Subject: Reduction-In-Force, Furlough, and Transfer of Function

References: See Enclosure 1.

PURPOSE. This Instruction supersedes DLA Regulation (DLAR) 1410.01, “Reduction-in-Force, Furlough, and Transfer of Function,” (Reference (a)) and Interim Change 1 to DLAR 1410.01, (Reference (b)) and sets forth the Defense Logistics Agency’s (DLA) policies and procedures for reductions-in-force (RIF), furloughs, and transfers of function (TOF) in DLA. This Instruction supplements 5 Code of Federal Regulations (CFR) Part 351 and Department of Defense (DOD) Instruction (DODI) 1400.25 Volume 351.

1. APPLICABILITY.
   a. This Instruction applies to:
      (1) DLA Headquarters (HQs) and DLA Primary Level Field Activities (PLFAs).
      (2) Other Defense activities serviced by DLA Human Resources Services according to the terms in applicable support agreements.
   b. It does not apply to:
      (1) Any provision in a collective bargaining agreement (CBA) that conflict with this instruction. The CBA provisions shall take precedence and be enforced.
      (2) Non-United States citizen employees overseas, reemployed annuitants, non-appropriated fund employees, or employees in the Senior Executive Service.

2. DEFINITIONS. See Glossary.
3. **POLICY.** It is DLA policy to:

   a. Make every effort to avoid the need for RIF or furlough through careful advance planning. Such planning should seek to minimize disruption and dislocation of employees while maintaining organizational efficiency and productivity.

   b. Mitigate the effect of any necessary RIF or administrative furlough. These include such actions as selective hiring freezes, use of Voluntary Early Retirement Authority (VERA) and/or Voluntary Separations Incentive Payments (VSIP), terminating temporary employees, curtailing spending, retraining, and reduction-in-work hours. It could also include decreasing overtime costs and eliminating comp time.

   c. Place excess employees in available vacancies in the commuting area by reassignment or voluntary change to lower grade, regardless of RIF competitive area.

   d. Develop a Plan of Action and Milestones (POAM) to achieve orderly organizational realignment and personnel actions. The POAM will include such things as Town Halls, Video Teleconferences, or site visits to impacted locations, if applicable.

   e. Inform the workforce of any potential RIF, Furlough, or TOF action.

   f. Comply with advanced notification and approval requirements.

   g. Provide outplacement assistance to affected employees.

4. **RESPONSIBILITIES.** See Enclosure 2.

5. **PROCEDURES.** See Enclosure 3.

7. **INTERNAL CONTROLS.**

   a. DLA Human Resources Services will perform a management review of all actions covered by this Instruction. The review will verify that all events actually occurred, properly documented, and are in accordance with (IAW) applicable rules, regulations, and procedures.

   b. System Access Controls only allow authorized users access to certain areas, fields, table authorizations, and certifications based upon their access rights. This preventive measure helps ensure all authorized users have access to personnel data.
8. **RELEASABILITY. UNLIMITED.** This Instruction is approved for public release and is available on the Internet from the DLA Issuances Internet Website.

9. **EFFECTIVE DATE.** This Instruction:

   a. Is effective on September 20, 2013.

   b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DLAI 5025.01, DLA Issuance Program. If not, it will expire effective September 20, 2023 and be removed from the DLA Issuances Website.

Enclosures:
- Enclosure 1 – References
- Enclosure 2 – Responsibilities
- Enclosure 3 – Procedures

Glossary
ENCLOSURE 1

REFERENCES


(b) Interim Change 1 to DLAR 1410.01, dated May 16, 1995, (hereby cancelled)

(c) All Applicable Labor Agreements.

(d) DLA VERA/VSIP Policy dated September 30, 2010.


(f) “Reduction In Force.” 5 CFR 351.

(g) Workforce Reshaping Operations Handbook.
ENCLOSURE 2

RESPONSIBILITIES

1. THE VICE DIRECTOR, DLA (DV) shall:
   
   a. Serve as the approving official for announcing or conducting a DLA RIF. This approval may be delegated in writing.
   
   b. Retain the authority to conduct a furlough of any length for any employee based on lack of work or lack of funds.
   
   c. Brief DLA Director of pending RIF or furlough announcements.

2. THE DIRECTOR, DLA HUMAN RESOURCES (J1) shall:

   a. Advise management of the human resources implications involving all phases of planning, analyzing, and determining whether a RIF is necessary.
   
   b. Assist management to develop a restructuring plan that identifies placement options, skills imbalances, the new organization structure, training and retraining needs, and a communication plan.
   
   c. Consult with the appropriate labor organization on negotiable subjects.
   
   d. Maintain a list of DLA competitive areas and ensure the establishment of competitive areas IAW the definition of competitive areas found in this Instruction.
   
   e. Apprise the DLA Vice Director of any requests for changes to DLA competitive area definitions.
   
   f. Approve new or revised competitive area definitions.
   
   g. Develop competitive levels for each position in the competitive area.
   
   h. Provide program policy guidance and periodically evaluate program for compliance and effectiveness.
   
   i. Provide technical advice and assistance in planning and carrying out RIFs, furloughs, and TOF, to include approving requests management's request to use VERA and/or VSIP.
   
   j. Review essential retention data for each employee, validate competitive area assignments, review competitive levels for accuracy, determine employees’ veterans’ preference rights, service computation dates, etc.
k. Provide the required information to DLA Legislative Affairs for use in preparing and coordinating the appropriate notification to the DOD and Congress when there will be separations within a competitive area or within a local Government jurisdiction.

3. DLA HQ DIRECTORS OF THE J codes and D Staff shall:

   a. Provide policy guidance and direction on workforce requirements, resources, workload, etc.

   b. Coordinate requests for RIF/Furlough for their subordinate field activity, as appropriate (i.e., DLA Information Operations will coordinate for DLA Document Services).

   c. Notify other J/D code activities of proposed RIF/furlough in a competitive area before the request is sent to the DLA Vice Director for approval.

4. DLA PUBLIC AFFAIRS (DP) shall:

   a. Prepare and coordinate notifications to Congress of workforce adjustments that involve employee furloughs or RIF separation of any non-temporary employee.

   b. Notify the Chief, elected official of local Governments, and the State Dislocated Workers Unit(s), where the separation of 50 or more employees will occur in a competitive area.

   c. Prepare DLA senior leaders for any required testimony before a Congressional committee or subcommittee.

Note: DLA Public Affairs would coordinate with the Office of Secretary of Defense Public Affairs to provide guidance to DLA PLFA Public Affairs Offices on how to handle communication efforts at their sites. DLA Public Affairs would provide information on how to respond to media queries, provide internal information (articles, etc.) to keep the workforce informed, provide external information (press releases, updates on social media, etc.) to keep the public and the media informed, provide a communication plan the Agency and PLFAs can use; and assist senior leaders with Town Halls, speeches, and other communication products. This is just a sample of what DLA Public Affairs would do in this type of situation.

5. THE DLA EQUAL EMPLOYMENT OPPORTUNITY (EEO) OFFICE shall:

   a. Serve in an advisory role to management officials as part of the RIF Team.

   b. Conduct an EEO Impact Study of the workforce to determine if any protected group under Title VII of the Civil Rights Act, 1964, would be adversely affected.

6. MANAGERS AND SUPERVISORS OF DLA HQs STAFF OFFICES (J/D CODES) and PLFAs shall:

   a. Assure that any RIF, furlough, or TOF is planned, approved, and conducted in
accordance with this DLA Instruction (DLAI), Title 5 CFR, Part 351, DODI 1400.25, Volume 351, and any other applicable Instruction or negotiated labor agreements.

b. Determine the categories (job series), personnel numbers and types of positions, including job grades, needed to support the mission; where positions are located and when they will be filled, abolished or vacated; and surplus employees in a particular line of work.

c. Continually assess the workforce requirements consistent with DLA’s Strategic Plan and Human Capital goals.

d. Allocate funds and resources to conduct RIFs and/or reshaping initiatives, to include funds for retraining staff, career transition assistance, facilities, equipment, and other expenses.

e. Provide appropriate notice, consultation, and bargaining rights to the recognized labor organizations. Establish and maintain communication during the RIF process for continuing dialogue on negotiable RIF subjects.

f. Support the Reemployment Priority List (RPL), the Interagency Career Transition Assistance Program (ICTAP), the Priority Placement Program (PPP), and other sources available to minimize the outcome of the RIF.

g. Submit request to J1 for VERA and/or VSIP to minimize the impact of the RIF.

h. Request approval from the DLA Vice Director to conduct a RIF as defined in this instruction.
ENCLOSURE 3

PROCEDURES

1. REDUCTION IN FORCE (RIF).

   a. RIF procedures apply when:

      (1) Releasing a competing employee from their competitive levels by administrative
          furlough for more than 30 consecutive days or more than 22 workdays if done on a discontinuous
          basis, but not more than 1 year.

      (2) Releasing a competing employee from their competitive levels by separation,
          demotion, or reassignment requiring displacement.

      (3) Releasing a competing employee because of lack of work, shortage of funds,
          insufficient personnel ceiling, reorganization, the exercise of reemployment or restoration rights,
          or reclassification of an employees’ position due to erosion of duties when such action will take
          effect after a RIF has been formally announced in the competitive area and the RIF will become
          effective within 180 days.

   b. RIF procedures will not apply to the following actions:

      (1) Termination of a temporary promotion and the resultant personnel action.

      (2) Change to lower grade based on reclassification of an employee’s position due to
          the application of a new classification standard or the correction of a classification error.

      (3) Placement of an employee serving on a part-time, on-call, intermittent, or seasonal
          basis in non-pay, non-duty status IAW conditions established at time of appointment.

      (4) A change in an employee’s work schedule from part-time to full-time. (Note: An
          involuntary change from full-time to part-time is covered by the RIF regulation IAW 5 CFR
          351.202(c) (7).

      (5) A change to lower grade based on the reclassification of an employee’s position due
          to erosion of duties, except that this exclusion does not apply to reclassification actions that
          will take effect after a RIF has been formally announced in the competitive area and the RIF will
          become effective within 180 days (this exception ends at the completion of the RIF).

      (6) A reduction in a part-time tour of duty (e.g., from 32 to 16 scheduled hours per
          week).

      (7) A reduction in responsibility level (e.g., a reassignment from supervisory to a non-
          supervisory position).
(8) A furlough resulting from a planned management action of 30 or fewer continuous days or 22 or fewer discontinuous workdays.

(9) A furlough resulting from a lapse of appropriation.

(10) Management's authority to remove, demote, reassign, or relocate any employee IAW any other applicable rules, regulations, and procedures that do not conflict with an employees’ RIF rights.

c. Prior to announcing a major RIF that will adversely impact a significant number of employees, it is the policy of the Agency to:

(1) Make every effort to avoid the need for a RIF or furlough through careful advance planning. Such planning should seek to minimize disruption and dislocation of employees while maintaining organizational efficiency and productivity.

(2) Consider using Agency vacancies in the commuting area when looking for placement opportunities to minimize the potential adverse effect of downsizing actions that could lead to RIF. This includes modifying qualifications for reassignments/changes to lower grade, where applicable, and retraining employees for placement into vacant positions.

(3) Establish RIF Teams composed of senior managers, members of the servicing DLA Human Resources Services Office, DLA EEO Office, and if applicable, appropriate labor organizations.

(4) Organize a POAM as soon as possible if foreseen that there will be a substantial number of employees impacted. Designate a PLFA representative to organize and operate outplacement efforts.

(5) Where there is a transfer of work or mission wholly within DLA that does not meet the definition of a TOF; offer employees performing that work the opportunity to accompany it to the new permanent duty station (PDS) with this general authority. Offers of reassignment to the new location may only be made to vacant continuing positions. However, the gaining PLFA may not offer placement if it would cause an employee to be surplus at the gaining activity and result in RIF. Employees who decline a reassignment offer to the gaining PLFA would be entitled to compete in a RIF at the losing PLFA when the workload move would not be a TOF.

(6) Keep employees within the identified competitive area fully informed of any potential RIF, furlough, or TOF that may affect them.

(7) Comply with the following advance notification/RIF approval requirements and bargaining provisions of applicable labor agreements.

(a) Requests for approval to announce or conduct a RIF must be submitted to the
DLA Vice Director or his/her designee at least 60 days prior to the planned date of issuing specific RIF notices to affected DLA employees. Information on the necessity for the RIF and the number of reassignments, demotions, and/or separations should be included. Requests must go through J1 for recommendation/coordination.

(b) Approval by the DLA Vice Director or his/her designee must be obtained prior to announcing or conducting a RIF in DLA, except where approval authority is otherwise delegated in writing. Forward all requests through J1 for recommendation/coordination.

(8) Use VERA and/or VSIP to reduce the number of employees in the affected competitive area.

(9) In lieu of RIF, consider furloughing employees for a specified number of continuous or discontinuous days to reduce costs.

(10) In lieu of RIF or furlough, allow employees to voluntarily reduce their scheduled work hours for a period of time (e.g., take 1 day a week or 1 day a pay period in a voluntary non-pay status), or allow employees to voluntarily convert from full-time to part-time.

(11) Hire temporary or term employees when the workload is unpredictable or expected to last for a short period.

(12) Provide outplacement assistance to employees scheduled for separation, advise, and assist employees accepting job transfers involving geographic relocation.

(13) Use vacant temporary positions lasting 90 days or more to satisfy employee assignment rights. Note: Such assignments of permanent employees do not change their permanent appointment status.

(14) Separate temporary employees in positions that are in the same competitive level to be affected by a RIF before any career or career-conditional employee is released or exercise RIF assignment rights to occupied positions in those competitive levels.

(15) Separate Reemployed Annuitants serving on indefinite appointments who occupy positions in the same competitive level with other positions being affected by a RIF before an employee serving in a career/career-conditional appointment is released from the competitive level or exercise RIF assignment rights to occupied positions in those competitive levels.

d. Competitive Area: Competitive areas outline the boundaries of RIF competition. Competitive areas will be established in compliance with 5 CFR 351.402. See the Glossary for the definition of a competitive area. DLA competitive areas will consist of all DLA activities in a geographical location, except where specifically identified as a separate competitive area by the written authority of the DLA Vice Director or designee. Geographical location, for this purpose, includes all DLA duty stations within an approximate 50-mile radius of each other. The duty station code on the Notification of Personnel Action, Standard Form 50, will be used as a guide in making this determination.
e. Competitive Level: After establishing competitive areas, competitive levels will be established for groups of interchangeable positions. See Glossary for definition of a competitive level. Separate competitive levels must be established for: the Competitive and Excepted Service, separate appointing authorities within the Excepted Service, separate pay systems, separate work schedules (full time/part time/intermittent, seasonal, on-call), trainee or developmental positions, supervisory positions, and mixed tour positions. Separate competitive levels cannot be established based solely on:

1. Gender of employees, except when Office of Personnel Management (OPM) has determined that certification by gender is justified;

2. The requirement to serve a probationary period for initial appointment to a supervisory or managerial position;

3. Differences in number of hours or weeks scheduled to work by part-time employees;

4. Shift assignment;

5. Promotion potential;

6. Local wage areas when a competitive area is covered by more than one locality pay area in which Federal Wage Systems (FWS) positions are located;

7. Differences in locality payments under 5 United States Code (USC) 5304 and subpart F of part 531 of title 5 CFR, when a competitive level includes more than one locality pay area listed in Section 531.603 of 5 CFR; or

8. Representative rates and different local commuting areas when a competitive area includes General Schedule (GS) and FWS positions in multiple GS locality areas and/or FWS local wage areas. When this situation exists, the Agency must decide and document which locality pay rates to use for the RIF.

f. Retention Factors: There are four mandatory retention factors: Tenure, Veterans’ preference, service credit, and performance ratings.

g. Effect of Performance Ratings:

1. An employee’s entitlement to additional service credit for performance is based on the last three annual performance ratings of record received during the last 4 years and recorded by DLA Human Resources Services prior to issuance of the specific RIF notice. An employee’s last annual rating of record may be improved as a result of the opportunity to demonstrate acceptable performance.

2. A performance rating is considered “on record” when it has been issued to
an employee, returned with all appropriate/applicable reviews and signatures, and entered into
the Defense Civilian Personnel Data System (DCPDS) as the rating or record. A cut-off date of
at least 30 days prior to the issuance of specific notices of RIF will be established during which
no new performance ratings will be entered on record or used to determine retention standings.

(3) If it is found that all employees in a RIF competitive area received all of
their ratings of record under a single pattern of summary levels, 12 additional years of service
will be granted for each rating of record of fully successful (Level 3). When a mixed rating
pattern exists, Level 3 (fully successful or equivalent) is the modal rating. Twenty additional
years of service for each rating will be granted for Level 3 or higher ratings.

h. When the four RIF retention factors described above are applied to the competitive level,
the grouping of competitive levels becomes a “retention register,” which lists all employees in
order of their retention standing.

i. Retention Register: A list of all competing employees in the order of their relative
retention standing by competitive level assignment. Note: This definition is already listed in the
Glossary.

(1) All competing employees are listed on the retention register, except employees:

(a) On military duty with a restoration right to the competitive level;

(b) On a time-limited temporary appointment;

(c) On temporary promotion (Note: An employee on a temporary promotion will
appear on the retention register in his/her permanent position of record); or

(d) In receipt of a final written decision of removal or demotion because of
unacceptable (or equivalent) performance, or because of adverse action.

(2) An employee and/or his or her representative has the right to inspect retention
registers and other related records that have a bearing on a specific RIF action taken or to be
taken affecting that employee.

(3) The effective date of the retention standing is the date employees are released from
competitive levels.

(4) Retention registers must be retained for at least 1 year after the date RIF
Notices are issued. Records related to review in an appeal or grievance should be retained for as
long as necessary.

j. Optional use of RIF or Reassignment: When an employee’s position is abolished,
management may provide an offer of a position at the same grade and pay to an employee who is
reached for a RIF action (released from the competitive level) by either offering the employee
assignment under the RIF regulation to an encumbered or vacant position; or reassigning the
employee to a vacant position.

k. Use of the RIF regulation is required if the employee is separated, downgraded, or placed
in a nonpay status as a RIF furlough, because “the action and the reason for the action” meets the
requirements for a RIF (see paragraph 1.a.(3) of this section); and the employee has no
assignment right to another position; or declines an offer of assignment to another position that
would have satisfied the employee’s assignment rights.

(1) Assignment Rights: When an employee is reached for a RIF action (released from
the competitive level), prior to outright separation, the released employee has three types of
potential assignment rights to positions in different competitive levels. The three possibilities are
assignment by:

(a) Bumping: The assignment of an employee to a position in a different
competitive level that is held by another employee in a lower retention tenure group, or in a
lower subgroup within the same tenure group. The position to which assigned must be no more
than three grades (or appropriate grade intervals or equivalent) below the position from which
the employee was released.

(b) Retreating: The assignment of an employee to a position in a different
competitive level that is held by another employee with less service in the same retention tenure
group and subgroup. The position to which assigned must be no more than three grades (or
appropriate grade intervals or equivalent) below the position from which the employee was
released. Except for a preference eligible employee with a compensable service-connected
disability of 30 percent or more the limit is five grades (or appropriate grade intervals or
equivalent).

(c) Offers of a Vacant Position: The assignment of an employee to a vacant
position based on the same retention standing that applies to an employee’s bump and retreat
rights. The position to which assigned must be no more than three grades (or appropriate grade
intervals or equivalent) below the position from which the employee was released.

(2) Mandatory assignment rights are afforded to employees who:

(a) Hold a position under a competitive service appointment;

(b) Hold an Attorney position under an excepted service appointment;

(c) Are in retention tenure group I or group II;

(d) Have a current performance rating of at least Minimally Successful or
equivalent; and

(e) Hold a Term or Indefinite Appointment.
(3) Offer of Assignment: Generally an employee is entitled to only one offer of assignment and is not entitled to any further offers should the employee: accept an offer, reject an offer, or fail to reply to an offer within the timeframe established in the RIF notice. However, the Agency must make a better offer of assignment to a released employee if a position becomes available before, or on the effective date of the RIF. The employee is entitled to a better offer regardless of whether the employee previously accepted or declined an offer of assignment. The employee is not allowed to choose between the original offer and the better offer, the employee is entitled to the better offer.

(4) Vacancies for Assignment: It is the Agency policy to use vacant positions in a RIF. Use of vacancies is mandatory. Released employees in retention group I or II may be offered a vacancy in order to satisfy the employee’s right to assignment, or he/she may be offered a vacancy in lieu of separation by RIF or in lieu of other RIF actions. The vacancy must be:

(a) In the same competitive area;

(b) Have a representative rate at least equal to a position to which the employee is entitled on the basis of bump or retreat rights; and

(c) Is within the same grade and grade interval limits that apply to offers of assignment based on bump and retreat rights.

Note. Although vacancies offered in lieu of separation or other RIF actions are not offers of assignment under the retention regulations, the vacancy cannot be used as an “in lieu of offer” if another released employee of higher retention standing would have a right to the vacant position. The placement action will be processed as a reassignment, position change, change to lower grade, or change in work schedule and should be documented to show that the employee accepted the position as a voluntary offer in lieu of RIF.

l. Alternative Offer: After determining an employee’s assignment right, the Agency, at its discretion, may also make an alternative offer of a vacant position with the same or a lower representative rate than that of the position to which the employee was entitled. The alternative offer is an offer of a vacant position in lieu of RIF separation or other RIF action, not an offer of assignment under the RIF regulations. The Agency may not make an alternative offer of a vacant position if the employee’s acceptance of the offer would result in a more severe RIF action for another competing employee. In making an alternative offer of a vacant position with a lower representative rate, the Agency must ensure that the employee has also received notice of his or her entitlement to assignment under the RIF regulations.

m. Representative Rates in Assignment: When two or more positions are in different pay schedules, the Agency must use representative rates to determine an employee’s eligibility to bump or retreat to a position in a different pay schedule. The representative rate is used to determine equivalent grade levels and the best offer of assignment for a released employee. When a competitive area includes more than one local commuting area or locality pay area, assignment rights will be based on the representative rate for one local commuting area within the competitive area. The decision must be documented in the RIF records. (The servicing DLA
Human Resources Services Office should document the representative rate table used in making such determinations.)

n. Consideration of Grades in Assignment: DLA Human Resources Services will use the grade progression of the employee’s official position of record to determine the grade limits of the employee’s assignment rights.

o. For positions in the GS, the line of progression will be determined based on a one grade interval, two grade-intervals, or mixed-grade interval progression as applicable to the position of record. The Introduction to the Position Classification Standards is available at http://www.opm.gov/fedclass/index.asp and may be used to assist with these determinations.

p. For positions not covered by the GS, DLA Human Resources Services will determine the normal line of progression for each occupational series and grade level. This will be the promotion pattern in the organization or the appropriate classification standard. An employee’s assignment right limits will be based on this determination.

q. Qualification for Position Change:

(1) An employee released from his/her competitive level is entitled to placement in a position in another competitive level consistent with RIF assignment rights. This normally requires meeting all regular qualification requirements for the position, including any positive education requirements, selective placement factors established for the position, and physical requirements, without causing any undue interruption beyond that normally expected of a new employee.

(2) To be qualified to bump or retreat into a formal trainee position, an employee must meet all conditions required for selection and entry into the formal trainee position. If an employee has already completed a course of training or development in a specific occupation, or otherwise fully trained and qualified, he or she cannot bump or retreat into a position in a formal intern or developmental (Upward Mobility) position.

(3) A formal deadline date will be established for employees to update their qualification statements and other RIF essential data prior to a RIF. Typically the cut-off date will be 30 days prior to issuance of specific RIF notices. Information received after the published cut-off date will not be considered.

(4) Except for positive education requirements, qualification requirements may be waived for employees at GS-13 or below (and FWS equivalent) reached for release from his/her competitive level by RIF. All qualification waivers for employees at GS-14/15 require prior approval of HQs DLA (ATTN: J1). Qualification requirements may be waived to satisfy a released employee assignment rights as long as an employee with higher retention standing is not available for the position and it is determined that the employee can effectively perform the duties and responsibilities of the position within a reasonable period of time (normally within 90 days).
(5) Except for positive education requirements, qualification requirements may be modified IAW the OPM Operating Manual, Qualification Standards for General Schedule Positions (found at http://www.opm.gov/qualifications/) when making a job offer in lieu of RIF separation.

r. RIF Notice Requirements: Employees released from the competitive level are entitled to advance notice.

(1) Except as provided for in paragraph r.(4) below, employees serving under appointments without time limitations reached for release from their competitive level must receive at least a 60-day specific notice of RIF.

(2) A Saturday, Sunday, legal holiday, or other non-workday will not be counted as the last day of the notice period. When the last day of a 60 day notice falls on such a day, the RIF action will be effective on the next regular workday for the employees involved. A similar policy will be used in setting reply periods. The notice period begins the day after the day the employee receives the specific notice.

(3) During the 60-day notice period, the notice may be amended without extending the notice period if the amendment results in a more favorable action than the action originally proposed. However, if the amendment results in a less favorable action, a new 60-day specific notice period must be provided.

(4) Employees in a competitive area where 50 or more employees are scheduled to be separated by RIF are entitled to a 120-day advance notice of RIF. In those instances when a new notice of RIF is required (e.g., a less favorable action), the new notice must also be for a period of 120 days.

(5) The effective date of a RIF separation may be extended by accumulated annual leave sufficient for an employee to attain first eligibility for immediate retirement or eligibility for Federal Employee Health Benefits program coverage. This information must be contained in the RIF notice.

(6) Career and career-conditional employees who receive a notice of separation because no placement offer is available will, upon their request, be granted leave without pay or annual leave for such additional time as necessary to provide a maximum total of 90-calendar days notice prior to separation.

(7) RIF notices will contain the information required in 5 CFR 351.802, subpart H. RIF notices of demotion or separation will also contain general information about the DOD PPP.

(8) Employees will ordinarily continue to occupy their position of record and remain in a duty and pay status during the entire notice period unless they resign, or request and are granted annual, sick, or leave without pay. However, in an emergency when there is a lack of work or funds for all or part of the notice period, an employee may be placed on annual leave, with or without his/her consent. Note: When an agency lacks work or funds, an employee may be
placed in a leave without pay status or in a nonpaid status with or without consent during all or a part of the notice period through the use of furlough procedures. Depending on the length of the furlough, such an action may be taken under both the authority of 5 CFR Part 351 and Part 752 and requires employees receive appeal rights.

(9) Prohibited Notice Period: RIF and other termination notices shall not be issued or made effective between December 15 and January 3. Exceptions must be approved by the Director, DLA. Exceptions shall be limited and only used when delaying the action would significantly increase the adverse effect on the employee. Such exceptions shall be rare.

s. Replies to Job Offers:

(1) RIF Notices will provide employees with a reasonable amount of time (usually within 30 calendar days) to accept or decline an offer of continuing employment. Extension of the reply period should be permitted when time is available, or when it can be shown that employees were prevented by circumstances beyond their control from replying within the prescribed time. Employees should be informed that declining a position offer may result in separation.

(2) When an employee accepts an offer of a position within the commuting area, it is recommended that a courtesy interview be arranged with the gaining supervisor. RIF placements are mandatory as far as the gaining supervisor is concerned and may only be objected to on the grounds of undue interruption.

2. FURLOUGH.

a. DLA employees may be placed on furlough subject to the procedures:

(1) Employees may be placed on furlough (a temporary status without duties and pay) due to the result of a planned management action based on lack of work or funds, Congressional or DOD approval, or other non-disciplinary reasons such as acts of God, sudden equipment breakdown, or emergency requiring immediate curtailment of work.

(2) Furloughs may only be used when it is intended to recall the employees to duty in the same positions from which furloughed, within 1 year. Once employees are placed on furlough, they must not be allowed to voluntarily carry out any work functions and must remain away from the worksite.

b. Requests for furloughs will be submitted to the DLA Vice Director as soon as possible but at least 30 days prior to the planned date of the furlough. Request must be forwarded through J1 for recommendations/coordination.

c. Furlough Procedures: A furlough may be in consecutive or nonconsecutive days, and may occur on either workdays or calendar days. The type of furlough procedures used and the rights of employees depend on the length of the furlough.
(1) Furlough of 30 calendar days or less, or 22 workdays or less:

(a) Furlough is taken under the authority of 5 CFR 752 and employees are entitled to the procedural protection of that regulation. This type of furlough is referred to as an “administrative furlough.”

(b) Employees may be selected for such an “administrative furlough” based on mission requirements without regard to competitive retention standing for RIF.

(c) A minimum of 30-day written notice is required. The notice must include the reason for the furlough, the number of days/hours to be furloughed, the employees’ rights as applicable to 5 CFR 752 procedures, and the place where the employee may inspect the regulations and records pertinent to the case. Employees have the right to appeal to Merit Systems Protection Board (MSPB) IAW 5 CFR 1201 or to grieve under a negotiated grievance procedure. (MSPB filing information is available at http://www.mspb.gov).

(d) An employee who does not return to duty from an “administrative furlough” after notification is absent without leave (unless leave is approved) and appropriate disciplinary action will be taken (see DLAI 1406.1, Employee Discipline).

(2) A furlough for more than 30 calendar days, or more than 22 workdays, is taken under the authority of 5 CFR 351.

(a) Employees must be placed on furlough by release from their competitive level in inverse order of retention standing, beginning with the lowest standing employee. (Exceptions to the usual order of release under RIF rules may be made when necessary to retain an employee whose duties cannot be performed by another employee without undue interruption.

(b) The exercise of bump and retreat rights, applies unless every employee in the competitive area is furloughed. When every employee in the competitive area is furloughed there is no need to follow RIF assignment right rules (bump and retreat).

(c) A minimum of 60-day written notice is required under the authority of 5 CFR 351. The information to be included in a RIF notice and the RIF notice time periods in this instruction applies to a furlough notice of 30 calendar days, or more than 22 workdays.

(d) When employees in the same competitive level are recalled to duty, the recall must be in the order of retention beginning with the highest standing furloughed employee.

(e) An employee who does not return to duty from a furlough after notification is absent without leave (unless leave is approved) and appropriate disciplinary action will be taken (see DLAI 1426.01, Maintaining Discipline).

3. TRANSFER OF FUNCTION (TOF).
a. A TOF is the movement of a continuing work function from one competitive area and its addition to one or more other competitive areas, or the movement of the competitive area in which the function is performed to another commuting area, except where the function(s) involved is virtually identical to the function(s) already performed in the gaining competitive area. A TOF also occurs when a new competitive area is established in a location and one or more functions are assigned there. A transfer can occur whether or not it is authorized by statute, executive order, reorganization plan, or similar authority.

b. A TOF is not applicable when:

(1) A function is eliminated and no corresponding function is assumed by another competitive area.

(2) A function is transferred purely for liquidation and is not expected to continue in operation more than 60 days.

(3) A function is moved entirely within a competitive area.

(4) Work is reduced in base support functions as a result of a transfer or elimination of a function, a purely military function is transferred, or a tenant organization is relocated.

(5) The function involved is virtually identical to a function already performed in the gaining competitive area (transfer of work).

c. Identification of Employees: When it is determined that a TOF will occur, all employees identified with the function are entitled to transfer with it except those:

(1) Serving under a temporary limited appointment.

(2) Serving under an overseas limited appointment when the transfer is to a competitive area within the 50 states.

(3) In receipt of a written decision of separation for unacceptable performance under authority of 5 CFR 432 or misconduct under authority of 5 CFR 752.

(4) Reassigned without loss of grade or pay to a continuing position.

d. TOF Notice Requirements: The DLA Human Resource Services Office servicing the gaining competitive area arranges for offers of TOF. The Human Resources Office servicing the losing competitive area notifies all employees identified for TOF and tenders specific offers of transfer. Notices of TOF will not be issued between December 15 and January 3, nor will transfers be made effective during this period.

e. Employees scheduled for transfer beyond their commuting area are entitled to a 60-day specific notice. TOFs within a commuting area entitle employees to a 30-day specific notice.
When the transfer does not involve a geographical relocation of the duty station, there is no requirement for a formal advance written notice of the type normally required for a TOF.

f. When some, but not all, functions at a PLFA will be transferred, employees not identified for transfer may volunteer for transfer in place of those who have been identified. Selections may be taken from volunteers to replace employees who do not want to transfer with their function. In making selections, priority consideration will be given to employees with the highest retention standing for RIF, and any special qualifications that may be required for assignment to the work being transferred.

g. Employees who accept a TOF may be moved at the Government expense if the distance between the old PDS and the new PDS and/or the commuting distance meets the requirements of the Joint Travel Regulation (JTR).

h. Replies to Offers to Transfer with the Function: Employees are entitled to one opportunity to accept or decline to transfer with their function. Acceptance or declination must be stated in writing (usually within 30 calendar days) after receipt of a specific notice of TOF.

i. Actions upon Declining to Transfer: Employees who decline to transfer with their function should be given placement consideration outlined in this section before separation is proposed. Employees who cannot be placed will be separated for failure to accept the TOF. The separation action is taken by the losing PLFA.

   (1) Employees who decline to transfer with their function may be offered assignment to vacant continuing positions for which they qualify and are willing to accept. The entitlement is to transfer with their function; there is no entitlement to placement in a vacancy remaining at the PLFA, and no RIF placement rights.

   (2) Competing employees who decline TOF are to be offered continuing positions occupied by temporary employees in the same commuting area before they are separated for declining the transfer. In carrying out this provision, career employees must receive preference over career-conditional employees and veterans over nonveterans.

   (3) When an employee declines to accompany his/her function after having previously agreed to accept a transfer, the employee should be accorded the same placement consideration as if the declination had originally occurred before a separation is proposed. If a declination occurs during the last 30 days of the notice period, the employee is entitled to a 30-day advance notice of separation.

j. Assistance to Transferring Employees: The gaining and losing Human Resources Offices’ should closely collaborate to minimize mission disruption and loss of productivity associated with a TOF. All reasonable assistance should be given to employees accepting a transfer. A package of material about the gaining area should be prepared and given to transferring employees. The package should contain local maps, information on real estate, schools, recreation facilities, etc. When the number of transferring employees warrants it, representatives
from the losing and gaining DLA Activity should meet with employees in one or more groups to
discuss any questions.

4. **OUTPLACEMENT ASSISTANCE.**

   a. Outplacement assistance should include the following:

      (1) Assist employees with locating employment, both in the Federal Government and in
          the private sector.

      (2) Assistance with Permanent Change of Station moves where authorized by the JTR.

      (3) Develop a list and up-to-date repository of employees scheduled for separation
          containing a brief summary of their experience and skills.

      (4) Establish liaisons with other DOD and Federal activities in the commuting area to
          arrange for placement assistance. Keep these activities appraised of the skills and availability
          date of employees.

      (5) Counsel employees on how to effectively market their skills, advise them on
          preparing employment applications/resumes and how to prepare for job interviews.

      (6) Counsel employees eligible for and interested in retirement.

      (7) Contact prospective private employers about employees scheduled for separation
          and set up interviews or job fairs where possible.

      (8) Work with DLA Public Affairs to use available media to gain community awareness
          and support for placing employees scheduled for separation.

   b. ICTAP: Displaced DLA employees may be eligible for priority consideration and/or
       selection with agencies outside of DOD. To be eligible, the displaced employee must be in the
       competitive service. Priority consideration is mandatory when the non-DOD agency is filling
       competitive service vacancies in the local commuting area from which the DLA employee was
       or will be separated. Selection is mandatory when the ICTAP eligible meets the "well-qualified"
       definition as defined by the non-DOD agency. RIF/TOF notices will contain the appropriate
       requirements for an eligible employee to be granted priority consideration/selection.

   c. RPL: Following issuance of a notice of RIF separation, and not later than the actual date
       of separation, career and career conditional employees with a current performance rating as
       Minimally Successful will be entered on the RPL for the local commuting area. Employees who
       accept a TOF, but are separated in a RIF at the gaining PLFA caused by the TOF, are entered on
       the RPL in the commuting area of the gaining activity, not that of the losing activity. Employees
       who are separated for declining a TOF are not entitled to entry on the RPL as their separation is
       not a RIF separation.
d. DOD PPP: Career and career-conditional employees scheduled for involuntary separation or demotion by RIF (not for personal cause), or who are scheduled for separation for declining a TOF outside the commuting area, will be registered in the PPP. Registration will be by geographic locations or specific DOD activities at which the employee will accept continued employment and for minimum acceptable grade levels for each registered skill. See PPP Handbook for registration, referral, job offer procedures, and travel costs associated with the PPP. The Handbook can be found at: http://www.cpms.osd.mil/Content/Documents/PPPHandbookAug2012(2).pdf.

e. VERA/Vsip: VERA/Vsip may be offered to eligible employees as a result of RIF. VERA/Vsip will be offered based on the criteria established in the DLA VERA/Vsip Policy.

5. APPEALS. RIF notices and TOF notices must include appropriate information relative to appeal/grievance rights associated with the applicable action.

6. RECORDS. All records, including registers and worksheets, sufficient to reconstruct the RIF/furlough/TOF process, will be maintained IAW appropriate OPM/DOD/DLA records management requirements.
GLOSSARY

DEFINITIONS

Agency. For the purpose of this instruction the agency is DLA.

Approval Authority. Defines who has the authority to approve RIFs in DLA.

Assignment Right. The right of an employee to be assigned by bump or retreat in the second round of competition to a position in a different competitive level held by an employee with lower standing on a retention register.

Best Offer. An offer of a continuing position with either no reduction in grade or pay, or with the least possible reduction in consideration of positions available, or the qualifications and retention standing of other competing employees.

Bump. The assignment of an employee to a position held by another employee in a lower group, or in a lower subgroup within the same tenure group.

Competing Employee. An employee in tenure group I, II, or III in either the competitive or the excepted service.

Competitive Area. The organizational unit(s) and geographic boundaries in which employees compete in a RIF. A competitive area may consist of all or part of an agency. The minimum competitive area is a subdivision of the agency under separate administration within the local commuting area. Agencies have the option of establishing a competitive area comprised only of pay band positions when the competitive area would otherwise include pay band positions and other positions not covered by a pay band.

The DLA definition of a competitive area is: All DLA activities in a geographical location except where specifically identified as a separate competitive area by the written authority of the DLA Vice Director or his/her designee. Geographical location, for this purpose, includes all DLA duty stations within an approximate 50-mile radius of each other.

Competitive Level. A group of positions in the same grade and occupational series that have similar duties and other requirements to the degree that the incumbent of any position therein can be placed in any other position without undue interruption.

Competitive Service. All civil service positions in the executive branch, except (1) positions which are specifically excepted from the competitive service by or under statute; (2) positions to which appointments are made by nomination for confirmation by the Senate, unless the Senate otherwise directs; and (3) positions in the Senior Executive Service.

Continuing Position. Any position that will last at least 3 months after an employee enters it.

Days. Calendar days, unless otherwise specified.
**Displaced Employee.** A current career or career-conditional competitive service employee in
tenure group I or II who holds a position at GS-15 or below (or equivalent) and has received:

A specific notice of separation by RIF; or

A written notice of proposed removal (including a final decision) by adverse action for
declining a directed reassignment, TOF, or other similar reason, outside of the employee’s
current local commuting area.

**Displacement.** This occurs in one's own competitive level when a higher standing employee
whose job has been abolished is assigned to the position of a lower standing employee. That
lower standing employee is "displaced"; reached for release from his/her competitive level.

**Eligible Employee.** A displaced employee or a surplus employee who also meets the qualifying
conditions for selection priority under the Career Transition Assistance Program (CTAP) (PPP)
or the ICTAP.

**Excepted Service.** Civil service positions that are not in the competitive service or the Senior
Executive Service.

**Function.** All, or a clearly identifiable segment, of an activity's mission (including all the
integral parts of that mission), regardless of the manner in which it is performed.

**Furlough.** Under the RIF regulations, the placement of an employee in a temporary nonduty and
nonpay status for more than 30 consecutive calendar days, or more than 22 workdays if done on
a noncontinuous basis, but not more than 1 year when the action is based on one of the RIF
reasons and is not IAW with pre-established conditions of employment.

“Furlough” under the adverse action regulations means the placement of an employee in a
temporary nonduty and nonpay status for 30 continuous days or less, or 22 discontinuous
workdays or less. Referred to as an “administrative furlough.”

**Local Commuting Area.** The geographic area that usually constitutes one area for employment
purposes, as determined by the agency. It includes any population center (or two or more
neighboring ones) and the surrounding localities in which people live and can reasonably be
expected to travel back and forth daily to their usual employment.

**Mass Transfer.** The movement of an employee and his or her position to a different agency
when an organization change (such as TOF) takes place, and there is no change in the
employee’s position, grade, or pay.

**Primary Level Field Activity (PLFA).** A separate organization operating as a complete and
independent unit under the administration of an official assigned Commander (or Head) who is
accountable directly to the Director, DLA.
Rating of Record. The officially designated performance rating, as documented, in the agency's appraisal system and documented in the DCPDS by the cut-off date so designated in the RIF rules.

Reduction-In-Force (RIF) Notice. A written communication from an agency official to individuals stating that a RIF may occur in the competitive area. There are two types of RIF notices:

   General RIF Notice: General notices inform the workforce that a RIF action may be necessary, but a specific action has not been determined.

   Specific RIF Notice: Specific notices inform the employee what action will be taken and the effective date.

Realignment. The movement of an employee and his or her position when an organization change (such as reorganization or TOF) occurs, the employee stays in the same agency, and there is no change in the employee’s position grade, or pay.

Reorganization. The planned elimination, addition, or redistribution of functions or duties in an organization.

Representative Rate. (1) The fourth step of the grade for a position under the GS, using the locality rate authorized by section 5304 of title 5, USC, and subpart F of part 531 of title 5, CFR, for GS positions; (2) the prevailing rate for a position under the FWS or similar wage-determining procedure; (3) for positions in a pay band, the rate or rates the agency designates as representative of that pay band or competitive levels within the pay band, including any applicable locality payment authorized by section 5304 of title 5, USC, and subpart F of part 531 of title 5, CFR, or equivalent payment under other legal authority; and (4) for other positions (e.g., positions in an unclassified pay system), the rate designated by the agency as representative of the position, including any applicable locality payment authorized by section 5304 of title 5, USC, and subpart F of part 531 of title 5, CFR, or equivalent payment under other legal authority.

Retention Register. A list of competing employees within a competitive level who are grouped by tenure, veterans’ preference, and length of service augmented by performance credit.

Retention Service Date. A temporary designation which an agency uses to place an employee on a retention register and determine an employee’s assignment rights during a RIF. Agencies calculate this based upon an employee’s length of creditable service (both civilian and military) and performance ratings.

Retention Standing. An employee’s relative numerical standing on a retention register based on tenure, veterans’ preference, and length of service augmented by performance ratings.

Retreat. The assignment of an employee to a position held by another employee with lower retention standing in the same tenure group and subgroup in a different competitive level.
**Round of Competition.** The different stages in which employees compete for retention. In first-round competition, employees compete to stay in the competitive level. In the second-round of competition, employees compete for assignment to positions in different competitive levels.

**Special Selection Priority.** The regulatory right of an eligible surplus or displaced individual to a position under CTAP (PPP) or ICTAP. An employee eligible for this selection priority must be selected over any other internal or external candidate for vacancies in the local commuting area if the individual applies for the vacancy (ICTAP only) and the agency finds that the individual is well qualified for the vacancy.

**Subgroup Standing.** The employee’s relative numerical standing on a retention register based on tenure group and veterans’ preference subgroup. It does not take into account length of service and performance credit.

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

**Transfer of Function (TOF).** (1) The transfer of the performance of a continuing function from one competitive area to one or more different competitive areas, except when the function involved is virtually identical to functions already being performed in the other competitive area(s); or (2) the movement of the competitive area in which the function is performed to another local commuting area.

**Undue Interruption.** A degree of interruption that would prevent the completion of required work by the employee 90-days after the employee has been placed in a different position in first- or second-round RIF competition. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, a work program would generally not be unduly interrupted even if an employee needed more than 90-days after the RIF to perform the optimal quality or quantity of work. The 90-day standard may be extended if placement is made in first- or second-round RIF competition to a low-priority program, or to a vacant position.

**Vacancy.** A competitive service position that the agency is filling for a total of 121 days or more, including all extensions. “Days” in the definition of “vacancy” means the number of calendar days for which the position is established, not the number of actual days the incumbent will work. This definition applies to CTAP (PPP)/ICTAP regardless of whether the agency issues a specific vacancy announcement for the position.