell, DLA and staff
  - Christine Megee, DoDEA HQ HR and staff
Questions

Submit questions regarding the RSA workforce Shaping/RIF to:

opportunitiesoffice@hq.dodea.edu