

# OCHR FACTSHEET

## Reductions in Personnel

Issued: February 2013

### STAFFING & RECRUITMENT - RIF & WORKFORCE SHAPING

This Fact Sheet outlines:

- Alternatives to a reduction in force/personnel
- Moratorium on issuance of separation notices
- Reduction processes for different categories of employees

### Background

Reduction in force (RIF) of personnel is the option of last resort when faced with budgetary shortfalls or lack of work. This fact sheet outlines rules, alternatives and includes a table which shows at a glance the basic RIF processes applicable to different categories of employees.

### What can be done to avoid a reduction in personnel?

- Reducing or decreasing overtime and awards money
- Limiting training, travel, and overtime
- Limiting hours of intermittent employees
- Freezing hiring and promotions
- Soliciting voluntary leave without pay
- Separating temporary employees
- Separating employees serving at the will of appointing official (e.g. re-employed annuitants, highly qualified experts)
- Offering of Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Pay (VSIP)
- Early registration in the DoD Priority Placement Program (PPP)
- Furlough

### Notice Requirements

In accordance with DoDI 1400.25 Volume 351, no reduction in force or other termination notices shall be issued or made effective on or between 15 December and 3 January. Exceptions require approval of the ASN (M&RA). Requests must be submitted to the Director, OCHR via the applicable Echelon 1 and 2 commands.

For positions covered under Title 5, a 60-day RIF notice is required. Requests for exceptions to the 60-day notice require approval by the Office of Personnel Management and must be submitted via the Echelon 1 and 2 commands and the Director, OCHR.

### Laws and Regulations governing reduction in personnel

- Title 5 United States Code (USC), Chapter 75 and Title 5 Code of Federal Regulations (CFR) 351
- Title 5 USC 3595, 359a, and Title 5 CFR 359, Subpart H and DoD Instruction 1403.2 dated 1 February 1991 (*SES*)
- DoD Instruction 1400.25, Volume 351 dated 19 January 2011
- DoD Instruction 1400.25, Volume 2004 dated September 2011 (*DCIPs*)
- DoD Personnel Policy Manual for NAF Instrumentalities, dtd Dec 1988
- SECNAV Instruction 12351.5G dated 3 January 2012
- CNIC Instruction 5300.2, 10 May 2011; NEXCOM HR Policy Manual; and Marine Corps Order P12000.11A Chap 3 (*NAF*)

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Appointment/ Position Descriptions	Covered by Reduction in Force Procedure?	Entitled to Assignment Rights?	Other Involuntary Separation Procedures Required?	Employee Notification Requirement? Yes/No (# of Days)	Eligible for Voluntary Separation Incentive Pay?	Exempted from Furlough?
Temporary (Title 5)	N	N	N	N	N	N
Re-Employed Annuitants (Title 5)	N	N	N	N	N	N
Term Appointments (Title 5)	Y	N (compete only in Round 1)	—	Y (60 Days)	N	N
Excepted Service (Title 5)	Y	N (compete only in Round 1)	—	Y (60 Days)	Y	N
Career and Career Conditional (Title 5) including Senior Level	Y	Y	—	Y (60 Days)	Y	N
Defense Intelligence Personnel System (DCIPs-Title 10)	N	—	Y Use Adjustment in Force (AIF) process	Y (60 Days)	Y	N
STRL, NAVAIR Warfare Centers (DEMO)	Y	Y (similar to 5 CFR – but no SCD adj.)	—	Y (60 Days)	Y	N
STRL, SPAWAR SSC Atlantic/Pacific, ACQUISITION and NAVSEA (DEMOs)	Y	Y* (one round of competition)	—	Y (60 Days)	Y	N
STRL, Office of Naval Research and Naval Research Laboratories (NRL) (DEMOs)	Y	Y (similar to 5 CFR)	—	Y (60 Days)	Y	N
SPAWAR Alternate Personnel System	Y	Y (rank 1 <sup>st</sup> by performance rating)	—	Y (60 days)	Y	N
Morale, Welfare and Recreation /Navy & MSC Exchanges /Marine Corps (NAF)	N	N	Y Use Business Based Action process (BBA)	Y Regular (non- probation) – 30 days Flex (w/3 or more yrs of service) – 7 days	Y	N (except flexible employees)
Senior Executive Service (SES)	N	N	Y Based on retention standing	Y (45 Days)	Y (only w/ DoD approval)	N
Highly Qualified Experts/Political Appointees/ Noncareer/Limited SES Appointees	N	N	N	Y (1 - 3 Days)	N	N (presidential appointees exempted)

\*NOTE: Even though these Demonstration Projects do not have assignments rights in accordance with 5 C.F.R. – the one round of competition involves a displacement process similar to assignment rights that is based on retention standing (see link below)

**Reminder:** Must notify employees overseas with return rights and employees deployed under the Civilian Expeditionary Workforce to inform them of impacts on their CONUS positions. Questions may be sent to [DONhrFAQ@navy.mil](mailto:DONhrFAQ@navy.mil). Visit [www.donhr.navy.mil](http://www.donhr.navy.mil) for additional information.

Copies of Federal Register Notices for demonstration projects available on OCHR portal:

<https://www.portal.navy.mil/donhr/OCHRHQ/Pages/FiscalCliffBudgetInformation.aspx>



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