
Chapter 18. Exceptions to Reduction in Force Release (Nature of Action 755)

Contents

	Page
1. Coverage	18-3
2. Documentation	18-3

Job Aid

Instructions for Processing Personnel Actions on Exceptions to Reduction in Force Release	18-5
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Tables

18-A. Documenting Exceptions to Reduction in Force Release	18-7
18-B. Remarks	18-9

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Chapter 18. Exceptions to Reduction in Force Release

1. Coverage.

a. This chapter covers the temporary exception to the order of release from a competitive level in a reduction in force.

An agency will release a competing employee from a competitive level while retaining in that level another competing employee with lower retention standing only as authorized under title 5 Code of Federal Regulation part 351. When it does so, the agency processes an “Exception to RIF Release” for the employee for whom the exception is made.

b. This chapter does not cover:

(1) The reduction in force separation that follows an exception to reduction in force release (see Chapter 31).

(2) The retirement that follows an exception to reduction in force release (see Chapter 30).

(3) Extension of an appointment to meet benefit eligibility when involuntary separation is under non-reduction in force circumstances.

(4) Extension of a temporary appointment (see Chapters 10 or 11, as appropriate).

(5) Leave without pay granted during the period of the exception (see Chapter 15).

2. Documentation.

a. **Standard Form 52.** Use of the Standard Form 52, Request for Personnel Action, to process this action is optional. Follow your agency’s instructions.

b. **Standard Form 50.** Use of the Standard Form 50, Notification of Personnel Action, to document this action is optional. Agencies may use the Standard Form 50 or some other method to notify the employee of this action (See Chapter 4, section 6).

c. **Official Personnel Folder.** Documentation of this action is not authorized for long-term Official Personnel Folder retention. At their option, agencies *may* file documentation of this action among temporary documents on the left side of the Official Personnel Folder. A Standard Form 50 documenting an exception to reduction in force release should not be filed on the right side of the Official Personnel Folder.

d. **Central Personnel Data File.** These actions should be reported to the Central Personnel Data File.

Job Aid**Instructions for Processing Personnel Actions on Exceptions to Reduction in Force Release**

STEP	ACTION
1	<p>Use Table 18-A to select nature of action and authority for the exception to reduction in force release. Use them to process the action.</p> <p>If the action being taken is under an authority that is unique to your department or agency, cite that authority (along with the authority code approved by the Office of Personnel Management) instead of the authority and code shown in this chapter.</p>
2	<p>Use the required remarks on the employee notification of this action. The remark codes are found in Table 18-A. Use Table 18-B to translate codes into actual remarks.</p> <p>Also use any additional remarks that are required by your agency's instructions or that are necessary to explain the action.</p>
3	<p>Determine the effect on health insurance coverage when leave without pay is granted.</p> <p>Follow instructions in The Federal Employees Health Benefits Handbook for Personnel and Payroll Offices.</p>
4	<p>Enter or update any suspense/reminder system your agency maintains so that you will be notified when the separation action needs to be processed.</p>
5	<p>Follow your agency instructions to handle any documents created in connection with this action.</p>
6	<p>Prepare and distribute required notices.</p> <p>If the employee will be in nonpay status for more than 7 consecutive days, issue a completed Standard Form 8, Notice To Federal Employee About Unemployment Insurance, showing the full address of the payroll office where the individual records are maintained.</p>

Table 18-A. Documenting Exceptions to Reduction in Force Release

<i>R U L E</i>	<i>If the employee is retained</i>	<i>And the reason is</i>	<i>Then the NOAC is</i>	<i>Nature of Action is</i>	<i>Authority Code is</i>	<i>Authority is</i>	<i>Remark Code is (See Note 1 of this table)</i>
1	On Sick Leave at agency's discretion		755	Exception to RIF Release	PTR	Reg. 351.608(d)	M91
2	On Annual Leave at agency's discretion (agency is <i>not</i> covered by chapter 63 of title 5, U.S.C.)	To reach first retirement eligibility (See Note 2 of this table)			PTT	Reg 351.608(e)(1)	M90
3		To establish first eligibility to carry health benefits into retirement			PTS	Reg. 351.608(e)(1)	
4		On Annual Leave authorized as a mandatory exception (agency <i>is</i> covered by chapter 63 of title 5, U.S.C.)			To reach first retirement eligibility (See Note 2 of this table)	PTP	
5		To establish first eligibility to carry health benefits into retirement			PTU	Reg. 351.606(b)	
6	In duty, leave without pay, or leave status for up to 90 days	To continue an activity without undue interruption			PTM	Reg. 351.608(b)	M92
7		For other reasons when a higher standing employee is not affected			PTK	Reg. 351.608(f)	

Table 18-A. Documenting Exceptions to Reduction in Force Release (continued)

<i>R U L E</i>	<i>If the employee is retained</i>	<i>And the reason is</i>	<i>Then the NOAC is</i>	<i>Nature of Action is</i>	<i>Authority Code is</i>	<i>Authority is</i>	<i>Remark Code is (See Note 1 of this table)</i>
8	In duty, leave without pay, or leave status	To enable the agency to satisfy a Government obligation	755	Exception to RIF Release	PTL	Reg. 351.608(c)	M92
9	To satisfy rights following restoration after military service				PTJ	Reg. 351.606(a)	
10	For more than 90 days to avoid undue interruption				PTH	Reg. 351.607	
11	In a liquidation situation: employees are released without regard to service date (See Note 3 of this table)				PTG	>Cite specific authority for action (i.e., Reg. 351.605, or an agency specific authority)<	M93

NOTES:

1. See Table 18-B to translate codes into actual remarks.
2. First retirement eligibility is when the employee becomes eligible for an immediate annuity under optional or discontinued service retirement, whichever occurs first.
3. Liquidation situation exists when an agency will abolish all positions in a competitive area within 180 days.

Table 18-B. Remarks.

<i>R U L E</i>	<i>If Code is</i>	<i>Then Remark is</i>
1	B40	Health benefits coverage will continue for up to 365 days in nonpay status unless you cancel your enrollment. You are liable for your full share of premiums for this period. Payments should be made to your agency during your nonpay status or when you return to duty.
2	M90	Employee retained, on accrued annual leave NTE (date), past RIF separation date of (date) to establish eligibility for (enter: retirement; health benefits coverage; or retirement and health benefits coverage).
3	M91	Employee retained on sick leave past RIF separation date of (date) >until (new separation date).<
>4<	M92	Employee retained past RIF effective date of (date) >until (new separation date)< to (enter reason).
>5<	M93	Employee retained under authority of liquidation provisions prior to completion of liquidation on RIF separation date of (date).