



DEPARTMENT OF THE NAVY
COMMANDER, NAVY INSTALLATIONS COMMAND
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CNICNOTE 12351
CNIC N1

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CNIC NOTICE 12351

From: Commander, Navy Installations Command

Subj: CIVILIAN PERSONNEL PLACEMENT UNDER TRANSFER OF WORK IN
THE REGIONS REALIGNED UNDER BASE REALIGNMENT AND
CLOSURE (BRAC)

Ref: (a) CNIC N1 e-mail of 5 Jan 2006
(b) 5 CFR Part 351
(c) CNIC COS e-mail of 29 Apr 2005

1. Purpose. In reference (a) Commander, Navy Installations Command (CNIC) N1 announced, with the regions' concurrence, that the regional realignments under BRAC are to be processed as Transfer of Work (TOW). This notice establishes the policy on the TOW process for placing civilian personnel affected by the region realignments under BRAC. The policy outlined in this notice was developed in close consultation with Navy's Office of Civilian Human Resources (OCHR).

2. Background

a. TOW is not defined in Title 5 of the Code of Federal Regulations. It is a generic term applied to any action that does not meet the definition of a transfer of function. On a case-by-case basis it is possible that some realignment actions may be a transfer of function (TOF). The procedures provided in reference (b) will be used to place persons affected by TOF.

b. Each action taken under this TOW is subject to scrutiny and possible third party interpretation. Actions may be challenged based on any avenue of redress that affected non-selectees choose to use. It is important that any actions taken during the realignment process are documented to withstand any and all review after the fact. Regional Business Managers and Regional Program Directors will consult with the appropriate Headquarters Program Directors before agreeing to movements that

could be related to the region realignment effort. Reference (c) states that only by systematically planning and executing this realignment can we treat our employees right while still achieving the goals of the realignment.

3. Action. The realignment of the regions takes place in three phases.

a. Phase One:

(1) Realign incumbent region civilian personnel currently in the "as is" positions located at Southeast, Mid-West, and Mid-Atlantic locations into the new "to be" structure as appropriate.

(2) Place incumbent regions civilian personnel in South, Gulf Coast, and Northeast locations into remaining region positions in their respective locations by the appropriate process. Positions in these designated regions that are not part of the new structure will be abolished.

b. Phase Two: Fill vacant positions using the TOW process outlined in this notice. TOW movements from the Northeast region can only be made to the Mid-Atlantic region, the Gulf Coast region to the Southeast region, and the South region to the Southeast or Mid-West region as appropriate. The persons placed under TOW are eligible for a PPP exception.

c. Phase Three: Separate unplaced employees using Reduction-in-Force (RIF).

(1) Prior to any movements, Regional Commanders and Human Resources Office (HRO) shall ensure that all required human resources preparations are completed (e.g. organizational charts developed, Table 30s built, position descriptions classified, etc.).

(2) Regions will work closely with their servicing HRO and local union bargaining units to ensure all procedural requirements and obligations are satisfied in accomplishing each of the phases or steps in this notice.

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d. Gaining Region:

(1) Develop a list of vacancies after the personnel realignments are completed. The servicing HRO can assist in developing the list.

(2) Identify a POC to serve as a liaison with the losing region's POC. Provide the name of each region's POC to CNIC HQ N1. The gaining region POC distributes the list of vacant positions to the losing region's POC. Mid-Atlantic, Southeast, and Mid-West POCs should coordinate with each other to ensure each list is delivered expeditiously and at the same time to their respective losing region.

(3) Gaining regions will establish a selection committee of three or five persons for each program. At a minimum, one person from the losing region shall be on the selecting committee.

(4) The gaining region POC accepts the resumes from the losing region's POC and forwards them to the appropriate selection committee at the gaining region.

(5) CNIC regions should make every effort to place the losing region's personnel into any vacancies in the new structure for which they qualify. Select the Best Qualified (BQ) person from the resumes submitted by volunteers to fill vacancies. Selection criteria must be based on written job requirements (e.g., position description, qualification standards, individual occupational requirements (IOR), etc.). The servicing HRO can assist with the process.

(6) Establish and maintain selection files similar to a recruitment file to document all selections. The servicing HRO can assist with establishing the files.

(7) After all positions have been filled with BQ selections, regions may consider filling remaining vacancies with persons who volunteered using alternate placement methods. The servicing HROs will provide guidance on the methods that may be used and the documentation that is required.

(8) TOW placements are either a reassignment or a change-to-lower grade (CLG). Retained grade and retained pay is authorized in accordance with applicable regulations.

(9) Because TOW is not a competitive action no placements can be made to a position at a higher grade or with promotion potential to a higher grade.

(10) The gaining region prepares the Request for Personnel Action (RPA) and forwards it to the servicing HRO.

e. Losing Region:

(1) Identify personnel not realigned into any of the gaining regions positions.

(2) Identify a point-of-contact (POC) to serve as a liaison with the gaining region. Provide the name of each region's POC to CNIC HQ N1. The POC disseminates the list of vacancies received from the gaining region's POC.

(3) The POC requests employees in losing regions to indicate an interest in volunteering for a vacancy by submitting a resume by a designated deadline date.

(4) POC forwards the resumes to the gaining region's POC.

4. An employee in the losing region must submit a resume to the POC to document an employee's decision to volunteer for placement under the TOW process. A copy of a resume from the RESUMIX system is the acceptable format for the resume. A faxed or emailed copy is acceptable. A resume submitted into the RESUMIX system does not meet the requirement for submitting a resume to the designated POC.

5. Permanent Change of Station (PCS) funding is authorized for all employees selected and required to move as part of this TOW process under BRAC. PCS funds are available from BRAC funding.

6. If a position is slated for abolishment, and the incumbent in that position does not volunteer or is not selected for a position under TOW, they will be processed for a separation

under RIF procedures. Reference (b) applies. CNIC policy is to provide a 120-day notice period for any person reached for a RIF separation. Requests for a notice period less than 120 calendar days must be justified by operational necessity and endorsed by the regional commander. The request for an exception shall be forwarded to CNIC for final approval. In no case will the notice period be less than 60 full calendar days.

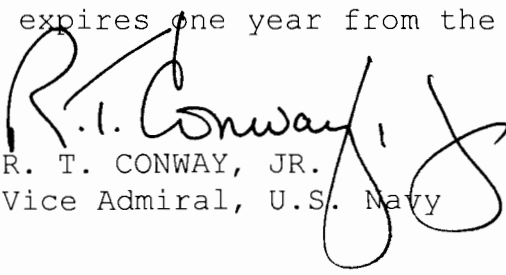
7. CNIC regions should make every effort to mitigate the adverse impact of any civilian personnel reductions resulting from the realignment. Voluntary Separation Incentive (VSIP), Voluntary Early Retirement (VERA), and early registration in the Priority Placement Program (PPP) are authorized. Regions will follow the servicing HRO's guidance for documenting that employees have satisfactory performance to be eligible for these programs.

8. VSIP II is authorized for persons who are in receipt of a RIF separation notice. VSIP II eligibility starts 120 calendar days before the effective date of separation. In most cases, VSIP II eligibility will be the date of the RIF notice.

9. Authority to authorize VSIP, VSIP II, and VERA is delegated to the gaining region's commander for the region realignments under BRAC. Losing regions must coordinate all such requests with the gaining region. Gaining regions shall keep records of each VSIP, VERA, and VSIP II request for auditing purposes.

10. Unfilled positions remaining after the placement of volunteers will be filled using merit recruitment procedures. Employees competing for these positions must have resumes in RESUMIX. High-grade level positions (GS-14, GS-15), as defined in reference (c), are subject to the area of consideration (AOC) in reference (c). Any costs incurred from merit recruitment are a non-BRAC expense.

11. Expiration: This notice expires one year from the date of signature.


R. T. CONWAY, JR.
Vice Admiral, U.S. Navy

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Distribution:

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