

# **A Civilian Personnel Office Manual to Downsizing and Base Closure**



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THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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FORCE MANAGEMENT  
AND PERSONNEL

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FOREWORD

This Manual provides guidance on the placement of DoD employees adversely impacted by such actions as drawdowns, base closures, consolidations, contracting out and classification decisions.

This Manual applies to the Office of the Secretary of Defense (OSD); the Military Departments; the Defense Agencies; and all Defense organizations employing civilian, appropriated fund personnel (hereafter referred to collectively as "the DoD Components").

This Manual supports and provides implementing guidance to personnel offices in planning for and conducting reductions in force and outplacement activities. This manual is effective immediately.

Send recommended changes to the Manual to:

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The DoD Components may obtain additional copies of this Manual through their own publication channels. Other Federal Agencies and the public may obtain copies from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

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## References

- (a) Title 5 United States Code 3595, "Reduction in Force in the Senior Executive Service"
- (b) Title 5 United States Code 3323 (b), "Automatic Separations; Reappointment; Reemployment of Annuitants"
- (c) Civilian Marine Personnel Instruction (CMPI 351), "Reduction in Force"
- (d) DOD Directive 5410.10, Coordination and Clearance of Announcements of Personnel Reductions, Closures of Installations and Reductions of Contract Operations Within the United States, February 2, 1960
- (e) Federal Personnel Manual Supplement 351-1, Reduction in Force, Sep 89
- (f) Public Law 95-454 Section 306, "Retirement", October 13, 1978
- (g) Federal Personnel Manual Chapter 316, Non-Permanent Employment, December 22, 1989
- (h) Federal Personnel Manual Chapter 340, Other Than Full-Time Career Employment (Part-Time, Seasonal, On-call and Intermittent), March 12, 1985
- (i) Federal Personnel Manual Chapter 335, Promotion and Internal Placement, May 7, 1981
- (j) Handbook X-118 Qualification Standards for General Schedule
- (k) Handbook X-118c, Qualifications Standards for Trades and Labor Occupations
- (l) Title 5 United States Code 7103, "Definitions; application"
- (m) National Defense Authorization Act for FY 91, Section 322, "Guidelines for future reductions of civilian employees of industrial-type or commercial-type activities"
- (n) Defense Outplacement Referral System (DORS) Unser's Guide, January 1992
- (o) DOD 1400.20-1-M, "DOD Program for Stability of Civilian Employment: Policies, Procedures and Programs Manual", September 1990
- (p) Executive Order 12721, Eligibility of Overseas Employees for Noncompetitive Appointments, July 30, 1990.
- (q) Federal Personnel Manual Chapter 330, Recruitment, Selection and Placement, February 22, 1991
- (r) Federal Personnel Manual Chapter 930, Programs for Specific Positions and Examinations, April 28, 1989
- (s) Title 5 Code of Federal Regulations, Part 351, "Reduction In Force"
- (t) Title 5 United States Code 3502, "Order of Retention"
- (u) Federal Personnel Manual 315, Career and Career-Conditional Employment, January 31, 1984
- (v) Title 5 Code of Federal Regulations, Part 319, "Employment in Senior-Level and Scientific and Professional Positions"
- (w) Title 5 United States Code 3132, "Definitions and exclusions"
- (x) Title 5 United States Code Chapter 81 "Compensation for Work Injuries", Subchapter I - Generally

## Definitions

**Annual performance rating:** An official performance rating under an approved 5 U.S.C. Chapter 43 performance appraisal system. For any agency not covered by Chapter 43, an official rating as provided for in the agency's system.

**Administrative assignment:** Assignment rights that go beyond the minimum required by OPM regulations. Administrative assignments are given at the agency's discretion.

**Appeal:** A request by an employee for review of an agency action by an outside agency. RIF actions are reviewed by the Merit Systems Protection Board.

**Assignment right:** The right of an employee to be assigned (by bump or retreat in Round 2 of RIF competition) to a position in a different competitive level. That position must be held by another employee with lower standing on a retention register.

**Available position:** A position to which an employee may have assignment rights. The position must meet all of the following criteria:

- be in the competitive service
- be in the same competitive area
- be occupied by someone the employee can displace
- be a position for which the employee qualifies
- last at least 3 months
- have a representative rate that is not higher than that of the employee's current position

**Base closure:** The complete shutdown of an installation. All functions are transferred to other installations or the function is abolished.

**Break in-service:** The time between separation and reemployment in Federal service.

**Bumping:** An employee's RIF assignment right to an available position occupied by another employee in a lower subgroup in another competitive level.

**Career tenure:** Status of a permanent employee in the competitive service who has completed 3 years of substantially continuous creditable Federal service.

**Career-conditional tenure:** Status of a permanent employee who has not completed 3 years of substantially continuous creditable Federal service.

**Competing employee:** Generally, an employee in tenure group I, II or III, in either the competitive or excepted service.

**Competitive area:** The geographical and organizational boundaries established for RIF competition.

**Competitive level:** Grouping of positions in the same grade and classification series with essentially the same duties, qualification requirements, pay schedules, and working conditions. The incumbent of one position could successfully perform the critical elements of any other position upon entry into it, without any loss of productivity beyond that normally expected in the orientation of any new but fully qualified employee.

**Competitive service:** Federal positions normally filled through open competitive examination under OPM rules and regulations.

**Credit for performance:** Additional service credit based on the last three annual performance ratings received during the 3-year period prior to the date of issuance of specific RIF notices.

**Days:** Calendar days. In counting the 30-, 60-, or 90-day notice periods for RIF, the last day of the period may not end on a Saturday, Sunday, or holiday but must be extended to the next workday.

**Derived (veteran) preference:** The entitlement of some spouses, widows, widowers, and mothers of disabled veterans to veteran preference.

**Excepted service:** Federal service positions not subject to the appointment requirements of the competitive service or the Senior Executive Service.

**Function:** All of a clearly identifiable segment of an agency's mission (including all integral parts of that mission), regardless of how it is performed.

**Furlough:** The placement of an employee in a temporary nonduty and non-pay status. To be covered by the RIF regulations, furlough must be for more than 30 calendar days but not more than 1 year and based on one of the RIF reasons. Such a furlough may not be in accordance with preestablished conditions of employment.

**Grade retention:** Situation in which an employee retains his or her grade for up to 2 years after being placed in a lower graded position.

**Grievance (negotiated procedure):** A complaint against agency management handled under procedures outlined in a negotiated agreement (union contract). A RIF grievance under the negotiated procedure is appropriate when the agreement includes a procedure for RIF actions.

**Local commuting area:** A population center within which people can reasonably be expected to live and travel back and forth to work on a daily basis.

**Notice:** The official communication addressed to an individual employee announcing that he or she will be affected by a RIF action. A general notice is given when the specific action to be taken cannot be determined 30 days before a RIF. A specific notice contains information on the action to be taken in an individual case.

**Pay retention:** Situation where an employee retains his/her former pay when that pay is higher than the maximum rate of the grade for the position the employee occupies.

**Performance rating:** The official written record of how well an employee accomplishes the essential duties and responsibilities of his or her position.

**Prohibited personnel practices:** Employment actions prohibited by the Civil Service Reform Act of 1978. Designed to protect employees from discrimination based on nonjob-related factors, coercion, and reprisal.

**Qualification requirements:** Education, experience, and other requirements established by OPM for employment or placement in a position.

**Reduction-in-force:** The release of a competing employee from his or her competitive level by furlough for more than 30 calendar days, separation, demotion, or reassignment requiring displacement when the release is required because of lack of work, shortage of funds, insufficient personnel ceiling, reorganization, or an employee's exercise of reemployment rights or restoration rights; or reclassification of an employee's position due to erosion of duties when such action will take effect after an agency has formally announced a reduction-in-force in the employee's competitive area and when the reduction-in-force will take effect within 180 days.

**Representative rates:** The hourly rates used to compare pay in different pay schedules. In RIF, representative rates are used to ensure that an employee gets the best offer to which entitled and that offers do not exceed an employee's entitlement. Representative rates are 4th step for GS-1 through GS-15; 2nd step for WG, WL, and WS; and agency-designated rates for other positions.

**Retention order:** The systematic arrangement of employees showing those with highest retention standing (most right to be retained) first and employees with lowest retention standing (least right to be retained) last.

**Retention register:** A list of competing employees within a competitive level. Employees are arranged by tenure, veteran preference, and service date (adjusted for performance). There is a separate retention register for each competitive level. The employees are listed in retention order.

**Retention standing:** An employee's relative position on a retention register based on tenure, veteran preference, and service date (adjusted for performance).

**Retreating:** An employee's RIF assignment right to an available position previously held or essentially identical to one previously held, and the position is occupied by a lower standing employee in the same subgroup with a later service date.

**Round 1:** The stage of RIF competition where employees compete to remain in their own competitive level. In Round 1, the employees to be released from their competitive levels are identified.

**Round 2:** The stage of RIF competition where employees compete for assignment to a position in another competitive level. Bumping and retreating are ways employees displace other employees in Round 2.

**Service date:** The date used in establishing an employee's retention standing. The service date for RIF purposes is adjusted to give credit for performance.

**Tenure groups:** Categories of employees by status under their current appointments. There are three basic tenure groups designated by Roman numerals I, II, and III. Tenure group I has the highest retention standing. The composition of the groups is different for the competitive service and the excepted service.

**Transfer of function:** The transfer of the performance of a continuing function from one competitive area and its addition to one or more other competitive areas, except when the function involved is virtually identical to a function already being performed in the other competitive area. Also included is the movement of the competitive area in which the function is performed to another commuting area.

**Undue interruption:** A degree of interruption that would prevent the completion of work within the allowable limits of time and quality taking into account the pressures of priorities, deadlines, and other demands. A work program probably would be unduly interrupted if an employee needed more than 90 days after the reduction-in-force to successfully perform the critical elements of a position.

**Veteran preference:** The right of a veteran to special benefits in employment and separations. For RIF, veteran preference is indicated in the tenure subgroups AD and A. Veterans in subgroup AD (for compensable service-connected disability of 30 percent or more) have higher retention standing than veterans in subgroup A, and nonveterans in subgroup B. Veterans in subgroup A have higher retention standing than nonveterans in subgroup B.

**Veteran preference subgroups:** Within each of the three tenure groups on a retention register, employees are listed by veteran preference subgroup. These subgroups are the same for both the competitive and excepted services. The subgroups are as follows: (1) Subgroup AD includes each preference eligible employee who has a compensable service-connected disability of 30 percent or more; (2) Subgroup A includes each preference eligible employee not in subgroup AD; (3) Subgroup B includes each employee not eligible for veterans preference.