

Mandatory Reference: 452  
Supplementary Reference: N/A  
File Name: 45258bm

SAMPLE SPECIFIC RIF NOTICE

Dear: \_\_\_\_\_

I regret to inform you that your name has been reached for a reduction in force action. This reduction in force is necessary due to (lack of funds, lack of work, reorganization, etc.). The Agency has determined the retention rights of all its employees. The following is provided for your information and action. This constitutes a specific reduction in force notice to you.

1. Retention Preference Information

Present Position: (Official Position of Record)  
Tenure Group and Subgroup: (e.g., I-A, I-B, II-B, etc.)  
Type of Service: (Competitive or Excepted)  
Service Computation Date (SCD): (Basic SCD)  
Last Three Performance Ratings: (List Each Summary Rating)  
Adjusted SCD Using Last Three Performance Ratings:  
(Adjusted SCD)  
Competitive Area: (Defined by Agency)  
Competitive Level: (Determined by Agency)  
Last Day of Active Duty in Present Position:  
(RIF Effective Date)

2. Action to be taken (e.g., Separation, Offer of Lower-Graded Position, Offer of Vacancy, etc.)

- \_\_\_ A. You have been reached for release from your competitive level in accordance with the reduction in force procedures prescribed in 5 CFR Part 351, and Agency Civil Service Reduction in Force Policy/Procedures in \_\_\_\_\_ and will be separated effective (date).
- \_\_\_ B. Placement Action:
  - (1) You are offered placement to the position of: \_\_\_\_\_.
  - (2) You are offered Change to Lower Grade to the position of: \_\_\_\_\_.
- \_\_\_ C. Personal grade retention: You will retain your current grade, step, and pay for a period not to exceed two years from the effective date of your demotion. You will be treated as being in the higher grade for future pay raises and benefit purposes.
- \_\_\_ D. Pay Retention:
  - (1) Upon expiration of your entitlement to personal grade retention, you will be entitled to pay retention if your current salary is higher than the top step of the position to which

you were demoted. The retained pay will be the same pay you have been receiving except that the retained pay cannot exceed 150% of the top step of the position to which demoted. As long as your pay is higher than the top step of the position to which demoted, you will receive only 50 percent of comparability increases for the top step of the position to which demoted. Your pay retention will continue indefinitely until your salary catches up to your retained rate of pay, unless terminated by a break in service of one day or more, demotion for cause, request for change to lower grade, or declination of offer of a comparable position.

OR

- (2) You are entitled to pay retention if your current salary is higher than the top step of the position to which you were demoted. The retained rate will be the same pay you have been receiving except that the retained rate cannot exceed 150% of the top step of the position to which demoted. As long as your pay is higher than the top step of the position to which demoted, you will receive only 50 percent of comparability increases for the top step of the position in which demoted. Your pay retention will continue indefinitely until your salary catches up to your retained rate of pay, unless terminated by a break in service of one day or more, demotion for cause, request for change to lower grade, or declination of offer of a comparable position.
- \_\_\_ E. If you accept this offer, please sign and return enclosure \_\_\_\_\_ to this office within five (5) days of receipt of this notice. If you do not accept, you will be separated effective (date).
3. You may resign at any time after receipt of this notice. If you resign, the customary advance notice required for resignation will be waived. Your resignation may be effective on the date you specify or on the separation date described in this notice, whichever is earlier.
  4. Since you are a Group \_\_\_\_\_ employee, you (are/are not) eligible to have your name placed on the Reemployment Priority List and to participate in the Agency's Career Transition Assistance Program (CTAP). Information on these placement programs is enclosed with this notice.
  5. Annual leave to your credit shall be paid in a lump sum if you are separating.
  6. You (are/are not) eligible for severance pay. A computation of your entitled amount and the conditions of payment are enclosed.
  7. Enclosed is information on unemployment compensation, continuation or conversion of health benefits enrollment, Thrift Savings Plan, and life insurance coverage.
  8. (Name(s), Organization, Location, and Telephone) is available to assist you by explaining this proposed action and shall provide access to pertinent regulations, reduction in force retention registers and other material you may wish to review which is related to this notice. Enclosed is a copy of OPM's RIF regulations found in 5 CFR Part 351.
  9. If, after examination of the register and pertinent regulations, you feel that any of your rights have been violated, you may appeal a separation, demotion, or furlough of more than 30 calendar days to the Merit Systems Protection Board (MSPB), (Address) in writing any time during the 30 day period beginning with the day after the effective date of the reduction in force action. A copy of

the MSPB regulation is enclosed.

OR

With the exception noted in the next paragraph, as an employee in the bargaining unit, you must use the negotiated grievance procedure if you wish to contest this RIF action. Grievances concerning RIF actions are filed at Step 2 of the negotiated grievance procedure within 20 working days of the alleged violation, misinterpretation or misapplication of any law, rule or regulation, or from the date the employee became aware of the violation. Submissions are made to the Chief, Personnel Operations Division, Office of Human Resources.

In the event that you wish to raise an allegation of discrimination under Title 5, U.S. Code, section 2302(b)(1) in conjunction with the RIF action, you have the option of either using the aforementioned negotiated grievance procedure or filing a RIF appeal with the Merit Systems Protection Board (MSPB). Should you opt to appeal to MSPB, you are advised that your appeal should be addressed to the Merit Systems Protection Board at (address). Your appeal may be filed any time during the period beginning with the day after the effective date of the action being appealed but not later than 30 calendar days after the effective date. The requirements for an appeal are set forth in detail in Part 1201 of the MSPB's regulations, a copy of which is enclosed. Also enclosed is the MSPB appeal form which you must use in presenting an appeal.

10. The action described above should not be considered as reflecting upon your performance or conduct. It is being taken solely for the reasons stated. The Agency sincerely appreciates your services toward accomplishment of the Agency's mission.

Enclosures:

Severance Pay computation and conditions of payment (as appropriate)

Unemployment Compensation information

Continuation/conversion of health benefits enrollment

Life insurance coverage information

Merit Systems Protection Board (MSPB) regulations

MSPB appeal form

Article 31 of Labor Agreement dated June 15, 1987

Information on Reemployment Priority List and the Agency's Career Transition Assistance Program (CTAP) (as appropriate)

Thrift Savings Plan

5 CFR Part 351, Reduction in Force