

C1700. CHAPTER 1700

CIVILIAN ASSISTANCE AND RE-EMPLOYMENT (CARE) PROGRAM
TABLE OF CONTENTS

<u>SECTIONS</u>	<u>Page</u>
C1700.1. PURPOSE	2
C1700.2. APPLICABILITY	2
C1700.3. RESPONSIBILITIES	3
C1700.4. BARGAINING OBLIGATIONS	3
C1700.5. DEFINITIONS	3

C1700. CHAPTER 1700

CIVILIAN ASSISTANCE AND RE-EMPLOYMENT (CARE) PROGRAM

- References:
- (a) Office of the Assistant Secretary of Defense (Force Management & Personnel) Memorandum, "Civilian Assistance and Re-Employment (CARE) Program Implementing Instructions," June 1, 1993, with attachments (hereby canceled)
 - (b) Sections 3502, 5595, 5724, 9902, and Chapter 71 of title 5, United States Code
 - (c) Section 2902 of Public Law 101-510, The Base Closure and Realignment Act of 1990," November 5, 1990, as amended
 - (d) Title 5, Code of Federal Regulations, Parts 330, 351, and 842
 - (e) Public Law 105-220, 112 Stat. 936, "Workforce Investment Act," August 7, 1998 [codified in various sections of titles 20 and 29 United States Code]
 - (f) Presidential Memorandum, "Career Transition Assistance for Federal Employees," September 12, 1995
 - (g) Title 48, Code of Federal Regulations, Part 37, "Service Contracting," current edition

C1700.1. PURPOSE

This Chapter formulates policy, assigns authority and responsibility, and prescribes procedures for the implementation of the DoD Civilian Assistance and Re-Employment (CARE) Program. The purpose of the Program is to accomplish the reduction and realignment of the Department's workforce with minimum employee and organizational disruption and in a humane and effective manner. During such reduction and realignment actions, the CARE Program achieves its objective through the use of mandatory employee placements (Subchapter 1800 of this Manual), civilian separation incentives, early retirements, retraining initiatives, transition entitlements and benefits, and continuity of operations tools described in the Subchapters of this Chapter (hereafter collectively referred to as the "Chapter"). This Chapter supersedes reference (a).

C1700.2. APPLICABILITY

Unless specifically excepted from one or more elements of the CARE Program by DoD policy, this Chapter applies to the Office of the Secretary of Defense, the Military Departments (including their National Guard and Reserve components), the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter collectively referred to as the "DoD Components"). The term "Military Departments," refers to the Army, the Navy, the Air Force, and the Marine Corps. This Chapter does not apply to nonappropriated fund employees or non-U.S. citizen employees, unless otherwise stated.

C1700.3. RESPONSIBILITIES

C1700.3.1. The Secretaries of the Military Departments, the Directors of Defense Agencies, the Directors of the DoD Field Activities with independent appointing authority, and the Director of Administration and Management, Office of the Secretary of Defense (those organizations for which the Director of Administration and Management exercises appointing authority) shall issue internal implementing guidance; comply with the provisions of the CARE Program; and shall direct the development and issuance of such operating procedures as are necessary to carry out personnel management authorities outlined in this Chapter within their organizations.

C1700.3.2. The Under Secretary of Defense (Comptroller)/Chief Financial Officer and the Director, Defense Finance and Accounting Service, shall prescribe implementing financial instructions consistent with the guidelines and procedures outlined in this Chapter.

C1700.3.3. The Deputy Under Secretary of Defense (Civilian Personnel Policy) (DUSD(CPP)) shall issue, implement, and monitor CARE Program policies and procedures.

C1700.4. BARGAINING OBLIGATIONS

The DUSD(CPP) shall consult with appropriate national labor organizations when issuing changes to these policies. Organizations with collective bargaining obligations shall satisfy those obligations as specified in Chapter 71 of title 5, United States Code (U.S.C.) (reference (b)) prior to issuing local operating procedures.

C1700.5. DEFINITIONS

C1700.5.1. Defense Base Realignment and Closure (BRAC) Commission. The BRAC Commission was established by section 2902 of the Defense Base Closure and Realignment Act of 1990, Public Law (Pub. L.) 101-510, as amended (reference (c)). It is an independent Commission that reviews recommendations from the Secretary of Defense regarding the closure and realignment of military installations in the United States and makes recommendations regarding the same to the President. The BRAC Commission shall meet during calendar year 2005 and shall terminate on April 15, 2006.

C1700.5.2. Caretaker Workforce. A cadre of temporary and/or term employees, at a closed DoD activity, performing security, fire protection, maintenance, environmental restoration, or other post-closure related functions.

C1700.5.3. Certificate of Expected Separation (CES). A notice issued to employees when it is determined, with a reasonable degree of certainty, that the employees shall be separated by reduction in force (RIF) procedures in accordance with 5 Code of Federal Regulations (CFR) 351.807 (reference (d)). The CES enables employees to apply for the Reemployment Priority List (RPL) and participate in dislocated workers programs under the Workforce Investment Act (WIA) of 1998 (reference (e)), as administered by the U.S. Department of Labor.

C1700.5.4. Civilian Assistance and Re-Employment (CARE) Program. A program designed to assist DoD civilian employees during Departmental downsizing and realignment actions. The overall program includes, but is not limited to:

C1700.5.4.1. Voluntary Separation Incentive Pay (VSIP).

C1700.5.4.2. Voluntary Early Retirement Authority (VERA).

C1700.5.4.3. Voluntary Reduction in Force (VRIF).

C1700.5.4.4. Priority Placement Program (PPP).

C1700.5.4.5. Outplacement Subsidy

C1700.5.4.6. Temporary Continuation of Health Insurance.

C1700.5.4.7. Job Exchange.

C1700.5.4.8. Unlimited Annual Leave Accrual and Leave Restoration.

C1700.5.4.9. Annual Leave Use for Retirement and Health Benefits Coverage.

C1700.5.5. Discontinued Service Retirement. A form of retirement based on reduced service and age requirements that provides an immediate reduced annuity for employees who are facing involuntary separation from Federal employment. (This is not the same as Voluntary Early Retirement Authority (see paragraph C1700.5.18.). Employees separated for cause on charges of misconduct or delinquency are ineligible for a discontinued service annuity (see 5 CFR 842.206 (reference (d))).

C1700.5.6. Displaced Employee. A current permanent employee serving under an appointment in the competitive or excepted service, in tenure group I (career) or group II (career-conditional) at grade levels GS-15 or equivalent and below, scheduled for separation or has been involuntarily separated due to RIF. For purposes of program coverage, a displaced employee is also defined as an employee who is facing separation or has been separated due to declining a transfer of function, or is facing directed reassignment outside the employee's commuting area and the employee is not on a mobility agreement.

C1700.5.7. Interagency Career Transition Assistance Plan (ICTAP). A special interagency transition assistance program specifically established for Federal employees affected by severe Federal downsizing, established by the Office of Personnel Management and authorized by Presidential Memorandum dated September 12, 1995 (reference (f)). It is codified in 5 CFR 330, Subpart G, reference (d). Through ICTAP, employees having RIF separation notices receive selection priority when they apply and are well qualified for vacancies in other Federal Agencies. Activities must notify affected employees of this program when RIF notices are issued.

C1700.5.8. Involuntary Separation. A separation action initiated by an agency against the will and without the consent of the employee, other than separation based on misconduct or performance. The most common source of involuntary separation is RIF.

C1700.5.9. Job Exchange. Specific authority provided in Subchapter 1705 of this Manual authorizing an exchange of jobs between an employee at a closing activity and an employee from an activity unaffected by closure action.

C1700.5.10. Leave Service Computation Date. An employee's service computation date for leave accrual purposes.

C1700.5.11. Lump Sum Severance Pay. Upon separation, immediate payment of severance pay benefits may be paid in a lump sum to an eligible employee as authorized by 5 U.S.C. 5595(i) (reference (b)). An employee must apply for this option and receive approval from the DoD activity to receive lump sum payment.

C1700.5.12. Outplacement Subsidy. Discretionary authority provided to a DoD activity under 5 U.S.C. 5724(e) (reference (b)) to pay up to \$20,000 Permanent Change of Station relocation expenses when another Federal agency hires and relocates a surplus DoD employee. The employee must be in a surplus skill category and have received a RIF separation notice to be eligible.

C1700.5.13. Personal Services Contract. An employment contract that creates an employer-employee relationship between contractor personnel and the Federal Government. An employer-employee relationship exists when the contractor personnel are subject to relatively continuous supervision and control of a Government officer or employee (see 48 CFR 37.104 (reference (g))).

C1700.5.14. PPP. An automated system that provides placement assistance, within the Department of Defense, to DoD employees adversely affected by RIF, transfer of function, realignment, or base closure, and those eligible for placement consideration in accordance with related DoD policy at Subchapter 1800 of this Manual.

C1700.5.15. Reemployment Priority List (RPL). Pursuant to 5 CFR 330, Subpart B (reference (d)), the RPL provides reemployment consideration to eligible competitive service employees, receiving a specific notice of RIF separation or Certificate of Expected Separation

under part 351 of reference (d), or have been separated by RIF, and to eligible employees fully recovered from a compensable injury or disability after more than 1 year.

C1700.5.16. Severance Pay. Pursuant to 5 U.S.C. 5595 (reference (b)), payment made to eligible separating employees (see definition of Lump Sum Severance Pay). The total amount is determined by a formula that considers years of Federal service, basic pay at the time of eligibility, and an adjustment for employees over age 40.

C1700.5.17. Surplus Position. A position identified for elimination when formal RIF procedures are initiated.

C1700.5.18. Voluntary Early Retirement Authority (VERA). Pursuant to 5 U.S.C. 9902(i) (reference (b)), DoD authority allows eligible employees to retire early and receive a reduced annuity. This authority may be used to reduce the number of personnel employed by the Department of Defense or to restructure the workforce to meet mission objectives without reducing the overall number of personnel. Employees are eligible for VERA based on reduced age and service requirements (age 50 with 20 years of service; any age with 25 years of service).

C1700.5.19. Voluntary Reduction In Force (VRIF). 5 U.S.C. 3502(f) (reference (b)) allows a volunteer to be separated in place of an employee facing RIF involuntary separation. VRIF is authorized only during a formal RIF when specific separation notices are being issued.

C1700.5.20. Voluntary Separation Incentive Pay (VSIP). Pursuant to 5 U.S.C. 9902(i) (reference (b)), incentive pay may be used to encourage certain employees to separate voluntarily by resignation or retirement, to avoid an involuntary separation and specified workforce-restructuring actions, but does not include employees declining transfer of function. The authority may be used to reduce the number of personnel employed by the Department of Defense or to restructure the workforce to meet mission objectives without reducing the overall number of personnel. VSIP is a cash payment that may be made in lump sum or in approved installments. VSIP is based on the severance pay formula. It currently may not exceed \$25,000 before taxes.

C1700.5.21. VSIP Phase II. Separation incentive payments offered to employees at non-downsizing activities creating placement opportunities for employees facing separation at downsizing locations.

C1700.5.22. Workforce Investment Act (WIA) of 1998, (Pub. L. 105-220, 112 Stat. 936) (reference (e)). The U.S. Department of Labor administers the WIA. It provides employment and training assistance to displaced/dislocated workers usually 6 months prior to employees' expected separation or 2 years prior to base closure.