

## **FACT SHEET: Department of Defense (DoD) Implementation of Reduction in Force (RIF) Procedures and Policy Changes**

- Section 1101 of the National Defense Authorization Act (NDAA) for Fiscal Year 2016 (P.L. 114-92), enacted on November 25, 2015, and as codified in section 1597f of title 10, United States Code (USC), directed that the Secretary of Defense establish procedures to provide that, in any reduction in force of civilian positions in the competitive or excepted service, the order of retention will be based primarily on performance.
- To comply with the NDAA provision, the Department established DoD RIF procedures, which became effective on January 19, 2017. Specifically, DoD reprioritized the “order of retention” as implemented by the Office of Personnel Management (OPM) in government-wide regulations, by placing performance as the primary retention factor.
- This is a substantial change for DoD from existing, government-wide provisions, in which the order of RIF retention factors is: 1) tenure of employment; 2) veterans' preference; 3) length of service; and 4) performance, in descending order.
- The new DoD RIF procedures provide that employees shall be first placed on a retention register based on periods of assessed performance, and will be further listed on a retention register within these categories of assessed performance, based on the following retention factors, in descending order: 1) rating of record; 2) tenure group; 3) average score; 4) veterans' preference; and 5) DoD service computation date-RIF (DoD SCD-RIF).
- The new RIF policy does not apply to the RIFs of DoD employees covered by alternative personnel systems (e.g. Acquisition Demonstration, Science and Technology Reinvention Laboratories, and the Defense Civilian Intelligence Personnel system), provided such systems have procedures in effect that comport with section 1597f of title 10, U.S.C.
- DoD procedures are consistent with OPM regulations whenever appropriate, e.g., establishment of competitive areas and levels and veterans' preference. However, in addition to the reprioritizing of retention factors, DoD procedures for creating a RIF retention register contain key features that differ from the OPM regulations. Examples include:
  - In general, employees with periods of assessed performance of less than 12 months are categorized and ranked below employees with periods of assessed performance of 12 months or more.
  - Temporary employees and those with term appointments (Tenure Group III) are ranked below employees with permanent appointments (Tenure Groups I and II).
  - Employees with “unacceptable” ratings of record are ranked above any Tenure Group III employee, but below other Tenure Group I and II employees with ratings of record other than “unacceptable” or who have no ratings of record.
- To enable implementation of the DoD RIF policy, the Department will publish communication products for the civilian workforce, and begin training human resource practitioners in January 2017. In addition, requisite changes to the Department's human resource information systems are underway.