



DEPARTMENT OF THE NAVY
NAVAL TRAINING CENTER
GREAT LAKES, ILLINOIS 60088-5000

NTCGLAKESINST 12351.1
(042)

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NTC GREAT LAKES INSTRUCTION 12351.1

From: Commander, Naval Training Center, Great Lakes

Subj: REDUCTION-IN-FORCE (RIF)

Ref: (a) FPM Supplement 351-1 and CPI Supplement

1. Purpose. To set forth policies and procedures concerning Reduction-in-Force (RIF) as outlined in reference (a).

2. Discussion. RIF procedures are used when it is necessary to release employees from their competitive level by furlough for more than 30 days, separation, demotion or reassignment requiring displacement, when the release is required because of lack of work, shortage of funds, insufficient personnel ceiling, reorganization, exercise of reemployment rights or restoration rights, or reclassification due to erosion of duties when it occurs within 180 days of a formally announced RIF in the competitive area.

3. Definitions

a. Annual Performance Rating of Record. An official performance rating under the agency's appraisal system.

b. Competitive Area. The organizational and geographic boundaries in which employees compete in a RIF. The competitive area for employees serviced by Naval Training Center Consolidated Civilian Personnel Office (NTC CCPO) will be identified by that activity's Unit Identification Code (UIC). When an activity's UIC includes employees in different geographic areas, the geographic area is used to designate the competitive area for that particular UIC.

c. Competitive Level. A group of positions in the same grade and classification series that have similar duties and requirements.

d. Tenure. The period of time an employee may reasonably expect to serve under a current appointment.

e. Subgroup Standing. The employee's relative standing on a retention register based on tenure group and veterans preference subgroup.

f. Retention Registers. Listings of employees within a competitive level who are grouped by tenure, veterans preference and length of service augmented by performance credit.

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g. Order on Retention Registers. Competing employees are listed on a retention register in the following order:

Group I includes career employees who are not serving a probationary period. This does not include the one year probationary period for new supervisors and managers.

- Subgroup I-AD Preference eligible employees who have a compensable service connected disability of 30 percent or more
- Subgroup I-A Preference eligible employees not in Subgroup AD
- Subgroup I-B Employees not eligible for veterans preference

Group II includes all career conditional employees. It also includes career employees serving a probationary period because they have received a new appointment from an Office of Personnel Management (OPM) certificate.

- Subgroup II-AD Preference eligible employees who have a compensable service connected disability of 30 percent or more
- Subgroup II-A Preference eligible employees not in Subgroup AD
- Subgroup II-B Employees not eligible for veterans preference

Group III includes indefinite employees, employees under temporary appointments pending establishment of registers, employees in status quo, and employees under other nonstatus, nontemporary appointments.

- Subgroup III-AD Preference eligible employees who have a compensable service connected disability of 30 percent or more
- Subgroup III-A Preference eligible employees not in Subgroup AD
- Subgroup III-B Employees not eligible for veterans preference

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h. Retention Standing. An employee's relative standing on a retention register is based on tenure, veterans preference and length of service augmented by performance credit. The length of service is determined by the service computation date. The service computation date is established by adding all periods of creditable civilian and military service and deducting the total time from the date of the most recent entry into the Federal civil service. Augmentation of the service computation date is accomplished by giving credit for performance. Additional credit is based on the mathematical average of the values assigned for the last three annual performance ratings of record, that the employee received during the four year period prior to the date of issuance of specific RIF notices. Performance ratings that were due before the date of specific RIF notices but were not officially approved and put on record until on or after the date of the specific notices are not used to determine additional service credit. Annual ratings are prescheduled ratings generally given once each year. If an employee had more than three annual ratings during the four-year period, the three most recent ratings are used. If an employee has not received three annual ratings during the four-year period, credit is given for an assumed rating(s) of fully successful to bring the employee's ratings up to three. In determining this average, the value for each rating is as follows:

- (1) 20 years of service for each Outstanding rating;
- (2) 16 years of service for each Exceeds Fully Successful rating;
- (3) 12 years of service for each Fully Successful rating; no additional service credit is given for performance ratings below fully successful.

The average figure derived is subtracted from the service computation date and used as the service date on the retention register.

i. Assignment Right. The right of an employee to be assigned (by bump or retreat) to a position in a different competitive level held by another employee with lower standing on a retention register. The assignment right of an employee may be satisfied by placement in a vacant position, if available, rather than by bump or retreat. The employee has no right to choose the position if there are multiple positions at the same representative rate which will satisfy the assignment right.

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j. Bumping Rights. The right of a Group I or II employee reached for RIF to be offered a position, if available, at or below the employee's present grade level. The employee must meet the qualifications for the position and the post must be occupied by an employee in a lower retention subgroup. An employee cannot bump more than three grades or three grade intervals below the position from which being released.

k. Retreat Rights. The placement of an employee reached by RIF in a position at or below the employee's present grade from which or through which the employee was promoted, if occupied by another employee in the same retention subgroup with less federal service. An employee cannot retreat more than three grades or three grade intervals below the position from which being released.

l. Representative Rate. The rate used to determine whether a position in a different pay schedule is at or below the current grade of an employee. The representative rate is the fourth step of the grade for all General Schedule positions, the second step of the grade for all Federal Wage System positions, and for all other positions, the rate designated by the agency for all other pay schedules.

m. Furlough. The placement of an employee in a temporary nonduty and nonpay status on a continuous or noncontinuous basis which is not in accordance with established conditions of employment. If the furlough is for more than 30 consecutive calendar days (or more than 22 workdays if done on a noncontinuous basis) but not more than one year, the action is based on RIF procedures.

n. 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 functions already being performed in the other competitive area(s) affected; or the movement of the competitive area in which the function is performed to another commuting area. The function must cease to be performed at the original location.

4. Procedures

a. RIF Planning. RIF is a highly sensitive subject and activities are encouraged to keep open communications with employees and union representatives in order to help employees understand the need for the reduction and encourage them to continue work with as little disruption as possible. Reference

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(a) provides guidance on management aspects of RIF and provides a number of alternatives for minimizing the impact of RIF. Activities should anticipate decreases in workload, funding, ceiling allowances or other factors which could require a reduction in civilian workforce. Whenever possible, activities are encouraged to accomplish required reductions by attrition, hiring freezes, separating temporary employees, etc.. If it becomes apparent that RIF actions must be taken, activities should recognize that such actions must be initiated well in advance of the required separation date. Employees must be given at least 60 days advance written notice before a RIF becomes effective. Employees scheduled to be separated are entitled to request an additional 30 days of annual leave or leave without pay in order to extend their notice period. To allow time for preparation of retention lists, determination of placement offers and preparation of notices, requests for RIF action should be submitted to NTC CCPO at least 30 workdays prior to the date written notices are to be issued.

b. Initiation of RIF. Activities are responsible for all decisions concerning what positions are abolished, whether a RIF is necessary and when it will take place. Requests for Personnel Action (SF-52's) should be submitted through channels to the NTC CCPO, identifying each position to be eliminated. The SF-52's must be accompanied by a letter stating the reason for the RIF and documentation that appropriate approval was received in order to conduct the RIF.

c. Determination of Placement Rights and Preparation of Notices

(1) The Staffing Division, NTC CCPO will determine placement rights for all employees affected by RIF in accordance with reference (a).

(2) The NTC CCPO will discuss the impact of the proposed RIF with the activity head or representative. RIF notices will then be prepared by NTC CCPO.

d. Consultation with Union. Prior to issuing RIF notices to employees covered by a negotiated agreement, a representative of the activity will discuss the RIF with a representative of the bargaining unit.

e. Presentation of Notices. It is imperative that RIF notices be delivered in a timely fashion because of mandatory advance notice periods. Whenever possible, RIF notices should be delivered in person, during normal duty hours, by a responsible

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management official. In the case of unforeseen absence of the employee, it may be necessary for the activity to make arrangements to deliver the notice to the employee in person at the employee's home address.

f. Counseling. Supervisors of employees affected by RIF should ensure that employees are given the opportunity to receive individual counseling from the Staffing Division, NTC CCPO regarding their RIF action and placement rights. Employees are encouraged to obtain counseling from the NTC CCPO, although such counseling is voluntary. Any provision in a negotiated agreement takes precedence.

g. Placement Efforts. Employees in Tenure Groups I and II are entitled to special placement assistance, which is administered by NTC CCPO. The following programs apply:

(1) Reemployment Priority List (RPL). Separated employees are placed on this list for the position from which separated and for any other positions for which they qualify and indicate a desire to be considered. A position may not be filled by a new appointment as long as there are employees on the RPL for that specific position. Group I employees remain on this list for two years and Group II employees for one year unless they are placed or decline placement in the federal service during this period. The NTC CCPO will maintain RPLs for all serviced activities.

(2) Department of Defense (DOD) Priority Placement Program (PPP). Employees separated through RIF are eligible for priority placement at DOD (e.g., Navy, Army Air Force and Defense) installations. At the time employees are issued RIF notices, they will be advised that they may request placement consideration at other DOD installations. If such placement consideration is requested, the employee's name and qualifications will be forwarded for registration in the DOD PPP. Any employee scheduled for separation and entitled to severance pay MUST be registered for placement. Under the PPP, employees must accept a valid offer (e.g., a position at a location meeting grade and salary requirements which the employee indicated were acceptable) or they are no longer entitled to priority consideration and will be dropped from the program.

(3) Displaced Employee Program (DEP). Employees who have received a specific RIF notice of separation or have been separated are entitled to placement assistance from the Office of Personnel Management (OPM) upon application. When agencies fill positions through OPM registers, OPM will automatically refer any

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displaced employee for a specific vacancy. An agency may not pass over a DEP eligible to select an outside candidate.

h. Appeals. Bargaining unit employees covered by negotiated agreements which do not exclude RIF appeals from coverage of the grievance procedure must appeal through that procedure when they have received a specific notice of RIF and believe the activity incorrectly applied the regulations. The appropriate grievance procedure, time limits for filing, and official to whom the appeal should be addressed will be provided in the RIF notice. All other employees may appeal, in writing, to the Merit Systems Protection Board (MSPB) if they believe the activity incorrectly applied the RIF regulations in their case. Time limitations for appeals, the appropriate appeal form, and the address of the MSPB office to which appeals must be directed will be provided in specific RIF notices.



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