SC1701. <u>SUBCHAPTER 1701</u>

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APPROVAL AND ANNOUNCEMENT OF REDUCTION IN FORCE (RIF)

References: (a) DoD Directive 5410.10, "Coordination and Clearance of Announcements of Personnel Reductions, Closures of Installations, and Reductions of Contract Operations Within the United States," February 2, 1960
   (b) Section 1597 of title 10, United States Code
   (c) Title 5, Code of Federal Regulations, Part 351, "Reduction in Force," current edition
   (d) Section 7103 of title 5, United States Code

SC1701.1. APPROVAL

The Secretaries of the Military Departments, the Director of Administration and Management, the Heads of the Office of the Secretary of Defense Components, and the Directors of the Defense Agencies and DoD Field Activities are delegated the authority to approve reduction in force (RIF) actions. The delegation to the Directors of Defense Agencies and DoD Field Activities is limited to those with independent appointing authority. The approval authority shall be redelegated to the lowest practical level, when the RIF will result in the involuntary separation of fewer than 50 employees or is necessitated by actions of a Base Realignment and Closure (BRAC).

SC1701.2. ANNOUNCEMENT

SC1701.2.1. Pursuant to reference (a), the Assistant Secretary of Defense (Legislative Affairs) (ASD(LA)) must approve in advance any public RIF announcement that shall result in the involuntary separation of 50 or more employees, or any RIF expected to be of special interest to Congress or the public.

SC1701.2.2. The information specified in reference (a) shall be forwarded through the Deputy Under Secretary of Defense (Civilian Personnel Policy) to ASD(LA) when clearance is required. The only required information for RIF actions at BRAC installations facing closure is the number of anticipated involuntary separations and the date the information shall be publicly announced.

SC1701.2.3. All RIF actions within the Department of Defense may not commence until 45 days after the appropriate information is submitted to Congress in accordance with Section 1597 of title 10, United States Code (U.S.C.) (reference (b)).

SC1701.3. <u>PROHIBITED NOTICE PERIOD</u>

RIF and other termination notices shall not be issued or made effective between December 15th and January 3rd. If, in specific situations, available resources absolutely preclude delay, exceptions may be authorized by specific approval of the Principal Deputy Under Secretary of Defense (Personnel and Readiness), the Assistant Secretaries (Manpower and Reserve Affairs) of the Army, the Navy, or the Air Force, the Director, Administration and Management; or the Directors of the Defense Agencies and DoD Field Activities with independent appointing authority, as appropriate. Exceptions shall be limited and approved only when the adverse effect on employees shall be significantly increased if the exceptions are not granted.

SC1701.4. <u>REDUCTION IN FORCE (RIF) NOTICE REQUIREMENTS</u>

Each competing employee, as defined in 5 CFR 351.203 (reference (c)), affected by RIF is entitled to a specific written notice, as required by 5 CFR 351.801 (reference (c)), of at least 60 full days (not counting notice delivery dates and effective dates) before the effective date of the action. At the same time a notice is issued to the employee, a written notice should also be given to the exclusive labor representative(s) as defined in 5 U.S.C. 7103(a)(16) (reference (d)). Pursuant to 5 CFR 351.803 (reference (c)), when 50 or more employees in a competitive area are being separated, written notification of the RIF action must be provided to:

SC1701.4.1. The State dislocated worker unit(s).

SC1701.4.2. The chief elected official(s) of local government(s) where the separations will occur, and

SC1701.4.3. The Office of Personnel Management.