

SAWEP

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
P.O. Box 1890
Wilmington, NC 28402

DISTRICT REGULATION
NO. 690-1-24

16 July 1981

CIVILIAN PERSONNEL

Reduction-in-Force Policy and Procedures

1. Purpose: To impart general information concerning the principles and procedures that will be followed should reduction-in-force become necessary.
2. Scope: Reduction-in-force action is required whenever an employee is to be released from his competitive level (defined in paragraph 5b) by means of separation, furlough for more than 30 days, demotion, or reassignment requiring displacement, when the release is required because of lack of work, shortage of funds, reorganization, or the exercise of reemployment rights or restoration rights. When a function is transferred and affected personnel decline to transfer with their positions, they have no right to compete for positions under reduction-in-force procedures. This policy applies to all civilian personnel of the Wilmington District.
3. References:
 - a. FPM Chapter 351.
 - b. DA Civilian Personnel Regulation CPR 300.351.
 - c. ER 690-1-351.
4. Policy: Reduction-in-force will be used only when necessary and appropriate. It will not be used to avoid taking corrective actions for personal cause or as a substitute for actions which should be taken under management prerogative for making job placements and assignments. Operating officials and supervisors will work closely with Personnel Office staff in planning for reduction-in-force and in working out assignments of affected personnel.
5. Terminology: The following terms are used in reduction-in-force regulations and have local applications as indicated:
 - a. Competitive Area. All employees of the Wilmington District, except the following, compete generally with each other for retention regardless of the

DR 690-1-24
16 July 1981

geographic location of their positions and are therefore considered to be in one general competitive area: Powerhouse Superintendent, Assistant Superintendent, Shift Operator, Powerhouse Electrician and Mechanic positions. (Employees in the positions compete Division wide.) Whenever there is a surplus employee, the district having it will immediately request each of the other two districts having power plant personnel to furnish a retention register for the position. A composite register will be prepared and required actions coordinated with affected district(s) through the Chief, Hydro-Power Branch of the SAD Office, who will attempt Division-wide placement to avoid reduction-in-force (RIF). Even informal placements prompted by reduction-in-force will be coordinated with SAD to preclude formal RIF action. At times employees may have retreat or "bumping" rights under RIF regulations within their districts when they have no such rights in power plants.

b. Competitive Level. A competitive level consists of all positions within a competitive area which have the same job number, or which are sufficiently alike in duties, responsibilities, pay systems, grade, and working conditions that the incumbent of any one of them could be moved to any other or incumbents interchanged without a change in terms of appointment tenure or undue interruption of the work. Levels are not established on the basis of skills or knowledge possessed by any particular individual, but on skills and knowledge required by the duties and responsibilities of the position. Interchangeability is based on what can usually be expected of any person holding the position. Levels are maintained in the Personnel Office.

c. Retention Order. Within each competitive level there are subgroups into which employees fall for retention preference purposes based on tenure of employment, veterans preference, length of service, and performance rating as follows:

(1) Tenure of employment, determines the employee's retention group. Tenure Group I includes career employees who are not serving a probationary period. (A new supervisory or managerial employee serving a probationary period is in Group I if the employee is otherwise eligible to be included in this group). Tenure Group II includes: 1) employees serving probationary periods (a new supervisor or managerial employee serving a probationary period is Group II if that employee has not completed a probationary period), 2) Career-conditional employees. Tenure Group III includes: 1) indefinite employees, 2) employees serving under temporary appointments pending establishment or registers (TAPER), 3) employees in status quo, 4) employees serving under other nonstatus nontemporary appointments, 5) term employees.

(2) Veterans preference determines the employee's subgroup. In each of the three tenure groups, preference eligibles who have a compensable service-connected disability of 30% or more are in the highest category--Subgroup AD. Subgroup A includes all other preference eligibles, and Subgroup B includes nonpreference eligibles. Employees who might otherwise qualify for veteran preference are not so entitled, effective October 1, 1980, if they retire at or

above the rank of Major (except for those with service connected disabilities noted above).

(3) In each Subgroup employees are ranked in the order of their length of service, with an adjustment by extra service credit of 4 years given to employees in receipt of a current exceptional performance rating, and 2 years to employees with a current rating of highly successful.

When employees in a competitive level are ranked on the retention register, the descending order of retention standing shows them in the following order, starting from the top: I-AD, I-A, I-B, II-AD, II-A, II-B, III-AD, III-A, III-B.

In the normal order of release from the competitive level, no employee is released unless everyone below him/her on the retention register is released.

d. Supervisors and managers covered by Merit Pay System will be considered GS employees for all RIF purposes.

6. Procedures: The following steps are usual in reduction-in-force actions:

a. As part of their responsibilities for maintaining economical position and grade structure, supervisors determine what positions are no longer required, discuss implications with Personnel Office staff, and promptly submit "Request for Personnel Action" (SF-52) identifying each surplus position.

b. The Personnel Office prepares a retention register for each competitive level in which reduction-in-force action is required. The register shows the relative ranking of all persons in the level. The lowest ranking person is notified in writing of impending RIF action, even though he/she may not be the person whose position is surplus. If there are two or more surplus positions, then the corresponding numbers ranking lowest are given notices. Each notice given will advise the employee of the action proposed, his/her appeal rights, and will include as reasonable an offer of another position as the office is able to make. A reasonable offer is one to a position which the employee is fully qualified to perform without undue interruption of work, and which preserves for him/her the maximum in grade and salary. Selection of a position to be offered is a management decision and assignments will be decided in the following progression: (1) vacancy; (2) position occupied by an employee in a lower retention group or subgroup; or (3) position occupied by an employee in the same subgroup, but with lower retention credits, but only if the position is the same as, or essentially identical to the one which the employee held before being promoted to the present position.

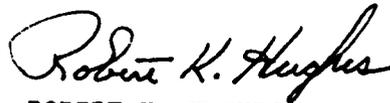
c. If an offer of another position cannot be made, or if an employee declines such an offer, he/she is to be separated by reduction-in-force. When it is expected that an employee will be recalled within a year, he/she may be furloughed instead of being separated. A furlough is effected with the definite

DR 690-1-24
16 July 1981

understanding that the employee, unless recalled earlier, is to report back to duty on a specific date which is not later than 1 year from the date of notice. Any action to furlough an employee for more than 30 days because of lack of work, shortage of funds, or reduced strength authorization, requires the prior approval of the Deputy Chief of Staff for Personnel, Department of the Army. Generally, notices of separation by reduction-in-force are given at least 60 days before the proposed date of separation, provide for a work status during the notice period, and include an option for deferment of separation for another 30 days (a total of 90 days from the original notice) at the employee's request. In the notice are specifics of the pending action, details on the avenues of appeal to the Merit System Protection Board, programs available for being considered by other offices and agencies for current vacancies and displacement of lower-preference personnel, and means of obtaining priority consideration for reemployment if other Federal employment is not secured before separation. The four major programs in this area are the Reemployment Priority List maintained in the office from which separated, the Army's Area Placement Program, the DoD's Program for Stability of Employment for Career Employees, Office of Personnel Management's Displaced Employee Program and Voluntary Interagency Placement Program. On request, the Personnel Office staff will provide fuller explanation of these programs and of any other phase not fully understood, and will give personal and direct help to assist affected personnel in continuing Federal employment.

d. If the employee believes that the agency has not correctly applied the reduction-in-force regulations in his/her case, the employee may appeal the action to the Merit Systems Protection Board or, when permitted under a negotiated grievance procedure, file a grievance. The appeal or the grievance may include such matters as the extent of the competitive area and competitive level, the determination of his/her relative retention standing, and his/her qualifications for some other job held by a person he could displace. If the employee wins his/her grievance, he/she may be restored to the job he/she held or is placed in the job to which he/she should have been assigned or demoted in the reduction-in-force.

7. This represents major changes in policy issuances as a result of Civil Service Reform Act and procedures required by regulation. Employee comments and suggestions for improvement are welcome at any time and, where significant, will result in action to change this policy.



ROBERT K. HUGHES
Colonel, Corps of Engineers
Commanding

DISTRIBUTION
D
Pers Ofc (50)