

REDUCTION IN FORCE AND LAYOFF

This release describes procedures for reduction in force (RIF). It also describes procedures for layoff of trades and labor temporary construction employees, trades and labor temporary operating, maintenance and modification employees, and annual operating and maintenance employees.

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PART A

LAYOFF OF TRADES AND LABOR EMPLOYEES

A layoff is the termination of temporary trades and labor employees who have worked less than one year since they hired on. These termination procedures are in agreements negotiated between TVA and the Tennessee Valley Trades and Labor Council. A discussion of the procedures of each agreement follows. But remember, "layoff" applies only to "less than a year" employees. If it is necessary for TVA to terminate employees having one year or more of current continuous service, reduction in force (RIF) procedures must be followed. Those procedures are discussed in part B of this instruction.

1. LAYOFF OF TEMPORARY CONSTRUCTION EMPLOYEES

This section deals with the layoff of "less than one year" trades and labor temporary construction hourly employees appointed under the provisions of Supplementary Schedule H-IV (General Agreement covering construction employment). For this purpose the date of appointment is the date the employee began work. The term layoff applies only to "less than one year" employees and is not a RIF under the regulations issued by the Office of Personnel Management (OPM). No statement is made on form TVA 77 or form TVA 9880 that the termination of these employees is a RIF. See the *Employee Information System (EIS) Manual* for the appropriate codes and phrases to be shown on the termination form.

REFERENCE: *General Agreement* (Construction), Supplementary Schedule H-VII:C

1.1 Competitive Area

Employees are compared for layoff within competitive areas. The applicable competitive areas are those described at Supplementary Schedule H-VII:C-2 of the referenced General Agreement covering construction employment. The competitive areas are:

- a. Division of Power System Operations
 1. Transmission Construction Branch (except laborers and the Building and Maintenance Section)
 2. Each official station for laborers and the Building Maintenance Section
- b. Division of Power Engineering and Construction
 1. Each official station within Construction Services
 2. Each construction project branch
 3. If not listed above, each official station within the Division of Power Engineering and Construction is a separate competitive area
- c. Division of Nuclear Construction
 1. Each official station within Nuclear Construction Services
 2. Each nuclear construction project branch
 3. If not listed above, each official station within the Division of Nuclear Construction is a separate competitive area

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1.2 Employees Compared for Layoff

Employees in the same classification are compared with each other with the following exceptions:

- a. Job stewards are excluded from the comparison to the extent provided by Supplementary Schedule H-VII:C-3.
- b. An employee may be excluded from the comparison if his or her job cannot be filled by other employees having the same classification or subtitle, with no more than 90 days training.

All other "less than one year" employees are compared whether or not they are in active duty status, awaiting maximum recovery from a service-connected injury, suspended, furloughed, or on another assignment temporarily. For layoff purposes, dual classified employees are included in the comparison with employees in their regular classification. Apprentices are considered for layoff by classification and period in the apprenticeship program as provided in TERMINATION, Apprentices, PM Section 7.

1.3 Layoff Record and Order of Layoff

All "less than one year" employees who are to be compared are placed in the following ranks:

- Rank I Employees who have special or superior ability to perform the work remaining in their classification
- Rank II Other fully qualified employees
- Rank III Employees with appointments specifically limited to 30 days or less
- Rank IV Employees who are not fully qualified for the work remaining in their classification

The employees are listed by these ranks on form TVA 3824L, Layoff Record (see exhibit 1 following Part A). A separate record is prepared for each job classification or each subtitle in which employees are laid off. Job stewards and "excluded employees" are not listed on the record with other employees in their job class.

Employees in Rank IV are laid off first, those in Rank III next, and so on. Within each rank, employees with the most recent layoff service date are laid off first.

An employee's layoff service date is either (a) the date the employee began work if he or she has no previous TVA service or military service, or (b) the date obtained by subtracting the total previous service with TVA and time in military service from the date the employee began work. The layoff service date is computed by the method shown in Part F, except that no service other than TVA and military is counted. TVA and military service used to establish the layoff service date is that which is creditable for purposes of RIF, as indicated in Part E of this instruction.

The layoff service date must be shown only in the rank in which some employees will be terminated and some retained. For example, if all employees in Ranks IV and III, but only part of the employees in Rank II are reached for termination, the layoff service dates need be shown only for Rank II. Layoff service dates need not be shown for Rank I or for Ranks IV and III in this case. If all employees included in the layoff record are being terminated, no rank designations are necessary.

1.4 Notice of Layoff

Before layoff in a craft on any construction work (other than transmission construction work), the job steward of the union involved is notified. Employees are given as much notice of layoff as possible. The notice of layoff to the employee may first be given orally and then followed by issuance of forms TVA 77 and TVA 9880.

If the employee requests, the foreman and/or general foreman discusses with the employee who is to be laid off the analysis of work performance which is given on form TVA 77 and the basis for the employee's selection for layoff.

1.5 Maintenance and Inspection of Layoff Records

Employees and their union representatives are permitted to inspect the layoff record and any other records or registers which relate to the action taken in their cases. One copy of the record is kept available for inspection in the management office at the location of the employees affected, and one copy is kept in the project personnel office (or the division personnel office). The layoff record is used for administrative purposes only. It is not required by OPM regulations since the order of layoff of "less than one year" employees is not subject to review by the OPM under its regulations.

1.6 Reassignment

In certain crafts, foremen, instructors, and sketchmen selected for layoff are offered reassignment to journeymen jobs in the same competitive area. However, if their reassignment requires a layoff of journeymen, they are compared with the journeymen in such layoff and they are not offered reassignment unless they can be retained. The applicable crafts are those described at Supplementary Schedule H-VII:C-4 of the General Agreement covering construction employment.

A driver—special line equipment trainee reduced from the training program—may be reassigned to a groundman position provided the driver previously held that classification in TVA. However, if the reassignment requires a reduction in the groundman classification, the driver is compared with those in his or her competitive area and is not offered reassignment unless he or she can be retained.

1.7 Layoff in Conjunction With A RIF

If it is necessary to release all "less than one year" employees and continue into a RIF of "one year or more" employees (see Part B of this instruction), the "less than one year" job stewards and "excluded employees" must be terminated before a RIF is effected for any "one year or more" employees.

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2. **LAYOFF OF TEMPORARY HOURLY OPERATING, MAINTENANCE, AND MODIFICATION EMPLOYEES**

The termination of temporary hourly operating, maintenance, and modification employees is handled as a layoff, if such employees have less than one year of current continuous service. If the employee has a year or more of current continuous service, RIF procedures, as detailed in Part B of this instruction, must be followed to terminate the employee.

Layoff of these employees is made in compliance with Article III of their General Agreement. Layoff is made by "last in-first out" and applicable TVA procedures as described in this section, copies of which will be made available to job stewards upon request.

REFERENCE: *General Agreement* (Temporary Hourly Operating, Maintenance, and Modification), Supplementary Schedule T-VI:C

2.1 **Competitive Area**

Under this appointment, employees are assigned to work in a specific organizational group as shown under "section" on form TVA 9880 and at a specific location as shown under "Official Station" on form TVA 9880. The competitive area for layoff includes all employees in the specified section at the specified location.

2.2 **Employees Compared for Layoff**

All "temporary" employees except job stewards in the same classification (or in the same subtitle if used) are compared. However, an employee may be excluded from the comparison if his or her job cannot be filled by other employees having the same classification or subtitle.

All other "temporary" employees are compared whether or not in active duty status awaiting maximum recovery from a service-connected injury, suspended, furloughed, or on another assignment temporarily. For layoff purposes, dual rated employees are included in the comparison with employees in their regular classification. Apprentices are considered for layoff by classification and period in the apprenticeship program as provided in TERMINATION, Apprentices, PM Section 7.

2.3 **Layoff Record and Order of Layoff**

All temporary hourly operating, maintenance, and modification employees who are to be compared are placed in the following ranks:

- Rank I Employees who have special or superior ability to perform the work remaining in their classification
- Rank II Other fully qualified employees
- Rank III Employees with appointments specifically limited to 30 days or less
- Rank IV Employees who are not fully qualified for the work remaining in their classification

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The employees are listed by these ranks on form TVA 3824K, Layoff Record, Trades and Labor, Temporary Operating and Maintenance Employees (see exhibit 2 at the end of Part A). A separate record is prepared for each job classification or each subtitle in which employees are laid off. Job stewards and "excluded employees" are not listed on the record with other employees in their job class.

Employees in Rank IV are laid off first, those in Rank III next, and so on. Within each rank, employees with the most recent current employment date are laid off first. The current employment date must be shown only in the rank in which some employees will be terminated and some retained. For example, if all employees in Ranks IV and III but only part of the employees in Rank II are being listed for termination, the current employment dates need be shown only for Rank II. If all employees included in the layoff record are being terminated, no rank designations are necessary.

2.4 Notice of Layoff

Employees are given as much notice of layoff as possible. The notice of layoff to the employee may first be given orally and then followed by issuance of forms TVA 77 and TVA 9880.

3. LAYOFF OF ANNUAL OPERATING AND MAINTENANCE EMPLOYEES

Employees appointed to temporary annual trades and labor operating or maintenance positions are laid off in accordance with provisions under section 2, Layoff of Temporary Hourly Operating, Maintenance, and Modifications Employees, if they have less than a year of current continuous service. Those employees with a year or more of current continuous service must be terminated using the RIF procedures found in Part B of this instruction.

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PART B

REDUCTION IN FORCE

1. FEDERAL GUIDELINES

The system for conducting reductions in force (RIF) comes from the Veterans' Preference Act of 1944. The Act's purpose was to give veterans a preference in both hiring and job retention in Federal Government work. In 1978, the Civil Service Reform Act established additional preference for those preference eligibles with a compensable military service-connected disability of 30 percent or more. These laws are carried out through Federal regulations issued by the Office of Personnel Management (OPM). OPM regulations govern the basic elements of any TVA RIF action; however, not all OPM regulations apply to TVA.* TVA is bound to follow applicable Federal law and regulations in carrying out RIFs.

2. GENERAL PROVISIONS

2.1 Definition of RIF

A RIF is the release of a covered employee from his or her competitive level by separation, demotion, furlough for more than 30 days, or reassignment requiring displacement because of:

- a. Lack of work.
- b. Shortage of funds.
- c. Insufficient personnel ceiling.
- d. Reorganization.
- e. The need to make a place for a person exercising reemployment rights or restoration rights.
- f. The reclassification of an employee's position due to erosion of duties when such action will take effect after an agency has formally announced a RIF in the employee's competitive area and when the RIF will take effect within 180 days.

2.2 Actions Not Covered

RIF regulations are not applicable when the following actions are taken:

- a. The termination of a specifically limited temporary appointment or the termination of a temporary appointment when the incumbent's current continuous service is less than one year.
- b. The return of an employee to a position from which he or she was promoted on a temporary basis.
- c. The reassignment or demotion of an employee to a different position which is not at a lower grade or level than the position from which he or she was promoted on a temporary basis.

*For example, TVA is not subject to OPM regulations dealing with assignment rights, severance pay, reemployment priority lists, the "Displaced Employee Program," or the "Voluntary Interagency Placement Program." But similar provisions may be negotiated with employee unions or may otherwise be provided by TVA.

- d. Retirement of an employee in accordance with TVA retirement policy.
- e. The transfer of an employee to another position when there is no reduction in the employee's pay or grade.
- f. A change to a lower grade based on the reclassification of an employee's position due to the application of new classification standards or the correction of a classification error.
- g. A change to a lower grade based on reclassification of an employee's position due to erosion of duties, except that this exclusion does not apply to such reclassification actions that will take effect after an agency has formally announced a RIF in the employee's competitive area and when the RIF will take effect within 180 days. This exception ends at the completion of the RIF.
- h. Placement of an employee serving on an intermittent, part-time, on call, or seasonal basis in a nonpay, nonduty status in accordance with conditions established at the time of appointment.

2.3 **Employees Covered**

A "covered employee" is any permanent, prepermanent, or indefinite employee. A temporary employee who has completed a year or more of current continuous service is also a covered employee, unless the employee is released at the expiration of a temporary appointment.

This includes temporary construction employees and temporary operating and maintenance employees who have a year or more of current continuous service. Current continuous service generally extends back to the latest TVA appointment.

3. **COMPETITIVE AREA**

A competitive area is the organizational unit within which a RIF is conducted. In TVA, these areas are negotiated for represented employees. They may be different for salary policy and trades and labor employees. It is TVA policy to apply salary policy negotiated competitive areas not only to the represented employees but also to managers, physicians, and to salary policy employees in excluded positions.

The collective bargaining agreements list the competitive areas for salary policy and trades and labor employees.

REFERENCES: *Articles of Agreement*, Supplementary Agreement S-10:C

General Agreement (Annual Operating and Maintenance), Supplementary Schedule A-VII:C

General Agreement (Temporary Hourly Operating, Maintenance, and Modification), Supplementary Schedule T-VI:D

General Agreement (Construction), Supplementary Schedule H-VII:E

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Competitive areas should be in effect at least 90 days prior to a RIF. When changes in existing competitive areas are made or new areas are established less than 90 days prior to the effective date of a RIF, prior approval of OPM is required. The description of the new competitive area should include the following:

- a. Identification of the proposed competitive area including the organizational segment, geographic location, and limits of the local commuting area.
- b. A description of how the proposed area differs from the one previously approved for the same unit and geographic area.
- c. An organizational chart showing the relationship between the organizational components within the competitive area and other components in the commuting area.
- d. The number of competing employees in the proposed competitive area.
- e. A description of the operation, work function, staff, and personnel administration of the proposed area, and where appropriate, a description of how the area is distinguished from others in these respects.
- f. A discussion of the circumstances which led to the proposed changes less than 90 days before a proposed RIF.

The Research and Analysis Branch must be contacted for details and coordination when OPM approval is required. This branch will handle any necessary coordination with the Office of the General Counsel and the Labor Relations Staff.

The competitive areas established by TVA must be made readily available for review by employees and OPM.

4. **COMPETITIVE LEVEL**

A competitive level establishes exactly who is competing against each other in a RIF. A competitive level includes all jobs in the same salary or trades and labor job title grade and classification series similar enough in duties, qualifications requirements, and working conditions to allow interchange of employees without loss of productivity. "Interchangeability" is a two-way street. The incumbent of one job must be able to perform satisfactorily the duties of the interchangeable job and vice versa. There should be no loss of productivity beyond that normally expected in the orientation of any new but fully qualified employee.

This determination is made by comparing for each position the qualifications as stated in the official job description, the principal duties, and the standards for fully adequate performance of these elements. Similar jobs at the same level—jobs that are interchangeable—are grouped together in a competitive level to show clearly which employees are in competition. In a nutshell, this means that an incumbent in job "A" is qualified based on requirements to do job "B" work and vice versa.

In setting competitive levels, determinations are not based on the personal qualifications or performance levels of individual employees. The determinations must be based solely on the content of accurate, up-to-date job descriptions.

A competitive level may consist of many positions, only a few positions, or only one position. Separate competitive levels are required for positions which are filled on a part-time basis, on an intermittent basis, and on a full-time basis.

Under each trades and labor collective bargaining agreement, a job steward is in a separate competitive level from other employees in his or her craft or classification. This is because a position as job steward is not interchangeable with other positions in the same classification because of the special duties of the job steward position. Therefore, in a RIF, a job steward is considered in a separate competitive level at his or her official station as long as there is work in that classification for which he or she is qualified.

REFERENCES: *General Agreement* (Construction), Supplementary Schedule H-VII:E-3
General Agreement (Annual Operating and Maintenance), Supplementary Schedule A-VII:C

Employees on dual classifications are placed in the competitive level of their regular classification.

Apprentices are considered for RIF by classifications and period in the apprenticeship program as prescribed in TERMINATION, Apprentices, PM Section 7.

5. **RETENTION FACTORS**

In a RIF, employees compete against each other for remaining work, in a competitive level within a competitive area, based on three factors: (1) tenure—type of appointment (permanent, prepermanent, indefinite, temporary); (2) their eligibility for veterans' preference; and (3) total creditable service. These three factors are called "retention factors" because they determine who is retained to do the remaining work. This section explains these factors which determine the retention standing of competing employees under the RIF regulations.

5.1 **Retention Subgroup**

A retention group identifies the tenure of an employee: Group I—permanent; Group II—prepermanent; and Group III—indefinite, or temporary with a year or more of current continuous service.

5.2 **Veterans' Preference Subgroup**

A retention subgroup identifies the employee's eligibility for veterans' preference: Subgroup "AD"—veterans with a military service-connected disability of 30 percent or more; Subgroup "A"—preference eligibles not included in Subgroup "AD"; and Subgroup "B"—nonpreference eligible employees.

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5.3 Eligibility for Retention Preference

VETERANS, PM Section 7, gives information on determining an employee's eligibility for veterans' preference. In addition, a preference eligible employee who is a retired member of a uniformed service must meet a further condition to be considered a preference eligible for RIF purposes. This condition varies depending on the rank at which the individual retired from the uniformed service.

Therefore, an employee who is a retired member of one of the uniformed services is not necessarily entitled to such preference in a RIF. See Part D of this instruction, "Veteran's Preference for Reduction in Force Retention of Retired Member of the Uniformed Services," whenever such a retired member is to be RIF'd.

5.4 Employee's Service Date

A service date is established for each competing employee in a RIF. An employee's service date is determined in the following manner:

- a. Start with the date of the employee's entrance on duty.
- b. Make adjustments (if necessary), such as for leave without pay, part-time service not regularly scheduled, or intermittent service (see Part F for additional guidance).
- c. Subtract the employee's total previous creditable service if any from the date the employee last entered on duty.
- d. Subtract from the date in step c any service credit for performance to which the employee is entitled under section 6 of this part.

The service dates obtained in step c are the Federal service dates.

5.5 Creditable Service

To determine creditable service for RIF, service dates are computed and adjustments are made for noncreditable service. Creditable service and the method of calculating Federal service dates are defined and established by OPM. The method of calculating dates, including samples of adjustments which must be made to withhold credit for noncreditable time such as that which may be involved in leave without pay, part-time service not regularly scheduled, and intermittent service, is shown in Part F of this instruction.

An employee who is a retired member of a uniformed service receives credit for RIF purposes for:

- a. The length of time in active service in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized, or
- b. The total length of time in active service in the armed forces if the retired member is considered a preference eligible for RIF purposes as established in Part D, section 2.

6. **CREDIT FOR PERFORMANCE**

Under the "credit for performance" provisions of the RIF regulations, an employee is given performance credit in a RIF when his or her performance meets certain requirements. Credit is given by adjusting an employee's service date for RIF purposes.

The application of the credit for performance provisions of the RIF regulations may change an employee's service date, but the relative standing in a RIF between veterans and nonveterans and between permanent, prepermanent, and indefinite employees does not change. Each employee's service date is calculated by subtracting from the original date any credit for performance to which the employee is entitled as outlined below.

6.1 **Performance Appraisal System**

Additional service credit in a RIF is based on annual performance ratings of record received under one of TVA's performance appraisal systems. Annual performance ratings are prescheduled ratings that are generally given once each year. A performance rating "of record" is one that has been received by the Personnel Office and entered into the automated Employee Information System (EIS) by the responsible personnel office receiving the evaluation. TVA has two performance appraisal systems under which supervisors give performance appraisals—the form TVA 3031 and the MAS. Additional service credit in RIF is based on annual performance ratings of record received under these performance appraisal systems. The MAS is a five-tiered rating system (five categories of ratings) while the current form TVA 3031 (which TVA began using in January 1985) is a four-tiered system. The previous form TVA 3031 had only two ratings to evaluate an employee's total service.

6.2 **Employees Covered**

With the exception of those listed below, a "covered employee" is any permanent, prepermanent, or indefinite employee and any temporary employee who has completed a year or more of current continuous service.

Exceptions:

Hourly trades and labor employees are not covered by these provisions. Since hourly trades and labor employees receive form TVA 77, Personnel Action—Hourly TL, only upon a change of official status and not on any regular basis, that form does not constitute an annual performance appraisal under the regulations. Similarly, evaluations received by hourly trades and labor employees on form TVA 3029, Supervisor's Evaluation of Service of Hourly Trades and Labor Employees, are not considered annual performance appraisals.

Managers at grade M-9 and above are not covered by the credit for performance provisions because TVA has no formal appraisal system to rate annually the performance of these managers.

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6.3 Amount of Credit

An employee is given additional credit based on the mathematical average (rounded in the case of a fraction to the next higher whole number) of the employee's actual and/or assumed performance ratings of record. These ratings must be those received during the 3-year period (36 months) prior to the date of the employee's RIF notice. The additional years of credit assigned to each performance rating of record under each TVA performance appraisal system are as follows:

Form TVA 3031, Employee Service Report (effective January 1985)

OVERALL RATING	ADDITIONAL CREDIT
Better than fully adequate	16 years
Fully adequate	12 years
Marginal, improvement needed	No additional credit
Not adequate	No additional credit

Form TVA 3031 Employee Service Report (used prior to January 1985)

OVERALL RATING	ADDITIONAL CREDIT
Total service adequate or better	12 years
Total service was not adequate	No additional credit

Form TVA 13020, Management Performance Goals and Appraisal Summary (MAS)

OVERALL RATING	ADDITIONAL CREDIT
Exceptional	20 years
Superior	16 years
Proficient or Solid Performer	12 years
Adequate	No additional credit
Unsatisfactory	No additional credit

Example 1: A Program Manager, M-5 (whose performance is appraised on a MAS), had received performance ratings in the last three years of superior (16), proficient (12), and solid performer (12). Each appraisal covered a 12-month period. For RIF purposes, this manager would receive 14 years of additional service credit $(12 \text{ months} \times 16) + (24 \text{ months} \times 12) = (192 + 288) = 480$ divided by 36 = 13.33, rounded to 14.

Example 2: An Engineering Associate, SE-5 (whose performance is appraised on form TVA 3031), had received performance ratings in the last three years of adequate or better (12), fully adequate (12), and better than fully adequate (16). This employee would receive 14 years of additional service credit $(24 \text{ months} \times 12) + (12 \text{ months} \times 16) = (288 + 192) = 480$ divided by 36 = 13.33 rounded to 14.

6.4 Basis For Credit

Additional service credit is based on the performance ratings of record the employee received during the three-year period prior to the date of his or her RIF notice. Performance appraisals that were due before the date of the RIF notice, but were not part of the official record, through the EIS, until on or after the date of the RIF notice, are not used to determine additional service credit. No two appraisals should cover the same period of time.

The appraisal is "of record" when the ending date of the current performance appraisal has been entered into the EIS by the personnel office. The division personnel officer keeps a record of the date of such entry. The date of entry into the EIS is generally a date that is later than the ending date of the evaluation. The due date of the next annual performance evaluation is one year from the ending date of the current evaluation.

The total additional years of service credit received in a RIF is the mathematical average (rounded in the case of a fraction to the next higher whole number) of the additional credit received for each appraisal of record during the three-year period. The beginning date of the three-year period is the date that is three years earlier than the day before the date of the RIF notice.

If an employee has not received a performance rating during a particular period during the three-year period, credit is given for an assumed rating(s) as follows:

MAS	Proficient or solid performer	12 years additional credit
3031	Fully adequate	12 years additional credit

Example: A Clerk-Typist, SB-3, who has been employed with TVA for two years and has received one annual appraisal with an overall rating of better than fully adequate would receive additional credit based on one actual rating and assumed ratings for the period(s) not covered by the performance appraisal of record during the three-year period prior to the RIF.

If an employee has received no appraisals at the time of his or her RIF notice, additional service credit is based on assumed ratings (12 additional years of service credit), regardless of the length of the employee's service. The employee receives 36 months of evaluation even if that employee has been at TVA less than 36 months.

Performance ratings of record are to be used even if the employee has ratings under both form TVA 3031 and the MAS during the three-year period. Additional service credit is based on the actual ratings under each system and assumed ratings(s) if necessary. A rating received prior to the three-year period is not used.

6.5 Reassignment Consideration

All TVA employees are in the excepted service and as such have no reassignment rights under Federal regulations. However, TVA has negotiated reassignment rights for both salary policy and annual trades and labor employees. If such an employee competes with other

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employees for a position by virtue of exercising reassignment rights, the provisions of the RIF regulations, including the "credit for performance" provisions, are used. For example, under the Articles of Agreement, some salary policy employees who have 10 or more years of TVA service have reassignment rights. Employees who do not have 10 years or more of actual TVA service are not entitled to reassignment rights regardless of whether their Federal service dates show more than 10 years of Federal service.

Example 1: Ms. A has more than 10 years of TVA service and otherwise qualifies for reassignment rights to position X. Her Federal service date before calculating credit for performance is 1-1-76 and after credit for performance her service date for RIF is 1-1-60. Mr. B is the incumbent of position X. He has less than 10 years of TVA service; his Federal service date before calculating credit for performance is 6-1-75 and his service date for RIF is 6-1-63. Both Ms. A and Mr. B are nonveterans with permanent tenure status. Ms. A receives a RIF notice and exercises her reassignment rights. Mr. B is RIF'd because Ms. A's applicable service date for RIF is earlier than Mr. B's.

Example 2: Mr. C has 6 years of TVA service and a Federal service date, before credit for performance, of 1-1-80. His last three years of annual performance appraisals are Better Than Fully Adequate and he, therefore, receives credit for 16 years of additional service. His service date for RIF is thus 1-1-64. Because he does not have 10 years of TVA service, he is not entitled to reassignment rights in a RIF even though his service date for RIF gives him more than 10 years of creditable service.

For certain annual trades and labor employees, TVA establishes the service date after calculating credit for performance and then implements the provisions of the negotiated agreement with the Tennessee Valley Trades and Labor Council.

7. RETENTION REGISTER

When a RIF action will result in the release of a competing employee from his or her competitive level, a retention register is set up for that affected competitive level in a given competitive area. Form TVA 3824, Retention Register, is used. (See sample form at exhibit 1 at the end of this part.) A separate register is prepared for each competitive level affected by the RIF. A retention register is prepared even if the employee to be RIF'd occupies the only position in the competitive level and is not competing, at that level, with anyone else.

7.1 Effective Date of Retention Standing

An employee's retention standing is determined as of the date he or she is released from a competitive level. Changes in factors that occur during the notice period must be taken into account in determining the employee's retention standing except for receipt of performance appraisals (see section 6.4). For example, an employee's tenure may change from prepermanent to permanent.

7.2 Employees Shown on the Retention Register

All permanent, prepermanent, and indefinite employees in the competitive area and level on the effective date of the RIF are listed, by name, on the register whether they are on duty, leave, non-military furlough, suspension, temporary assignment to a different position, or on loan to another organization outside TVA.

7.3 Employees Listed Apart From Retention Register

Certain employees officially assigned to positions in a competitive level are not included in the retention register for that level, because they must be removed from positions in the competitive level by means other than RIF before releasing any competing employee from the level through RIF action. These employees are included on a separate list which gives their names and the expiration dates of their appointments:

- a. Employees serving under a temporary appointment and having less than one year of current continuous service are terminated by written notification as far in advance as possible.
- b. Employees serving under specifically limited temporary appointments with less than one year of current continuous service or temporary promotions are not listed on the retention register because those employees must be removed from such position by means other than RIF.
- c. Employees in the competitive level who receive a final notice of termination prior to the date of the RIF for reasons other than RIF are removed in accordance with the terms of the notice.

The list has the same distribution as that shown for the retention register, and it should be identified by showing the competitive level and area and proposed effective date which are on the related register.

7.4 Employees Not Listed

An employee with restoration rights who is on leave to perform military duty is not listed on the retention register. These employees are not affected by RIF actions because of their restoration rights.

7.5 Order on Retention Register

A retention register lists every employee in the competitive level by the three retention factors: tenure (group), veterans status (subgroup), and years of service which include performance credit under section 6, in the following order:

- | | |
|---------------------|---|
| Retention Group 1: | AD. Employees eligible for veterans' preference in RIF who have compensable service-connected disabilities of 30 percent or more and permanent tenure. |
| | A. Employees eligible for veterans' preference in RIF not included in subgroup AD and who have permanent tenure. |
| | B. Other employees with permanent tenure. |
| Retention Group II: | AD. Employees eligible for veterans' preference in RIF who have compensable service-connected disabilities of 30 percent or more and prepermanent tenure. |
| | A. Employees eligible for veterans' preference in RIF not included in subgroup AD and who have prepermanent tenure. |
| | B. Other employees with prepermanent tenure. |

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Retention Group III:

- AD. Employees eligible for veterans' preference in RIF who have compensable service-connected disabilities of 30 percent or more and indefinite tenure.
- A. Employees eligible for veterans' preference in RIF not included in subgroup AD and who have indefinite tenure.
- B. Other employees with indefinite tenure, including temporary employees who have one year or more of current continuous service.

Within each subgroup, employees are listed in order of their service dates for RIF. The employee with the most recent service date is listed at the bottom of his or her subgroup.

When employees in the same subgroup have identical service dates, the tie is broken by administrative decision, except as indicated below.

Under the provision of the agreement negotiated for salary policy employees, if two employees within a given subgroup have the same service date, the employee with the greater amount of service at the grade level being affected by the RIF will be listed above the other employee. If both employees have the same amount of time at that grade level, one employee will be listed above the other on the basis of an administrative decision.

REFERENCE: *Articles of Agreement, Supplementary Agreement S-10:E*

7.6 Availability of Retention Register and Related Materials

Employees and their union representative, if applicable, are permitted to inspect the retention register for their own competitive level and any other related records which have a bearing on RIF actions in their cases. A copy of the retention register and related information are made available for use at each major work location where employees are affected.

The original of the register and any related materials are sent to the Employment Services Section, Employment Branch, Knoxville, and a copy is sent to the Employment Branch field office involved.

Additionally, for employees represented by the Salary Policy Employee Panel, a copy of the retention register is sent on the date of issue to the central office of the union having jurisdiction.

All registers and records relating to an employee in a RIF are kept for at least one year from the date the employee is issued a RIF notice.

8. RELEASE FROM THE COMPETITIVE LEVEL

8.1 Release of Noncompeting Employees

Before a competing employee may be released from a competitive level, the following employees must first be released from the competitive level:

- a. A temporary employee in the competitive level who has less than a year of current continuous service.
- b. An employee serving under a specifically limited temporary appointment to a position in that competitive level.
- c. An employee serving under a temporary promotion to a position in that competitive level.
- d. An employee who has received a written final notice of removal from a position in that competitive level.

8.2 Regular Retention Order

After all of the noncompeting employees have been released from a competitive level, selection of competing employees to be released from a competitive level begins at the bottom of the retention register for that level; that is, with the employee in the lowest subgroup who has the most recent service date. All employees in group III are released before any employee in group II is released; and all employees in group II are released before any in group I is released.

Within each subgroup, all employees in subgroup B are released before any employee in subgroup A; and all employees in subgroup A are released before any employee in subgroup AD.

8.3 Exceptions to the Regular Retention Order

TVA may release a competing employee from a competitive level while retaining in that level another competing employee with lower retention standing only if the action is authorized as a mandatory or a discretionary exception.

Mandatory Exception. Certain employees who have been reemployed after military service have special retention protections requiring that an exception be made to the regular order of release. These employees are entitled to retention for either six months or one year after restoration under OPM regulations found at chapter 353. Each must be retained over other employees in the same subgroup until the end of the retention period. If such an employee is reached for release from a competitive level, TVA is obligated to find another position for the employee. If the employee cannot be retained in a position in the same competitive area, the employee must be offered a position in another competitive area. If the employee refuses all offers and must be separated, the separation is an adverse action rather than a RIF action.

Discretionary Continuing Exception. An exception may be made to the regular order of release in order to keep an employee in a position that no higher-standing employee can take over within 90 days without undue interruption to the work program. For example, this may be used to avoid undue interruption when at the time of the RIF a special project or assignment has reached a point where the replacement of an employee working on it would delay its completion for more than 90 days. A continuing exception may not be used to give indefinite protection to an employee who is in reach for separation.

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Discretionary Temporary Exception. An employee who is within reach may be temporarily retained for not more than 90 days after the effective date of a RIF for higher ranking employees in the same competitive level when:

- (1) Temporary retention of the lower ranking employee is necessary to continue an essential function or activity without undue interruption; or
- (2) Temporary retention of the lower ranking employee is necessary to satisfy a governmental obligation to the retained employee which cannot be met within the normal notice period; for example, to permit giving an employee a full 30-day advance notice period in cases where he or she is absent from his regular duty station on official business or is on annual or sick leave and cannot receive his or her advance notice on the same date as the higher-ranking employees; or
- (3) The higher ranking and the lower ranking employees each are in the same retention subgroup and have the same service dates, but the lower ranking employee has a different official station and his services are needed temporarily at that station.

REFERENCE: *Articles of Agreement, Supplementary Agreement S-10:H.*

- (4) The temporary retention of the lower standing employee does not adversely affect the right of any higher standing employee who is released ahead of the lower standing employee, e.g., retaining an employee on sick leave until the sick leave is exhausted or the employee has recovered. The temporary retention of a lower standing employee on sick leave may exceed 90 days but may not exceed the date the employee's sick leave is exhausted.

Notice to Higher Standing Employees. When an employee is retained under a discretionary continuing exception, higher standing employees reached for release from the same retention register must be given written notice of the exception and the reason for it. Each higher ranking employee who is affected is provided the reason for the retention in his or her RIF notice.

When the temporary retention is for more than 30 days after the date a higher standing employee is released from the same retention register, each higher ranking employee who is adversely affected by the RIF is furnished in his or her RIF notice the reason(s) for and the duration of the retention. However, when the need to retain a lower ranking employee is not known at the time the RIF notices are issued, a notice of the reason(s) for and duration of the temporary retention is sent to each higher ranking employee as soon as possible. A copy of every notice that contains information about a temporary retention is sent to the central office of the union having jurisdiction.

The reason(s) for any exception to the regular order of release from a competitive level is recorded on the retention register. When a temporary exception is made, the date the retention will end is listed on the retention register opposite the name of the lower standing employee.

Effective Date of Retention Standing. The retention standing of an employee temporarily retained in a competitive level under the provisions of this section is determined as of the date the employee would have been released from the competitive level had the temporary retention action not been taken. The employee's retention, including eligibility for right to reassignment remains fixed until the employee is terminated or otherwise separated from the competitive level of the RIF, even though by virtue of the temporary retention his or her employment status may change from prepermanent to permanent and the employee accrues service credit for other purposes. This rule also applies to an employee whose termination is delayed to grant sick leave. However, the retention standing of an employee whose termination is delayed to continue work where no higher ranking employee is affected is that which he or she has on termination.

9. NOTICE OF RIF TO THE EMPLOYEE

9.1 Timing of the Notice

An employee reached for RIF must be given written notice of RIF not less than 30 days in advance of the effective date of the RIF. Further, in accordance with OPM regulations, a RIF notice may not be issued more than 90 days before a RIF action, except with prior approval of OPM.

However, by provisions negotiated between TVA and the Salary Policy Employee Panel, RIF notices issued to salary policy employees may not be issued any earlier than 60 days in advance of the effective date of RIF.

REFERENCE: *Articles of Agreement, Supplementary Agreement S-10:J*

The affected employee must have a full 30-day notice. This means that the notice period begins the day after the employee receives the notice. Neither the date of receipt nor the RIF effective date may be counted in computing the 30 days. The last day of the notice period may not be a Saturday, Sunday, or legal holiday.

9.2 Notice to Retained Employee

Notice to an employee who is to be temporarily retained is given not less than 30 days in advance of the end of the retention period. The effective date of the notice is the date of the end of the retention period.

9.3 Contents of the Notice

A RIF notice must contain the following information:

- a. The specific RIF action to be taken.
- b. The reason for the RIF.
- c. The effective date of the action.
- d. The employee's competitive area, competitive level, subgroup, and service date.

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- e. The place where the employee may inspect the records pertinent to his or her case.
- f. If applicable, the reasons for retaining a lower standing employee in the same competitive level under an authorized exception.
- g. The employee's appeal or grievance rights (see section 16).
- h. The employee's performance ratings of record received during the last three years.

An example of the format for RIF notices to represented employees is included at exhibit 3 of the end of this part. An example of the format for RIF notices to employees in nonrepresented positions is included at the end of Part C.

9.4 Establishing Date of Receipt of Notice

The date of receipt of notice should be established by one of the following in order of preference:

- a. If the notice is delivered by hand, obtain the signature of the employee on the last page of the RIF notice (see exhibit 3), acknowledging that he or she received the notice on a certain date. If the employee refuses to accept the notice or to sign for receipt of the notice, the person handing the employee the notice should obtain a witness to such refusal, should sign a statement (on the personal history record copy of the RIF notice or on an attachment to that RIF notice) of what happened (including a statement noting the date the notice was given to the employee), and should have the witness attest to the facts.
- b. If the notice is mailed to the employee, send the notice by certified mail. The date of receipt is established by adding the normal time for mail delivery to the date of mailing.

9.5 Status During the Notice Period

During the period covered by a RIF notice, the employee should be in work status if possible. If it is not possible to provide work for the full 30 days, the RIF notice must state what part of the notice period will be in work status. Arrangements are made to permit an employee to take, during the notice period, any annual leave which cannot be paid in a lump sum.

If it is not possible to carry the employee in work status during all or part of the notice period because of an emergency when there is a lack of work or funds, the employee may be placed:

- a. On annual leave with or without his or her consent.
- b. In a leave without pay status, with his or her consent.
- c. In a "non-pay status" without his or her consent.

An employee on temporary promotion or temporary transfer who will be released from the competitive level of his regular position in the RIF may be continued in the temporary promotion or transfer position during all or part of the notice period. If such employee is continued in such position throughout the notice period, removal from such position and termination from the regular position is accomplished by issuance of form TVA 9880 in the manner described in the *EIS Manual*.

9.6 Distribution of the Notice

The original of the notice is given to the employee. One copy each, signed by the employee or otherwise noted as to date of receipt by the employee, is sent immediately to Personnel Microrecords Unit, Knoxville, and to the personnel office. One copy each is sent to the payroll reporting office and the Central Accounting Branch, Payroll Section. A copy of the notice is also sent to the central office of the union having jurisdiction if the notice includes a statement of reasons for an exception to the regular retention order or for a temporary retention of a lower ranking employee which affects the employee to whom notice of RIF is being given.

A copy of all RIF actions taken against employees in nonrepresented positions must be forwarded to the Research and Analysis Branch, Division of Personnel.

9.7 Notice of Termination to Temporary Employees

A temporary employee with less than a year of current continuous service who is being terminated is given a written notice of termination of temporary employment. Notice is given as much in advance as possible. Notice to the employee is by memorandum which gives the effective date of termination and states the reason(s) for the termination. Such a memorandum is titled a "Notice of Termination of Temporary Employment." Even when the temporary employee is being terminated in conjunction with a RIF, the termination is not a RIF.

Employees on specifically limited temporary appointments with a year or more of current service who are being released prior to the expiration of their temporary appointment should be released through RIF procedures. However, RIF procedures are not followed if the employee is released at the end of a specifically limited temporary appointment. Although this expiration may coincide with a lack of work which may be the reason why the temporary appointment is not extended, the reason for the release is the expiration of a specifically limited temporary appointment, which is not a reason for invoking RIF procedures. While not required, it is suggested that a memorandum be sent to an employee who is to be terminated at the expiration of his or her appointment to confirm the date of termination.

10. REASSIGNMENT RIGHTS

TVA employees have no reassignment rights under Federal law. Such reassignment rights, if any, are found in employees' collective bargaining agreements. These negotiated reassignment rights are sometimes referred to as "bumping rights" or "fall back" rights. It means that an eligible employee selected for RIF is entitled to be reassigned to another position in accordance with the provisions of applicable agreements.

REFERENCES: *Articles of Agreement*, Supplementary Agreement S-10:L

General Agreement (Construction), Supplementary Schedule H-VII:E

General Agreement (Annual Operating and Maintenance), Supplementary Schedule A-VII:C:9

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10.1 Eligibility for Reassignment

To exercise this right, an employee must qualify under the terms of his or her collective bargaining agreement (see specific agreement references at the beginning of this section). For example, to qualify, a salary policy employee must have nontemporary tenure and 10 years or more of TVA service.

The position to which the employee is eligible for reassignment is generally at a lower salary policy grade than the position from which the employee is being RIF'd. If there is no vacant position to which an employee may be reassigned in the second competitive level, he or she is compared with employees already in that level. The employee is offered reassignment only if he or she has greater retention rights than at least one employee in the second competitive level. If the employee does have greater retention rights and accepts reassignment, the employee is offered reassignment, and a RIF must be held in the second competitive level to reduce the employee who got "bumped."

10.2 Reassignment of Employees in Nonrepresented Positions

Upper level management in an organization, usually the division director or office manager, determine whether it is in the best interest of the efficiency of the organization to grant reassignment consideration to management employees, physicians, and employees in excluded positions. If reassignment is granted, it is applied consistent with that for represented salary policy employees.

10.3 Special Reassignment of Job Stewards

There are special reassignment rights for job stewards and employees in other specific positions in the collective bargaining agreement covering trades and labor construction employment. These agreements are listed at the beginning of this section.

10.4 Offer of Reassignment

If an employee has reassignment rights, it is preferable, but not required, that the information regarding those rights be included in the affected employee's RIF notice. If the employee can be placed under the above procedures, that employee is given a written offer of such placement in the notice of RIF in his or her current job, if possible (see sample of appropriate wording in RIF notice in exhibit 3 at the end of this part). The employee has three days in which to accept or reject in writing the job offered him or her.

If the employee accepts the reassignment, the Central Accounting Branch, Payroll Section, and the payroll reporting office are informed that the employee will be reassigned rather than terminated in accordance with the RIF notice. The fact of reassignment is recorded on form TVA 9880 by a statement such as the following: "Employee received notice of RIF; employee entitled to reassignment consideration and was offered and accepted reassignment in accordance with (the provisions of applicable agreement)."

11. REEMPLOYMENT RIGHTS

TVA employees terminated by involuntary RIF or who accept temporary or lower grade TVA jobs following RIF are eligible to have their names carried on a reemployment list for specified times and for specific positions in accordance with the provisions of applicable agreements. If vacancies in these positions occur within the specified timeframe, these individuals may receive special consideration for reemployment over other outside candidates.

REFERENCES: *Articles of Agreement*, Supplementary Agreement S-10:M
Articles of Agreement, Supplementary Agreement S-7:E
General Agreement (Annual Operating and Maintenance), Supplementary Schedule A-VII:C:10

12. CONSIDERATION FOR PLACEMENT IN VACANT POSITIONS DURING THE RIF NOTICE PERIOD

A salary policy employee selected for RIF separation is considered for placement in vacant jobs in accordance with provisions outlined in the *Articles of Agreement*, Supplementary Agreement S-7:K. Under these provisions, employees who have received a RIF notice may apply on any vacant position announcement.

The above provisions apply to each employee who receives a RIF notice. However, such an employee has no preference over other employees for placement in vacant positions except to the extent provided for under Section 10.1, Eligibility for Reassignment.

The employee may apply in the usual manner for any announced vacancy during the notice period and only by so doing is that employee entitled to consideration as provided in the applicable negotiated agreement. In addition, the employee may bring his or her qualifications, interest, and availability to the attention of all divisions by completing form TVA 9856, Notification of Interest and Availability for Placement During RIF Notice Period. The employee's division is responsible for giving the employee a copy of this form at or before the time it gives him or her a RIF notice. The employee returns the form to the division personnel officer who may see that a resume is prepared to indicate the employee's education, work experience, and other qualifications. The division personnel officer then sends a copy of form TVA 9856 along with the resume to each division.

Form TVA 9856 should be given to employees as much in advance of issuance of a RIF notice as possible. It is also desirable to suggest to employees, as much in advance of a RIF as possible, that they apply for announced vacancies.

A division may consider the employee for a vacancy that does not require an announcement. If the employee's position is outside the office or division, the division must, in order to consider the employee, request referrals from the Employment Branch. If the affected employee is not among the employees referred by the Employment Branch, that employee may nevertheless be considered along with such employees. The same principle applies to selection for a trades and labor position, subject to the applicable negotiated agreement and related procedures.

If an employee is offered and accepts another TVA position, the notice of RIF is not withdrawn. However, the Central Accounting Branch, Payroll Section, and the Employment Services Section should be notified that the termination will not take place. Form TVA 9880 transferring the employee to the other position should be worded somewhat as follows: "Employee received notice of RIF and was offered and accepted transfer as above."

The division destroys its copy of form TVA 9856 after the date on which the employee is scheduled for termination.

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13. SEVERANCE PAY

TVA is not subject to OPM regulations or guidelines dealing with severance pay. However, severance pay is a provision that has been negotiated between TVA and the Salary Policy Employee Panel. A similar provision has been negotiated between TVA and the Tennessee Valley Trades and Labor Council to cover annual operating and maintenance employees. Therefore, only eligible salary policy employees and T&L annual operating and maintenance employees may receive severance pay. For salary policy employees, eligibility requirements for severance pay are set out in Section S-10:O(1) of the *Articles of Agreement*, and for T&L employees eligibility requirements are set out in Supplementary Schedule A-VII:D-1 of the *General Agreement* (Annual Operating and Maintenance). The amount of severance pay is four days' pay for each full year of full-time annual service. The maximum is 120 days' pay. TVA applies the severance pay provisions of the *Articles of Agreement* to management and physician schedule employees and employees in excluded positions.

13.1 Reporting Eligibility for Severance Pay

At the time that a RIF notice is issued to a full-time annual salary policy or a trades and labor full-time annual employee, the division makes a preliminary judgment about whether that employee will be eligible for severance pay as of the proposed date of termination. If the employee appears to be eligible, the division so informs the Central Accounting Branch, Payroll Section, identifying the employee by name and payroll number, and submits form TVA 8195, "Authorization of Severance Pay for Salary Policy Annual Employee" (see a copy of the form at exhibit 2 following this part). It executes the form in triplicate and returns the original copy to the Central Accounting Branch.

The executed form should be in the Central Accounting Branch at least one week before the effective date of the RIF. If, after the form is submitted, some action occurs which makes the employee ineligible, the division immediately notifies the Central Accounting Branch and arranges for all copies to be destroyed.

14. PROJECT LIFE SEVERANCE PAY

Project Life Severance Pay (PLSP) is a negotiated provision. In a November 23, 1982 letter and enclosure, TVA committed to pay PLSP to salary policy full-time annual project employees of the Division of Construction under certain stated conditions. PLSP accrual ended on September 30, 1983. The amount of pay to an eligible project employee who has been involuntarily RIF'd from TVA is four hours for each full biweekly pay period of full-time Division of Construction salary policy annual service during the period beginning with the employee's most recent Division of Construction appointment date and ending with September 30, 1983. The maximum is 208 days' pay.

Since the November 23, 1982 letter, several reorganizations have resulted in the work or functions performed by some Division of Construction employees being transferred to other organizations. In addition, in March 1986, the Divisions of Nuclear Construction and Power Engineering and Construction were created and, as successor organizations, assumed the former functions of the Division of Construction. A subsequent Memorandum of Understanding provides PLSP eligibility for those employees who retained eligibility for PLSP as Division of Construction

employees or successor organizations and remained at the same project or site but who had lost, or in the future would lose, eligibility solely because their work and/or function transferred intact to another organization.

Management employees do not get PLSP.

15. **VOLUNTEERING FOR RIF RESIGNATION**

Voluntary RIF resignation is a provision that is available to salary policy employees and employees in trades and labor annual positions. TVA has negotiated with the Salary Policy Employee Panel a procedure to accept volunteers for RIF. The procedure is set out in section S-10:N of the *Articles of Agreement*. It is TVA's policy to apply these procedures to nonrepresented salary policy employees (managers, physicians, and employees in excluded positions) generally in the same way they are applied to employees in positions represented by the Salary Policy Employee Panel.

A similar provision has been negotiated with the Trades and Labor Council for trades and labor annual employees through a letter of understanding.

The agreements allow for two types of volunteering. In one type an eligible employee may volunteer for reduction in the place of an employee who has received an individual notice of involuntary RIF. If accepted, the volunteer "saves" the employee highest on the retention register who got a RIF notice. The second type of volunteering involves the employee who volunteers in response to a "general notice" soliciting volunteers in his or her competitive area.

15.1 **General Notice**

A general notice includes the reason for the RIF, the specific organizational or numerical goals of the RIF and, with as much specificity as possible, the competitive areas covered by the notice, the approximate number of positions that must be reduced (or the necessary amount of savings to be achieved), the specific competitive levels that are being offered the opportunity to volunteer for a RIF, and other general information, including a statement that TVA reserves the right to accept or reject offers to volunteer for RIFs. The general notice should have a specific ending date and should not exceed more than 90 days.

There must be a documented direct cost or other identifiable benefit to TVA for each offer to volunteer that is accepted. This benefit must be documented using specific dollar amounts or other specifications. Generally, offers that are not consistent with the categories solicited in the general notice or which do not clearly contribute to the need to reduce personnel or dollars are not accepted. If any exception is made, the basis for this exception must be documented.

15.2 **Acceptance of Offers to Resign**

An employee who wishes to volunteer for RIF in accordance with the above provisions should contact his or her personnel officer to obtain a form memorandum of offer of resignation.

Decisions to accept an employee's offer to volunteer must be made on a consistent basis in each organization. This includes decisions on effective dates.

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All acceptances and rejections of voluntary RIFs must be approved in advance by the Director of Personnel with the exception of voluntary RIFs which involve grades M-8 and above which must be approved by the General Manager. Cases involving a request for a voluntary RIF for senior level managers (M-8 and above) must be submitted, in writing, to the General Manager for approval using the justifications set forth above.

The Research and Analysis Branch, Division of Personnel, will provide technical assistance in implementing these criteria.

16. APPEALS AND GRIEVANCES

16.1 Right to Appeal

Employees may appeal a RIF action to the Merit Systems Protection Board (MSPB). Any employee covered by a collective bargaining agreement may elect instead to file a grievance, in accordance with provisions of the appropriate negotiated agreement. Finally, employees have the right to file discrimination complaints if they feel they have been discriminated against in a RIF on the basis of race, sex, color, religion, national origin, age, or handicap.

16.2 Time Limits for Appeal

Appeals must be filed with MSPB during the 20-day period beginning with the day after the effective date of the action being appealed. Appeals are not accepted on or before the effective date of a RIF action. The respective bargaining agreements identify the time limits for filing a grievance.

16.3 Notification to Employees

When an organization issues a RIF notice to an employee on a matter appealable to MSPB, MSPB regulations (found at 5 CFR Part 1201) require that the organization provide the affected employee with specified information on the appeals process. This is done by attaching a copy of the MSPB regulations (part 1201) to the RIF notice and so informing the employee in the RIF notice. An example of the information to be included is found in exhibit 3 at the end of this section.

Exhibit 1

Retention Register

RETENTION REGISTER

COMPETITIVE AREA _____

COMPETITIVE LEVEL _____

PROPOSED EFFECTIVE DATE _____

SCHEDULE AND GRADE OR PAY RATE _____

NAMES OF EMPLOYEES BY RETENTION GROUPS AND SUB-GROUPS (LIST EMPLOYEES IN ORDER OF GROUPS OR SUBGROUPS, WHICH SHOULD BE SHOWN AS IAB, IA, IB, IAB, II-A, II-B, IIAB, IIA, IIB.)	SERVICE DATE	ACTION PROPOSED			COMMENTS
		INDICE	TERMINATE EFFECTIVE DATE	OTHER (SPECIFY)	

TVA 3004 (LBR 04-8-87) AUTHORIZING OFFICER _____

REDUCTION
Part B

PM Section 7

Exhibit 2

Form TVA 8195, Authorization of Severance Pay for Annual Employees

TVA 8195 (FD-7-82)		AUTHORIZATION OF SEVERANCE PAY FOR SALARY POLICY ANNUAL EMPLOYEE			
PR Group No.	SSN	CM Sect	Name	Date	
Most recent employment date <u>1/</u>	Date RIF notice was received	Effective date of RIF notice	Date of termination or date immediately prior to transfer		
<p>ELIGIBILITY--The employee is eligible because of the following personnel action and length of service and because at, or prior to, the date the employee received the reduction in force (RIF) notice he or she had not received from TVA an offer of a nontemporary full-time annual position at the same or higher salary grade or trades and labor wage rate.</p> <p>1. Personnel action (check one):</p> <p><input type="checkbox"/> Terminated through RIF procedure.</p> <p><input type="checkbox"/> Terminated by resignation during RIF notice period. (Severance pay after the above actions is at the rate in effect on date of termination.)</p> <p><input type="checkbox"/> Terminated at end of a period of temporary full-time annual employment to which employee transferred after receiving RIF notice.</p> <p><input type="checkbox"/> Transferred to a TVA position other than a full-time annual position (salary policy or trades and labor) following RIF. (Severance pay after the above actions is at the rate in effect on the day before the date of transfer.)</p> <p>2. Service: Salary policy full-time annual service, adjusted for any period of nonpay employment status during such service, beginning with the most recent employment date <u>1/</u> and ending on the effective date of RIF notice (must be 5 years or more).</p> <p>_____ (years) _____ (months) _____ (days)</p>					
<p>ALLOWANCE--Service, hours, and rate for computation of allowances:</p> <p>1. The employee's full-time annual service (salary policy and trades and labor), adjusted for any period of nonpay employment status during such service, beginning with the employee's most recent employment date <u>1/</u> and ending on the date of his or her termination or the date immediately prior to transfer was _____ (years) _____ (months) _____ (days)</p> <p>2. Hours of severance pay = Full years of service _____ x 32 = _____ (determined above) (not to exceed 960 hours)</p> <p>3. Annual rate for severance pay \$ _____ (see <u>1</u> under Eligibility)</p>					
<p>Because of eligibility as established above, this employee is entitled to severance pay computed for the hours and at the rate shown above.</p> <p style="text-align: center;">_____ Division representative</p>					
<p>Note 1. Defined in Supplementary Agreement S-10:0-1 and in Accounting Procedure 14, Part III. It may be earlier or later than the date on the most recent form TVA 9880.</p> <p>Distribution of copies:</p> <ol style="list-style-type: none"> Central Payroll Section, E8C44 C-K Personnel Micro-Records (Files), 210 MIB-K Retained by originating office 					

Exhibit 3

Sample RIF Notice to Represented Employee

TO :
FROM :
DATE :
SUBJECT: REDUCTION IN FORCE

I regret that because of a reduction in force, specifically, the elimination of your position (or a position in your competitive level) of [position, title, schedule/grade, organization] , because of [reason] , it will be necessary to terminate you from your position effective [date—which must be at least 30 days after the date on which the employee receives the notice and may not be a Saturday, a Sunday, or a holiday].

You will be terminated from TVA at that time unless you are offered and accept another TVA position (or you will be terminated from TVA at that time unless you accept the position offered in the last paragraph of this notice).

You will be continued in work status through [date] .

Information regarding the reduction in force and your retention standing in it is as follows:

Competitive Area:

Competitive Level: [full name of competitive level as it appears on retention register, including schedule/grade]

Your Group and Subgroup:

Your Federal Service Date: [write out]

Your Service Date for RIF:

Your service date for RIF is based on your Federal service date adjusted for your performance appraisals of record during the past three years. The following service reviews for you have been received by the Personnel Office:

Period Covered

Rating Received

REDUCTION
Part B

PM Section 7

Exhibit 3—Page 2

You have been selected for termination in accordance with established procedures. I shall be glad to discuss any questions you may have about this action. The retention register and all other records related to your case are available in the office of (someone easily accessible, usually the division personnel officer or project personnel officer; give full name and job title and full address).

If you think an error has been made in invoking the RIF or selecting you, you may appeal under the grievance adjustment procedure directly to me within 41-calendar days after the effective date of this action, or you may appeal to the Merit Systems Protection Board, St. Louis Regional Office, 911 Washington Avenue, Suite 615, St. Louis, Missouri 63101-1203.* I have attached a copy of the regulations of the Merit Systems Protection Board concerning such appeals and a copy of the board's appeal form. An appeal to the board must be filed no later than 20 calendar days after the effective date of this personnel action. Any appeal filed after this time must include a request to waive the time limit and evidence and argument showing good cause for the untimely filing. See sections 1201.22, 1201.23, 1201.24, 1201.26, and 1201.31 of the attached regulations for an explanation of the proper procedure for filing an appeal, including how to file, the computation of time limits, content of petition of appeal, number of copies, and the right to representation.

You may request that your appeal be processed under the voluntary expedited appeals procedure (VEAP) by making that selection on the attached form. A brief description of VEAP is included on the last page of the appeal form, and details of the procedure can be found in subpart H of the attached regulations.

If you believe this action is based, in whole or in part, on discrimination on the basis of race, color, religion, sex, national origin, handicap, age, or reprisal for participating in an Equal Employment Opportunity (EEO) complaint as complainant, witness, or representative, you may file either an appeal with the Board or a complaint with TVA's Equal Opportunity (EO) Staff. If you elect to file a discrimination complaint, you must first contact an EO counselor within 30 days of the alleged discriminatory personnel action to begin the EO complaint procedure.

*—Use this address if employee's official station is in Iowa, Kentucky, Missouri, or Tennessee. If official station is in Alabama, Florida, Georgia, Mississippi, North Carolina, or South Carolina, use "Atlanta Regional Office, 11365 Peachtree Street, NE., Suite 600, Atlanta, Georgia 30309-3199." For regional offices of employees with official stations in states not listed above, contact the Division of Personnel, Research and Analysis Branch.

Exhibit 3—Page 3

If you decide to appeal, you must elect one of the above procedures. Your appeal will not be processed under more than one. If you file an appeal with the MSPB and a complaint with the EO Staff, the one filed first will be considered an election by you to proceed in that forum, and any subsequent appeal will be dropped. If you attempt to file an appeal under the grievance adjustment procedure in addition to filing either an appeal with the MSPB, a complaint with EO Staff, or both, the grievance will not be considered.

After termination you will be paid a lump sum for your accrued annual leave, if any, as provided by leave regulations. If you are reemployed in an annual position in TVA, or in another Federal position under the same leave laws as TVA, within three years of termination, your accrued sick leave, if any, will be restored to you.

Efforts have been made to find another position to offer you, and such efforts will be continued during the notice period.* For two years after termination, you will be given a preference for appointment to positions for which you are eligible and request to be placed on the reemployment list.** After that you will continue to be considered for appointment on the same basis as other applicants for employment. The _____ [location] _____ Employment Office [or project personnel office] can give you information about applying for work in other Federal agencies.

I suggest that before termination you find out about benefits to which you may be entitled. If you have insurance under the Federal Employees' Group Life Insurance plan, you may wish to get information about continuing such insurance. We will be glad to help you do this. You are reminded that work with TVA is creditable for the purpose of unemployment compensation from the state in which you now have your official station.

*— or, if a position is offered at a lower grade level than present position—"Efforts have been made to find another position to offer you at a higher grade level than the position offered below, and such efforts will be continued during the notice period."

or, if a position is offered at the same grade level as present position, leave this sentence out.

**— or, if a position is offered in the last paragraph—"If you do not accept the position offered to you in the last paragraph of this notice, for two years after termination you will be given a preference for appointment to positions for which you are eligible and request to be placed on the reemployment list."

REDUCTION
Part B

PM Section 7

Exhibit 3—Page 4

We appreciate and thank you for your services and your contribution to the TVA program and wish you success in your future employment.

You are offered, effective [date], the position of [position, title, schedule/grade, and organization] [branch or equivalent, division, office, location]. You must notify _____ in writing of your decision by [date] whether or not you will accept this position.

(If the employee meets requirements for reassignment rights, insert either paragraph A or B from attachment 1.)

Supervisor

I received this notice and a copy of the Merit Systems Protection Board's regulations and appeal form.

Date

Employee's Signature

I personally handed a copy of this notice and a copy of the Merit Systems Protection Board's regulations and appeal form to the employee to whom it is addressed on (date).

Signature

Title

Witness

ATTACHMENT 1

**SAMPLE PARAGRAPHS TO INCLUDE IN REDUCTION-IN-FORCE NOTICE
FOR EMPLOYEES WHO MEET THE CRITERIA FOR
REASSIGNMENT RIGHTS**

A. If Reassignment Rights Can be Extended:

As a nontemporary employee with 10 or more years of TVA service who has held a position on a nontemporary basis at a different competitive level with a lower entrance salary than your current position, you have reassignment rights under the provisions of Supplementary Agreement S-10:L of the Articles of Agreement. A position at that competitive level, _____ for which you may exercise reassignment rights currently exists in/at (organization), (location), etc. You must inform me within three-calendar days if you accept the offer of placement in this position.

B. If Reassignment Rights Cannot be Offered:

Although you are a nontemporary employee with 10 or more years of TVA service and have held a position on a nontemporary basis at a different competitive level with a lower entrance salary than your current position (1 or 2),

1. No position at this lower competitive level currently exists in your competitive area for which you may exercise your reassignment rights.
2. All employees occupying positions in this lower competitive level have higher retention standing than you.

REDUCTION
Part C

PM Section 7

Part C

EMPLOYEES IN NONREPRESENTED POSITIONS

The provisions covering RIF, consideration for placement in vacant positions during RIF notice period, reassignment consideration, severance pay, reemployment lists, and volunteering for RIF resignation which apply to employees in positions represented by the Salary Policy Employee Panel apply also to other salary policy employees with permanent, prepermanent, indefinite, or special tenure except as provided in this part. Employees serving under temporary appointments in nonrepresented positions¹ who have more than one year of current continuous TVA service are treated for all RIF purposes the same as indefinite employees under this part. The provisions relating to directed transfer of employees under Supplementary Agreement S:7-C do not apply to employees covered by this part, but the provisions relating to termination of employees who do not accept directed transfer do apply.

1. COMPETITIVE AREAS

The competitive area of the Office of the General Manager does not include secretaries to members of the TVA Board.

The office of each TVA Board member is a separate competitive area.

2. BREAKING TIES IN FEDERAL SERVICE DATES

In the case of employees in positions not represented by the Salary Policy Employee Panel, ties in Federal service dates are broken on the basis of administrative decision.

3. NOTICE OF RIF TO EMPLOYEE

An example of the format for RIF notices to employees in positions in the management and specialist pay schedule, physicians, and employees in excluded positions are included as exhibit 1 following this part.

4. REASSIGNMENT CONSIDERATION

The same reassignment consideration as provided in Supplementary Agreement S-10:L (see "Right to Reassignment") may be given to employees not represented by the Salary Policy Employee Panel when this is deemed by the division concerned to be in the best interest of the efficiency of the division. Reassignment may be to a position represented by the Salary Policy Employees Panel, as specifically described in Supplementary Agreement S-10:L as well as to a position not represented by the Panel.

¹"Employees in nonrepresented positions" include those employees in the management and specialist pay schedule as well as those salary policy employees in excluded positions.

Certain trades and labor crafts permit foremen in their crafts to be reassigned to journeymen jobs. See Supplementary Schedules A-VII:C-9 of the *General Agreement* covering annual operating and maintenance employees and Supplementary Schedules H-VII:E-4 of the *General Agreement* covering construction employees.

5. **PROJECT LIFE SEVERANCE PAY**

Project life severance pay is not granted to employees in nonrepresented positions.

6. **VOLUNTEERING FOR RIF RESIGNATION**

Contact Research and Analysis Branch, Knoxville, for form of memorandum of offer of resignation to be used by nonrepresented employees.

REDUCTION
Part C

PM Section 7

Exhibit 1

**Sample RIF Notice to Employees in Positions
in the Management and Specialist Pay Schedule,
Physicians, and Employees in Excluded Positions**

TO :

FROM :

DATE :

SUBJECT: REDUCTION IN FORCE

I regret that because of a reduction in force (RIF), specifically, the elimination of your position of [position, title, schedule/grade, organization], because of [reason], it will be necessary to terminate you from your position effective [date—which must be at least 30 days after the date on which the employee receives the notice and may not be a Saturday, a Sunday, or a holiday].

You will be terminated from TVA at that time unless you are offered and accept another TVA position (or you will be terminated from TVA at that time unless you accept the position offered in the last paragraph of this notice).

You will be continued in work status through [date].

Information regarding the RIF and your retention standing in it is as follows:

Competitive Area:

Competitive Level: [full name of competitive level as it appears on retention register, including schedule/grade]

Your Group and Subgroup:

Your Federal Service Date: [write out]

Your Service Date for RIF:

Your service date for RIF is based on your Federal service date adjusted for your performance appraisals of record during the past three years. The following service reviews for you have been received by the personnel office:

Period Covered

Rating Received

Exhibit 1—Page 2

You have been selected for termination in accordance with established procedures. I shall be glad to discuss any questions you may have about this action. The retention register and all other records related to your case are available in the office of (someone easily accessible, usually the division personnel officer or project personnel officer; give full name and job title and full address).

If you think an error has been made in applying the procedures, you may appeal directly to the Merit Systems Protection Board, St. Louis Regional Office, 911 Washington Avenue, Suite 615, St. Louis, Missouri 63101-1203.* I have attached a copy of the regulations of the Merit Systems Protection Board concerning such appeals and a copy of the board's appeal form. An appeal to the board must be filed no later than 20 calendar days after the effective date of this personnel action. Any appeal filed after this time must include a request to waive the time limit and evidence and argument showing good cause for the untimely filing. See sections 1201.22, 1201.23, 1201.24, 1201.26, and 1201.31 of the attached regulations for an explanation of the proper procedure for filing an appeal, including how to file, the computation of time limits, content of petition of appeal, number of copies, and the right to representation.

You may request that your appeal be processed under the voluntary expedited appeals procedure (VEAP) by making that selection on the attached form. A brief description of VEAP is included on the last page of the appeal form, and details of the procedure can be found in subpart H of the attached regulations.

If you believe this action is based, in whole or in part, on discrimination on the basis of race, color, religion, sex, national origin, handicap, age, or reprisal for participating in an Equal Employment Opportunity (EEO) complaint as complainant, witness, or representative, you may file either an appeal with the Board or a complaint with TVA's Equal Opportunity (EO) Staff. If you elect to file a discrimination complaint, you must first contact an EO counselor within 30 days of the alleged discriminatory personnel action to begin the EO complaint procedure.

*—Use this address if employee's official station is in Iowa, Kentucky, Missouri, or Tennessee. If official station is in Alabama, Florida, Georgia, Mississippi, North Carolina, or South Carolina, use "Atlanta Regional Office, 11365 Peachtree Street, N.E., Suite 500, Atlanta, Georgia 30309-3199." For regional offices of employees with official stations in states not listed above, contact the Division of Personnel, Research and Analysis Branch.

REDUCTION
Part C

PM Section 7

Exhibit 1—Page 3

If you decide to appeal, you must elect one of the above procedures. Your appeal will not be processed under more than one. If you file an appeal with the MSPB or a complaint with the EO Staff, the one filed first will be considered an election by you to proceed in that forum, and any subsequent appeal will be dropped.

After termination you will be paid a lump sum for your accrued annual leave, if any, as provided by leave regulations. If you are reemployed in an annual position in TVA, or in another Federal position under the same leave laws as TVA, within three years of termination, your accrued sick leave, if any, will be restored to you.

Efforts have been made to find another position to offer you, and such efforts will be continued during the notice period.* For two years after termination, you will be given a preference for appointment to positions for which you are eligible and request to be placed on the reemployment list.** After that you will continue to be considered for appointment on the same basis as other applicants for employment. The [location] Employment Office [or project personnel office] can give you information about applying for work in other Federal agencies.

I suggest that before termination you find out about benefits to which you may be entitled. If you have insurance under the Federal Employees' Group Life Insurance plan, you may wish to get information about continuing such insurance. We will be glad to help you do this. You are reminded that work with TVA is creditable for the purpose of unemployment compensation from the state in which you now have your official station.

We appreciate and thank you for your services and your contribution to the TVA program and wish you success in your future employment.

*—or, if a position is offered at a lower grade level than present position—"Efforts have been made to find another position to offer you at a higher grade level than the position offered below, and such efforts will be continued during the notice period."
or, if a position is offered at the same grade level as present position, leave this sentence out.

**—or, if a position is offered in the last paragraph—"If you do not accept the position offered to you in the last paragraph of this notice, for two years after termination you will be given a preference for appointment to positions for which you are eligible and request to be placed on the reemployment list."

PM Section 7

Exhibit 1—Page 4

You are offered, effective [date] , the position of [position, title, schedule/grade, and organization] [branch or equivalent, division, office, location]. You must notify in writing of your decision by [date] whether or not you will accept this position.

(If reassignment considerations are granted to the employee, at the organization's discretion, and the employee meets requirements for reassignment rights, insert either paragraph A or B from attachment 1.)

Supervisor

I received this notice and a copy of the Merit Systems Protection Board's regulations and appeal form.

Date

Employee's Signature

I personally handed a copy of this notice and a copy of the Merit Systems Protection Board's regulations and appeal form to the employee to whom it is addressed on [date] .

Signature

Title

Witness

REDUCTION
Part C

PM Section 7

ATTACHMENT 1

**REASSIGNMENT CONSIDERATION OFFERED MANAGERS,
PHYSICIANS, AND EMPLOYEES IN EXCLUDED POSITIONS**

A. When Reassignment Consideration is Offered:

We have decided that for this reduction in force it is in the best interest of TVA to grant managers limited reassignment consideration. Accordingly, as a management employee with 10 or more years of TVA service, who has held a position on a nontemporary basis at a different competitive level with a lower entrance salary than your current position, you are offered reassignment to the position of (title), (schedule and grade), (organization and location), (salary). You must advise me in writing by (date) if you elect to be reassigned to this position.

B. If Reassignment Rights Cannot be Offered:

Although you are a nontemporary employee with 10 or more years of TVA service and have held a position on a nontemporary basis at a different competitive level with a lower entrance salary than your current position (1 or 2),

1. No position at this lower competitive level currently exists in your competitive area for which you may exercise your reassignment rights.
2. All employees occupying positions in this lower competitive level have higher retention standing than you.

PART D

**VETERANS' PREFERENCE FOR REDUCTION IN FORCE RETENTION OF
RETIRED MEMBER OF THE UNIFORMED SERVICES**

1. REGULATORY REQUIREMENTS

Under Public Law 95-454 (Civil Service Reform Act, October 13, 1978), retired members of the uniformed services are no longer considered preference eligibles for appointments as of October 1, 1980, unless they are disabled veterans or have retired below the rank of major or its equivalent.¹ However, an employee who is a retired member of the uniformed services who has been certified by the Employment Branch to be entitled to veteran preference is not necessarily entitled to such preference in a (RIF), as explained in this part.

This part applies to any employee retired from the United States Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration (formerly the Environmental Science Services Administration, Coast and Geodetic Survey).

2. ELIGIBILITY FOR RETENTION PREFERENCE

A preference eligible employee who is a retired member of the uniformed services must meet further conditions to be considered a preference eligible for RIF purposes. These conditions vary depending on the rank at which the individual retired from the armed forces.

2.1 Retired Members Below the Rank of Major (or Equivalent)

To be considered a preference eligible for RIF purposes, an employee who retired from a uniformed service below the rank of major or equivalent must be an employee

- a. Whose uniformed service retirement is based on disability that either resulted from injury or disease received in the line of duty as a direct result of armed conflict or was caused by an instrumentality of war and was incurred in the line of duty during a period of war; or
- b. Whose retired pay from a uniformed service is not based on 20 or more years of full-time active service, regardless of when performed but not including periods of active duty for training or constructive time (time credited, although not actually served, as a bonus for certain actions considered beneficial by the military)²; or

¹A listing of ranks below and above that of major or its equivalent can be found in the Appendix at the end of this instruction.

²A determination of whether the employee's retirement was based on either a or b can properly be made only by the uniformed service from which the employee is retired.

REDUCTION
Part D

PM Section 7

- c. Who, on November 30, 1964, was employed in a civilian position to which the RIF retention provisions applied and, on and after that date, the employee continued to be employed in that kind of position without a break in service of more than 30 days.

2.2 Retired Member at or Above the Rank of Major (or Equivalent)

To be considered a preference eligible for RIF purposes, an individual who retired from a uniformed service at or above the rank of major (or equivalent) must be an employee

- a. Whose uniformed service retirement is based on disability that either resulted from injury or disease received in the line of duty as a direct result of armed conflict or was caused by an instrumentality of war and was incurred in the line of duty during a period of war; or
- b. Who is a disabled veteran³ and receives uniformed service retired pay that is not based on 20 or more years of full-time active service, regardless of when performed but not including periods of active duty for training; or
- c. On November 30, 1964, was employed in a civilian position to which the RIF retention provisions applied and, on and after that date, continued to be employed in that kind of position without a break in service of more than 30 days.

2.3. Reservists

A veteran who at age 60 becomes eligible for retired pay under chapter 67 of title 10, United States Code (generally known as "reservists") and who retires below the rank of major or equivalent is subject to the requirements in section 2.1. A veteran who retires at or above the rank of major (or equivalent) is subject to the requirements in section 2.2(b). The veteran is not eligible for retired reservist pay until age 60 and up to that time is not considered a retired member of a uniformed service. To retain retention preference at that age, however, the veteran retiring at or above the rank of major or the equivalent must meet the definition of disabled veteran and one of the requirements in section 2.2.

3. ADJUDICATION OF PREFERENCE

For each individual who is retired from a branch of the armed forces, the employment officer completes form TVA 9855, "Retirement from the Uniformed Services," and certifies veterans' preference for appointment purposes on form TVA 1. The employment officer also determines whether that individual is presently receiving retirement or retainer pay. Form TVA 9855 is filled out at the time of employment or transfer from another Federal agency for each person employed or transferred on or after December 1, 1964, who either is a retired member of the uniformed services at the time of employment or transfer or who expects to become a retired member in the future.

³"A disabled veteran" is an individual who has served on active duty in the armed forces, been separated under honorable conditions, and established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the Veterans' Administration or a military department.

This form, which is filed in the personal history record, indicates whether the employee who is a retired member at the time of employment or transfer meets one of the above conditions for preference. It also identifies any employee who may become a retired member between the time of employment or transfer and the effective date of a RIF.

If an individual who is retired from the armed forces is not receiving retirement or retainer pay, he or she is not considered to be a "retired member of the armed forces" and is simply certified on the form TVA 3595 or form TVA 1 as either an "undisabled veteran," "compensable disabled veteran," or "other preference eligible" depending upon the criteria he/she otherwise meets. In that section of the form TVA 9855 captioned, "If employee will be eligible in the future to retire from one of the uniformed services named above, answer the following," the specific question "Approximate date on which employee will become eligible to retire from one of the uniformed services" should be answered with a statement:

Although employee's retirement was effective (date) , he/she will not be eligible to receive military retirement/retainer pay until (date) .

This will alert the division personnel officer to the potential of a veteran preference status change for that employee. In the latter case, a check must be made before a RIF action to see whether such employee has become a retired member and, if so, whether the employee meets one of the conditions for preference.

4. PLACEMENT ON RETENTION REGISTER

If the retired member is considered to have preference for RIF purposes, that employee is placed in subgroup AD if certified to have a compensable service-connected disability of 30 percent or more. Otherwise, the preference eligible retired member is placed in subgroup A. If, however, the retired member does not have preference for RIF purposes, that employee is placed in subgroup B.

Employees are then listed within the appropriate subgroup by Federal service dates. An employee who is a retired member of a uniformed service receives credit for RIF purposes for:

- a. The total length of time in active service in the armed forces if the retired member is considered a preference eligible for RIF purposes as established in section 2; or
- b. The length of time in active service in the armed forces during a war or in a campaign or expedition for which a campaign badge has been authorized. This would apply, for example, if the employee retired at or above the rank of major or equivalent and was not a disabled veteran.

5. ADDITIONAL INFORMATION AND GUIDANCE

For detailed information about an applicant's or employee's entitlement to veterans' preference and the application of the Veterans' Preference Act in TVA, see VETERANS, PM Section 7.

REDUCTION
Part D

PM Section 7

Exhibit 1

Officer Personnel by Pay Grades and Titles (Ranks)¹

Figure 7-11. Officer Personnel by Pay Grades and Titles (Ranks)¹

	Pay Grade	Army, Air Force, and Marine Corps	Navy, Coast Guard, and NOAA	Public Health Service ²
B M	W-1	Warrant Officer	Warrant Officer	
E A	W-2	Chief Warrant Officer	Chief Warrant Officer	
L J	W-3	Chief Warrant Officer	Chief Warrant Officer	
O O	W-4	Chief Warrant Officer	Chief Warrant Officer	
W R	O-1	Second Lieutenant	Ensign	Junior Assistant Assistant Grade
	O-2	First Lieutenant	Lieutenant (jg)	Senior Assistant Grade
	O-3	Captain	Lieutenant	
M A	O-4	Major	Lieutenant Commander	Full Grade
A N	O-5	Lieutenant Colonel	Commander	Senior Grade
J D	O-6	Colonel	Captain	Director Grade
O	O-7	Brigadier General	Rear Admiral (lower half) or Commodore	Assistant Surgeon General
R A	O-8	Major General	Rear Admiral (upper half)	Assistant Surgeon General
B O	O-9	Lieutenant General	Vice Admiral	(NOTE: PHS does not use grades O-9 or O-10.)
V E	O-10	General	Admiral	

NOTES:
¹ Pay grades indicated by the letter "E" (e.g., E-5) are those for enlisted (non-officer) personnel.
² National Oceanic and Atmospheric Administration (Environmental Science Services Administration, formerly Coast and Geodetic Survey) and Public Health Service do not have warrant officer grades.

PART E

CREDITABLE SERVICE FOR REDUCTION IN FORCE

This section describes the principal types of service recognized by the Office of Personnel Management (OPM) regulations as creditable for purposes of reduction in force (RIF). A division uses this section to determine the service to be counted in computing Federal service dates by the method shown in Part F of this instruction. If a division encounters a question about whether a type of service (whether or not covered by this section) is creditable, it may contact the Division of Personnel (Employment Branch field office or the Research and Analysis Branch). In no case may a period of time be counted more than once.

1. CREDITABLE UNIFORMED SERVICES

Generally, two basic factors must be reviewed to determine if uniformed service is creditable: (1) the type of discharge and (2) the type of service. The uniformed service is creditable for RIF no matter what kind of discharge was received. Descriptions of the types of service follow.

1.1 Active Duty

All employees except retired members of the uniformed services who do not meet one of the conditions in section 2 of Part D of this instruction:

- a. Active service in the Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration (formerly the Environmental Science Services Administration (Coast and Geodetic Survey) counts in full. Such service counts from date of entry into active service to date of release, whether or not service was honorable or veteran preference status is given.
- b. Service as a reservist, other than as a member of the National Guard, counts in full when the reservist is ordered to active duty, active duty for training, or annual active duty for training. This time is creditable as long as the employee had not already received credit for TVA employment during the same period. That is, an employee who is currently on the payroll and goes on military leave for two weeks to perform annual active duty for training may not be given credit for the annual active duty time since he or she is already receiving credit for the time as a TVA employee. Inactive duty training (scheduled weekly or monthly assemblies or drills) performed by reservists does not count.

1.2 Military Academy Service

Service as midshipman at the United States Naval Academy and as cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy is active military service for credit purposes, regardless of whether the person graduated or was commissioned. The same is true about service performed while in training for a commission under the provisions of section 54 (but not other sections) of the National Defense Act of 1916, as amended. Service under the V-12 Naval Reserve Training Program is active service in the Navy and creditable.

REDUCTION
Part E

PM Section 7

1.3 National Guard Service

National Guard service is creditable when it is performed (1) under a "call" by the President when the organization is activated into the U.S. Army or Air Force or (2) under an "order" by the Secretary of Defense, or his designee, under Title 10, U.S. Code. It is also creditable when an individual serves an initial period of active duty for training of no less than four months in connection with induction into the Army National Guard of the United States (ARNGUS) or the Air National Guard of the United States (ANGUS) for a term of six years under the provisions of Title 10, U.S. Code. Training periods or other service performed for a State government, or when the National Guard is called for duty by the governor of a state, which is generally ordered under Title 32, U.S. Code, is not creditable. GSA Standard Form 180, Request Pertaining to Military Records, should be used to verify creditable National Guard service, and it should be directed to the Adjutant General's office for the various State National Guard Units. Under Section II, Part I, of this form, the following note should be inserted:

The beginning and ending dates of honorable active ARNGUS/ANGUS duty and the authority of law under which it was performed under either a "call" by the President or an "order" by the Secretary of Defense (or his designee) are needed to verify prior Federal service credit for the above named Federal employee.

A copy of GSA Standard Form 180 and a list of the addresses of the state Adjutant Generals are included as attachments 1 and 2 of this part of this instruction.

1.4 Periods of Lost Time

Periods of "lost time" do not constitute active service and are not counted. Until 1950 such lost time was recorded on the discharge certificate, usually as "_____ days lost under Articles of War 107." From 1950-1979 it was recorded on Department of Defense Form 214, Report of Separation From Active Duty, under item 38 where it usually appeared as "_____ days lost under the Uniform Code of Military Justice, Article 86" or "_____ days AWOL." Since 1979, "lost time" has been subtracted from the period of service listed on the DD 214, and the form shows only "good time."

1.5 Retired Member of the Uniformed Services

For RIF purposes, the total length of time in active service is credited if the retiree is considered a preference eligible for RIF as established in section 2 of Part D; otherwise, time is restricted to time actually served in the armed forces during wartime or in any campaign or expedition for which a campaign badge has been authorized (see Attachment 3, Crediting Service of a Uniformed Service Retiree for RIF Purposes.)

Service in a non-wartime campaign or expedition does not entitle the retired member to receive credit for the duration of the campaign or expedition but only for the period of his or her service in the area of such campaign or expedition, as indicated by official military records. For example, if a retired member served for six months in a campaign which lasted three years, he receives credit for six months, not three years, even though he may have been in military service throughout the three-year period.

In the case of a retired member of the regular or reserve corps of the Public Health Service or a retired commissioned officer of the National Oceanic and Atmospheric Administration, service must have been in the armed forces as well as during wartime or in a campaign or expedition for which a campaign badge has been authorized.

Periods of "lost time" (see 1.4 above) do not constitute active service.

The actual campaign or expeditionary service of a retired member often cannot be established from documents the employee has. Such service should be established as soon as possible after the retired member is employed. A sample of OPM Form 813, Verification of a Military Retiree's Service in Non-Wartime Campaigns or Expeditions, to be used for this purpose is shown at the end of this part as attachment 4, and is to be reproduced by the divisions when needed. The division enters on the form the information supplied by the retired member and sends the form in duplicate to the appropriate military records center indicated on the back of the form.

When the form is returned by the military records center, it should be sent to Personnel Microrecords Unit, Knoxville, for inclusion in the retired member's personal history record. An up-to-date list of campaigns and expeditions is included at the end of this part as attachment 5 and may be helpful to the retired members in listing the campaigns and expeditions for which they believe they should receive credit. Record centers are to be requested to verify only claimed unverified campaign and expeditionary service. Record centers will not review a retired member's entire military career to determine whether he or she has served in any non-wartime campaign or expedition. It is the retired member's responsibility to provide the names of any campaigns or expeditions in which he or she served and to give, to the best of his or her ability, the inclusive dates of service in each campaign and expedition claimed.

A form TVA 9855, Retirement From Uniformed Services, which is filed in the personal history record, identifies an employee who either is a retired member of the uniformed services or who must be contacted to determine whether he or she will have become a retired member on or before the effective date of a RIF. Further information about this form is given in Part D.

2. CIVILIAN SERVICE

Civilian service in Federal departments or agencies in the executive, legislative, and judicial branches, and service in the government of the District of Columbia, count in full from date of entry to date of termination except as otherwise provided below.

2.1 Part-Time and Intermittent Service

Part-time service which is worked on a regular schedule determined in advance is creditable from date of appointment to date of separation, regardless of the number of days worked. Intermittent or part-time service not regularly scheduled is creditable and is figured by counting each eight hours worked as one day of worktime, with five days of worktime equal to seven calendar days; work in excess of 80 hours in a pay period is not counted. Such intermittent service is recorded by the Division of the Comptroller on form TVA 8163, Salary Policy Hourly Creditable Service, at the time an employee is transferred to an annual position or terminated. Only the latest period of such service is recorded if the employee is terminated.

REDUCTION
Part E

PM Section 7

2.2 Periods of Absence From Federal Employment for Military Service or Service in Public International Organizations

Periods of military leave without pay or military furlough during active service in the Armed Forces or the Public Health Service are not, as such, counted. However, a period of absence for such service, whether or not covered by any form of leave or military furlough is counted in full if the employee is restored to his or her civilian position with restoration rights under part I or part II of RESTORATION, Military Duty, PM Section 7. It is counted from date of leaving the civilian agency to date of restoration. An employee is considered to have left the agency on the date that employee was terminated, or if the employee was not terminated, on the last day he or she was in pay status.

The above paragraph does not apply to a retired member of the Armed Forces or the Public Health Service who is restored with restoration rights unless the member satisfies the requirement for veterans' preference established under section 2 of Part D. A retired member who does not meet these conditions may be credited with paid leave and with the time between leaving active duty and restoration. The member may also be credited in full with any period of leave without pay or military leave without pay granted immediately before the entry on active duty and granted in connection with that duty, and he or she may be credited with the active service described in 1.5 above.

Periods of leave without pay while serving in a public international organization under Public Law 85-795 are counted in full if the employee is restored with restoration rights (see RESTORATION, Nonmilitary Service, PM Section 7). It is counted from the date of entry into employment with the international organization to date of restoration.

If an employee is not restored after active military service under part I or part II of RESTORATION, Military Duty, PM Section 7, or service in a public international organization, paid leave (annual or military) granted to the employee before or during such service counts in full. Leave without pay or military leave without pay granted immediately before entry into such service counts the same as other nonpaid leave (see below).

Periods of absence, for active duty for training, for inactive duty training, or for reporting to be inducted into, to enter, or to determine physical fitness to enter the Armed Forces (see description of such service under part III of RESTORATION, Military Duty, PM Section 7) are counted up to six months in a calendar year if the employee is restored with restoration rights, except that any paid leave granted during such periods counts in full. If the employee failed to return to work within the time limits or to return at all, paid leave granted to the employee counts in full. Any other time for which leave without pay is approved in advance or retroactively up to the time the employee returns, or is terminated without having returned, is counted up to six months in a calendar year. In any case under this paragraph a reservist, other than a member of the National Guard or Air National Guard, is credited in full for any time during the period of absence when actually serving on active duty for training.

An employee who left civilian service for National Guard training with restoration rights under the mandatory provisions of any Federal law (other than the Universal Military Training and Service Act), regulation, or Executive Order and who was restored under such rights receives credit for that part of the intervening period which does not exceed six months in a calendar year, except that any paid leave during the period counts in full. This credit is granted whether or not the individual was actually carried in a leave status by his agency.

2.3 Periods of Absence Without Pay From Federal Employment Except for Military Service or Service in Public International Organizations

Periods of leave without pay, nonpay leave status, suspension, furlough, absence without leave, and unapproved absence count up to six months in a calendar year. The six-month limit applies to the total of all such absences during a calendar year. Exception: A period during which an employee was receiving compensation under the Federal Employees' Compensation Act counts in full whether or not the period was included in a period of Federal employment.

Periods of suspension or removal followed by reinstatement with entitlement to back pay count the same as if the suspension or removal had not occurred.

2.4 Periods Covered by Lump Sum Leave Payments

A lump sum payment for leave does not make the period represented by the payment a period of Federal service; however, the period may be creditable on some other basis, such as absence for military service.

2.5 Breaks in Service

A break in Federal civilian employment of one, two, or three days counts. A break of any other length does not count, nor does any part of such a break count.

2.6 Service Under Personal Service Contracts

Service under a personal service contract counts the same as under an employment contract if:

- a. The Office of the General Counsel has determined that an employee-employer relationship exists between TVA and the contractor.
- b. The contractor works under the daily supervision and control of a Federal employee.
- c. The contract contemplates full-time or specified part-time service of the person obligated by the contract or if the periods of actual service are fairly susceptible to computation.

If the personal service contract in the personal history record does not show whether an employee-employer relationship existed, an inquiry should be made to the Employment Branch as to whether such a relationship existed.

If an employee's personal history record indicates the employee has served under a personal service contract or if the employee otherwise claims such service, the division checks with the Central Accounting Branch to verify the amount of time worked and, if necessary, the nature of the service. If it is determined that contract service is creditable, the division writes a memorandum to Personnel Microrecords Unit, Knoxville, giving the amount of time credited and the basis for determining that it is creditable. Service, whether intermittent, part-time, or full-time, is credited in the same manner as similar service under an employment contract.

REDUCTION
Part E

PM Section 7

Service claimed by an employee under personal service contracts with other Federal agencies is also creditable if it meets the above guidelines. Any such service performed by a Federal employee under contract to a Federal agency other than his own counts, but at no time counts twice.

2.7 Civilian Service Credited for Military Retirement

A retired member of the regular or reserve corps of the Public Health Service or a retired commissioned officer of the National Oceanic and Atmospheric Administration may not have any service which was credited for purposes of retirement from a uniformed service considered as civilian service. All such service is counted as military service. Contact the agency from which employee retired to determine what service was credited for purposes of retirement.

3. INTERPRETATIONS OF CREDITABILITY OF SPECIFIC KINDS OF SERVICE

3.1. Service as an Enrollee in the Civilian Conservation Corps or as a Youth Worker or Work Relief Project Worker

Service as an enrollee in the Civilian Conservation Corps, or as a youth worker or beneficiary under the National Youth Administration, or as a work relief project worker under the Works Projects Administration, Civil Works Administration, and Federal Emergency Relief Administration does not count. Project work following administrative work immediately, or with a service break of three days or less, and paying \$100 a month or more counts, in some instances, if both project and administrative work were performed in the same state.

3.2 Satisfactory Volunteer Service in the Peace Corps

Satisfactory volunteer (including leader) service in the Peace Corps is creditable. The training a volunteer takes before enrolling is not creditable. The division concerned requests from the Division of Volunteer Support, The Peace Corps, Washington, D.C. 20526, a statement about the amounts of a volunteer's service which are satisfactory. A Peace Corps Certificate of Satisfactory Service cannot be used as a basis for determining the amount of satisfactory service. The statement from the Peace Corps should be sent to Personnel Microrecords Unit, Knoxville, for filing in the employee's personal history record after the division no longer has a need for it. There is a distinction between service as a volunteer, covered here, and service as an employee of the Peace Corps, which is creditable in full.

3.3 WAC and WAAC Service

WAC service counts as active military service. WAAC service counts as civilian service.

3.4 Service as a Substitute Postal Employee

Service as a substitute postal employee counts in full from date of original appointment to the end of any period during which the employee is subject to call—whether or not he or she performs actual service during the whole period. Periods during which the employee is excused from call or is on furlough count up to six months in a calendar year. This six-month limit applies to the total of all such periods during a calendar year.

3.5 Service as a National Guard Technician

Service as a National Guard technician performed as a State employee before January 1, 1969, counts as civilian service, provided the person is employed as a National Guard technician on or after January 1, 1969, on which date such positions were brought into the Federal service.

3.6 Service in the Merchant Marine

Absence from Federal employment for service in the Merchant Marine counts the same as periods of absence for active service in the Armed Forces (above) when it began between May 1, 1940, and July 25, 1947, when it interrupted nontemporary employment with the Federal Government or the District of Columbia Government, and when the employee was restored to civilian duty in accordance with the provisions of the Act of August 8, 1946 (Public Law 79-680).

An employee who left civilian service to enter the Merchant Marine with restoration rights under the mandatory provisions of any law, regulation, or Executive Order other than the law referred to above and who was restored under such rights receives credit for that part of the intervening period which does not exceed six months in a calendar year. This credit is granted whether or not the individual was actually carried in a leave status by his or her agency.

3.7 Service of Employee Leaving Civilian Service to Enter a War Industry

An employee who left civilian service to enter a war industry with restoration rights under the mandatory provisions of any law, regulation, or Executive Order and who was restored under such rights receives credit for that part of the intervening period which does not exceed six months in a calendar year. This credit is granted whether or not the individual was actually carried in a leave status by his or her agency.

4. FEDERAL SERVICE FOR AN INDEFINITE INTERMITTENT EMPLOYEE

In computing the Federal service date for an indefinite intermittent employee where the time worked during the notice period may determine the employee's standing on the retention register, the division should request the supervisor to estimate the amount of time the employee will work during the notice period and employ the employee for that amount of time only. If the employee works more or less than this amount of time, the Federal service date may be corrected on the retention register on the day of termination to reflect the actual time worked during the notice period. If such correction changes retention standing, cancellation of the notice may be required.

5. SOURCES OF INFORMATION ABOUT NON-TVA FEDERAL SERVICE

Federal service which is counted is that recorded in an employee's personal history record and TVA payroll records. If there are questions about the details of non-TVA civilian service, the division may write to the National Personnel Records Center (Civilian), General Services Administration, 111 Winnebago Street, St. Louis, Missouri 61138.

REDUCTION

Part E

PM Section 7

Such requests for information should provide full name, date of birth, and approximate dates of employment which is in question, and a copy of the reply should be sent to Personnel Microrecords Unit, Knoxville. Requests for information regarding service as a Christmas postal employee should make specific reference to service as a Christmas postal employee. Requests for information on hours worked in intermittent TVA service may be directed to the Central Accounting Branch, Payroll Section, Knoxville.

The procedures for verifying non-wartime campaign and expeditionary service of a retired member of the uniformed services are set out above in section 1.5 under "Creditable Federal Service." If there is a need to verify any other military service, the division or the employee completes a reproduced copy of the front of Standard Form 180, Request Pertaining to Military Records. The back of the form contains instructions for completing the front side and also a list of military records centers from which can be selected the name and address of the appropriate center to which the form should be sent. When the records center returns the form, it should be sent to Personnel Microrecords Unit, Knoxville, for inclusion in the employee's personal history record.

REDUCTION
Part E

PM Section 7

ATTACHMENT 1
GSA FORM 180

REQUEST PERTAINING TO MILITARY RECORDS		Federal and State agencies for the records, if any, under 1. (Limit of production)	
1. FEDERAL AND STATE AGENCIES FOR THE RECORDS, IF ANY, UNDER 1. (Limit of production)		1. SOCIAL SECURITY NO.	2. PLACE OF BIRTH
SECTION I - INFORMATION NEEDED TO LOCATE RECORDS (Provide as much as possible)			
2. ACTIVE SERVICE PAY AND PAYMENT For an eligible service member, 3 is required that all records be given subject.			
3. SERVICE PAY AND PAYMENT	4. DATE OF SERVICE	5. SERVICE NUMBER	6. SERVICE NUMBER
7. NATIONAL GUARD RESERVE STATUS	8. DATE OF SERVICE	9. SERVICE NUMBER	10. SERVICE NUMBER
9. SERVICE NUMBER	10. SERVICE NUMBER	11. SERVICE NUMBER	12. SERVICE NUMBER
SECTION II - INFORMATION NEEDED TO LOCATE RECORDS (Provide as much as possible)			
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REDUCTION
Part E

PM Section 7

ATTACHMENT 1—Page 2

GSA FORM 180

INSTRUCTIONS

1. Information needed in future research. Certain identifying information is necessary to determine the location of an individual's record of military service. Please give careful consideration to and answer each item on this form. If you do not have and cannot obtain the information for an item, show "NA." Incomplete information will be helpful. Indicate the type of the required information in item 2, and indicate the type of records in item 3. Check in item 4 whether you want to be charged for copies of records. In most instances records have cannot be determined in advance. If your request involves a service fee you will be notified as soon as that determination is made.

2. Establishments on release of information. Information from records of military personnel is released subject to restrictions imposed by the military departments consistent with the provisions of the Freedom of Information Act of 1967 (as amended 1974) and the Privacy Act of 1974. A service person has access to almost any information contained in his own record. The rest of the information is authorized by the release of information laws. Other records are available to you only if you request them. Information that must have the release authorization is item 3 of the form, derived by the

release or, if deceased, by the next of kin. Employers and address sending proof of military service are requested to accept this information shown on documents issued by the Armed Forces of the Sea or service person is requested.

4. Procedures of next of kin. The order of precedence of the next of kin is: unremarried widow or widower, child or children, father or mother, adult brother or sister.

5. Location of military personnel records. The nearest categories of military personnel records are: (1) National Guard and Reserve (2) Regular Army (3) Coast Guard (4) Merchant Marine (5) Civilian service (6) Other. This request should be sent for each military service there is a duty obligation. Representatives have long the records are held by the military service before they are transferred to the National Personnel Records Center, St. Louis. Please send these notes carefully and make sure you send your inquiry to the right address. If the person has two or more periods of service within the same branch, send your request to the office having the record for the first period of service.

6. Establishments for abbreviations used below:

MPSC - National Personnel Records Center PMS - Personnel Records

TDN - Temporary Disability Extension List MTD - Medical Records

CATEGORY OF RECORDS

WHERE TO WRITE ADDRESS CODE

1	AD Plans received are from Code 10 days after separation and from Code 2, 30 days after separation.	Active members including National Guard and Reserve on active duty in the U.S. Army, TDN, and general officers retired with pay.	1
2	Army records are transferred to AFPC 3-4 months after separation.	Current National Guard and Reserve on active duty in AF Plans.	2
3	Army records are transferred to AFPC 3-4 months after separation.	Discharged, deceased, and retired with pay except general officers retired with pay.	3
4	Army records are transferred to AFPC 3-4 months after separation.	Active reserve and TDN members.	4
5	Army records are transferred to AFPC 3-4 months after separation.	Discharged, deceased, and retired members (see note 1).	5
6	Army records are transferred to AFPC 3-4 months after separation.	Officers separated before 1/1/79 and retired personnel separated before 1/1/71.	6
7	Army records are transferred to AFPC 3-4 months after separation.	Active and TDN members, reserve officers, and Civilian members.	7
8	Army records are transferred to AFPC 3-4 months after separation.	Class III reservists and Army Reserve Civilian members.	8
9	Army records are transferred to AFPC 3-4 months after separation.	Discharged, deceased, and retired members (see note 1).	9
10	Army records are transferred to AFPC 3-4 months after separation.	Officers and retired personnel separated before 1/1/1994.	10
11	Army records are transferred to AFPC 3-4 months after separation.	Officers, Rising retired members, retired general officers, and active duty records of current National Guard members who performed service in the U.S. Army before 7/1/73.	11
12	Army records are transferred to AFPC 3-4 months after separation.	Active officers including National Guard on active duty in the U.S. Army.	12
13	Army records are transferred to AFPC 3-4 months after separation.	Active National Guard officers and on active duty in the U.S. Army.	13
14	Army records are transferred to AFPC 3-4 months after separation.	Current National Guard and Reserve on active duty in the U.S. Army.	14
15	Army records are transferred to AFPC 3-4 months after separation.	Discharged and general officers (see note 1).	15
16	Army records are transferred to AFPC 3-4 months after separation.	Officers separated before 7/1/77 and retired personnel before 11/1/71.	16
17	Army records are transferred to AFPC 3-4 months after separation.	Officers and reserve officers (TDN).	17
18	Army records are transferred to AFPC 3-4 months after separation.	Active members including reservists on active duty—PMS and MTD.	18
19	Army records are transferred to AFPC 3-4 months after separation.	Discharged, deceased, retired (with and without pay) less than 36 months.	19
20	Army records are transferred to AFPC 3-4 months after separation.	TDN, drilling and non-drilling records.	20
21	Army records are transferred to AFPC 3-4 months after separation.	Discharged, deceased, retired (with and without pay) more than 36 months from last rank—PMS & MTD.	21
22	Army records are transferred to AFPC 3-4 months after separation.	Officers separated before 1/1/79 and retired personnel before 1/1/1964—PMS and MTD.	22
23	Army records are transferred to AFPC 3-4 months after separation.	Officers separated before 1/1/79 and retired personnel before 1/1/1964—PMS and MTD.	23

* Code 17 applies to active duty records of current National Guard officers who performed service in the U.S. Army after 6/30/77.

* Code 18 applies to active duty records of current National Guard retired members who performed service in the U.S. Army after 6/30/77.

ADDRESS LIST OF CURRENTS BY CODE NUMBERS EMPLOY AGENCY—Where to write/ send this form for each category of records.

1	USAM Military Personnel Center Military Personnel Branch Division Randolph AFB, TX 78148	VIA MPSC-PMS-4 Attn: DMC-PMS-4 300 Small Street Alexandria, VA 22322	8	Army National Guard Personnel Center Columbia Pike Office Building 3600 Columbia Pike, Building Folk Church, VA 23061	12
2	AR Reserve Personnel Center 2700 East 1st Avenue Denver, CO 80780	U.S. Army Selected Records and Evaluation Center P. Benjamin Harrison, IN 46379	9	The Adjutant General (for the appropriate State, DC or Puerto Rico)	13
3	Commander U.S. Center Command Washington, DC 20390	Chief of Naval Personnel Department of the Navy Washington, DC 20370	10	National Personnel Records Center (Military Personnel Branch) 9700 Page Boulevard St. Louis, MO 63132	14
4	Commandant of the Marine Corps Headquarters, U.S. Marine Corps Washington, DC 20380	Naval Reserve Personnel Center New Orleans, LA 70148	11		

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FORM 180 USE GSA GEN. REG. 27

ATTACHMENT 2
ADJUTANT GENERALS

Figure 7-10. Office of State Adjutants General

<i>State</i>	<i>Address</i>	<i>State</i>	<i>Address</i>
Alabama	P.O. Box 3711 Montgomery, AL 36193	Hawaii	3949 Diamond Head Road Honolulu, HI 96816
Alaska	3601 C Street Suite 620 Anchorage, AK 99503	Idaho	P.O. Box 45 Boise, ID 83707
Arizona	5636 East McDowell Road Phoenix, AZ 85008	Illinois	301 North MacArthur Blvd. Springfield, IL 62702
Arkansas	Camp Robinson North Little Rock, AR 72118	Indiana	Military Dept. of Indiana P.O. Box 41326 Indianapolis, IN 46241
California	2829 Watt Avenue Sacramento, CA 95821	Iowa	RR #1, Camp Dodge Grimes, IA 50111
Colorado	300 Logan Street Denver, CO 80203	Kansas	P.O. Box C-300 Topeka, KS 66601
Connecticut	360 Broad Street Hartford, CT 06105	Kentucky	Boone National Guard Center Frankfort, KY 40601
Delaware	First Regiment Road Wilmington, DE 19808	Louisiana	Hq Bldg., Jackson Barracks New Orleans, LA 70146
District of Columbia	NG Armory 2001 E. Capitol Street Washington, DC 20003	Maine	Camp Keyes Augusta, ME 04333
Florida	State Arsenal St. Augustine, FL 32084	Maryland	Military Dept. 5th Regiment Armory Baltimore, MD 21201
Georgia	Department of Defense Military Division, PO Box 17965, Atlanta, GA 30316	Massachusetts	905 Commonwealth Avenue Boston, MA 02215

Figure 7-10. Office of State Adjutants General (Continued)

State	Address	State	Address
Michigan	2500 S Washington Avenue Lansing, MI 48913	North Carolina	4105 Reedy Creek Road Raleigh, NC 27607
Minnesota	Veterans Service Building St. Paul, MN 55155	North Dakota	Fraine Barracks, PO Box 1817 Bismarck, ND 58505
Mississippi	P.O. Box 5027 Jackson, MS 39216	Ohio	2825 W Granville Road Worthington, OH 43085
Missouri	1717 Industrial Drive Jefferson City, MO 65101	Oklahoma	3501 Military Circle, NE Oklahoma City, OK 73111
Montana	P.O. Box 4789 Helena, MT 59604	Oregon	2150 Fairgrounds Road, NE Salem, OR 97303
Nebraska	1300 Military Road Lincoln, NE 68508	Pennsylvania	Department of Military Affairs Annville, PA 17003
Nevada	2525 S. Carson Street Carson City, NV 89701	Puerto Rico	P.O. Box 3786 San Juan, PR 00904
New Hampshire	State Military Reservation #1 Airport Road Concord, NH 03301	Rhode Island	1051 North Main Street Providence, RI 02904
New Jersey	Aggett Crossing Rd. CN 340 Trenton, NJ 08625	South Carolina	The Rembert C. Dennis Bldg. 1000 Assembly Street Columbia, SC 29201
New Mexico	P.O. Box 4277 Santa Fe, NM 87502	South Dakota	Camp Rapid Rapid City, SD 57702
New York	Public Security Building State Campus Albany, NY 12226	Tennessee	NG Armory 3041 Sidco Drive Nashville, TN 37204

Figure 7-10. Office of State Adjutants General (Continued)

State	Address	State	Address
Texas	Box 5218 Austin, TX 78763	Washington	Camp Murray Tacoma, WA 98410
Utah	P.O. Box 8000 Salt Lake City, UT 84108	West Virginia	1703 Coonskin Drive Charleston, WV 25311
Vermont	Building #1, Camp Johnson Winooski, VT 05404	Wisconsin	P.O. Box 8111 Madison, WI 53708
Virgin Islands	P.O. Box 1150 Christiansted Street St. Croix, U.S. VI 00820	Wyoming	P.O. Box 1709 Cheyenne, WY 82003
Virginia	401 East Main Street Richmond, VA 23219		

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ADJUTANT GENERALS

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17M Section 7

ATTACHMENT 3
CREDITING SERVICE OF A UNIFORMED
SERVICE RETIREE FOR RIF PURPOSES

Table 6-A Crediting Uniformed Service of an Uniformed Retired for Leave Purposes (5 USC 6303)

R U L E	A	B	C	D
	If the retired member	And the retired member	And he or she	Then credit for leave
1	Retired from uniformed service based on disability resulting from injury or disease received in the line of duty as a direct result of armed conflict			All active military service
2	Retired from uniformed service based on disability caused by an instrumentality of war incurred in the line of duty during a period of war			
3	On November 30, 1964, was employed in a civilian position to which the annual and sick leave act applied (See Note)	Continues such employment without a break in service of more than 30 days		Actual active service in the armed forces during wartime or in a campaign or expedition for which a campaign badge has been authorized
4		Has a break in service from such employment of more than 30 days	Does not meet the conditions in Rules 1 or 2	
5	Retired on less than 20 years of full-time active service (excluding training duty)		Does not meet the conditions in Rules 1 through 4	
6	Does not meet the conditions described in Rules 1 through 5			

NOTE
FPM supplement PRO-2 Book 630, section 2 explains who is now covered by the annual and sick leave provisions of 5 USC, 63. This coverage is basically the same as under the Leave Act which was in effect on Nov 30, 1964. Questions about whether the annual and sick leave act applied to a particular position should be referred to the Compensation Group, OPM.

PM Section 7

ATTACHMENT 4

OPM FORM 813

Verification of a Military Retiree's Service in Nonwarlike Campaigns or Expeditions <i>(See instructions on Reverse Before Completing Form)</i>						Date of Request (Month Day Year)					
<p>Address A or B from Reverse Side:</p>						<p>PRIVACY ACT STATEMENT</p> <p>Collection of this information is authorized by sections 5022, Retirement Code, and 5305, Leave Act, and title 5, United States Code, and collection of the Social Security Number (SSN) is authorized by Executive Order 9807 Using Social Security Number as Identifier. This information, including the SSN, will be used to verify records of appropriate service in all campaigns and expeditions claimed. Furnishing this information, including the SSN, is voluntary but failure to comply may make it difficult or impossible to verify periods of creditable service.</p>					
						1 Name Used During Military Service			2 Service Number			3 Social Security Number
4 Campaigns Claimed						5 Date of Military Retirement			6 Last Military Rank Held		
7 Comments											
<p>8 NONWARTIME CAMPAIGNS AND EXPEDITIONS</p> <p>Service from 12/7/41 through 4/26/52 If shown creditable and need not be verified</p>				<p>SERVICE CLAIMED</p> <p>From: To:</p> <p>Mo Day Yr. Mo Day Yr.</p>				<p>FOR RECORDS CENTER USE ONLY</p> <p>If not correct give the dates (from and to) of the active duty the person performed in the period covered by the campaign badge or medal</p>			
								From: Mo Day Yr.		To: Mo Day Yr.	
9 Requesting Agency (Name, Address and ZIP Code)				<p>Items checked were verified by our records. Items which do not correspond with dates shown in record have been corrected.</p> <p>Typed or Stamped Name and Title of Certifying Official</p> <p>Signature _____ Date Signed _____</p>							
<p>Office of Personnel Management</p> <p>REPRODUCE LOCALLY</p> <p>OPM Form 813 (Rev. 7-81)</p>											

ATTACHMENT 4—Page 2

OPM FORM 813

Instructions for Completing OPM Form 813

NOTE: DO NOT USE THIS FORM FOR PERSONS
WHO ARE NOT MILITARY RETIREES

Use OPM Form 813 only to request verification of a retiree's military service performed in a nonwarlike campaign or expedition for which badge/medal was authorized, in order to credit such service for leave accrual rate and reduction-in force purposes. (See FPM Supplement 296-33 for further instructions.) Complete the address block and items 1 through 9 and submit the form in duplicate to the appropriate address listed below.

A. To verify campaign/expeditionary service for military retirees of the U.S. Air Force, U.S. Navy, U.S. Marine Corps, and U.S. Coast Guard, address the request to:

National Personnel Records Center
(Military Personnel Records)
9700 Page Boulevard
St. Louis, MO 63132

B. To verify campaign/expeditionary service for military retirees of the U.S. Army, address the request to:

U.S. Army Reserve Components
Personnel and Administration Center
ATTN: OARC PSE-VC
9700 Page Boulevard
St. Louis, MO 63132

The records center will verify only claimed and unverified nonwarlike campaign or expeditionary service. It is the retired member's responsibility to provide the names of any nonwarlike campaign or expedition in which he/she served. The records center will not verify service unless specific campaigns/expeditions and inclusive dates are listed. Service components (e.g., "USAF") or medal (e.g., "Vietnam Service Medal") are not sufficient. If a follow-up check is necessary, reproduce a copy of the original request and clearly mark the top of the OPM Form 813, "Follow-up Request".

ATTACHMENT 5
LIST OF WARS AND CAMPAIGNS

a. Wars Since April 15, 1861						
War	Inclusive dates	Organizations participating (indicated by "x" below)				
		Army	Navy	Air Force ¹	Marine Corps	Coast Guard
Civil War	April 15, 1861, to Aug. 20, 1866	x	x	.....	x	.....
Spanish-American War	Apr. 21, 1898, to July 4, 1902	x	x	.....	x	.....
World War I ²	Apr. 6, 1917, to July 2, 1921	x	x	.....	x	x
World War II	Dec. 7, 1941, to Apr. 28, 1952 ³	x	x	x	x	x

b. Campaigns and Expeditions Since April 15, 1861, for Which a Campaign Badge (Service Medal) Has Been Authorized, Except Campaigns and Expeditions Occurring in Wartime

NOTE.—In addition to the service medals awarded to members of the armed forces, the following medals have been awarded to civilians:

(1) Women's Army Corps Service Medal, which bears the words "For service in the Women's Army Auxiliary Corps" and the dates "1942-1943."

(2) The Medal of Merit for meritorious service in World War II.

(3) The Medal of Freedom for meritorious achievement or meritorious service to the United States on or after December 7, 1941, in the war against an enemy outside the continental limits of the United States.

(4) The Antarctica Service Medal for participating in a scientific, direct support, or exploratory operation on the Antarctic Continent. (These medals are not a basis for preference, since the service was not in the armed forces.)

Campaign or Expedition	Inclusive dates	Organizations participating (indicated by "x" below)				
		Army	Navy	Air Force ¹	Marine Corps	Coast Guard
Indian Campaigns (periodic)	1865 to Jan. 1891	x	.....	.....	.....	.....
Navy Expeditions ⁴	1874 to .....	.....	x	.....	x	.....
Philippine Campaign (periodic) ..	Feb. 4, 1899 to 1913	x	.....	.....	x	.....
Cuban Pacification	Feb. 4, 1898, to Sept. 15, 1906 .....	.....	x	.....	x	.....
	Sept. 12, 1906, to Apr. 1, 1909 .....	.....	x	.....	x	.....
Mexican Expedition (periodic) ...	Oct. 6, 1906, to Apr. 1, 1909	x	.....	.....	.....	.....
	Apr. 12, 1911, to June 16, 1919	x	.....	.....	.....	.....
Nicaraguan Campaign	Apr. 21, 1914, to Feb. 7, 1917 .....	.....	x	.....	x	.....
	July 29, 1912, to Nov. 14, 1912 .....	.....	x	.....	x	.....
Haitian Campaign	July 9, 1915, to Dec. 6, 1915 .....	.....	x	.....	x	.....
Dominican Campaign	May 5, 1916, to Dec. 4, 1916 .....	.....	x	.....	x	.....
Army of Occupation of Germany ..	Nov. 12, 1918, to July 11, 1923	x	x	.....	x	.....
World War I .....	.....	.....	.....	.....	.....	.....
Second Haitian Campaign	Apr. 1, 1919, to June 15, 1920 .....	.....	x	.....	x	.....
Second Nicaraguan Campaign ...	Aug. 27, 1926, to Jan. 2, 1933 .....	.....	x	.....	x	.....
Yangtze Service	Sept. 3, 1926, to Oct. 21, 1927 .....	.....	x	.....	x	.....
China Service	Mar. 1, 1930, to Dec. 31, 1932 .....	.....	x	.....	x	.....
	Feb. 4, 1932, to July 5, 1932	x	.....	.....	.....	.....
	July 7, 1937, to Sept. 7, 1939 .....	.....	x	.....	x	.....

ATTACHMENT 5—Page 2
LIST OF WARS AND CAMPAIGNS

Campaign or Expedition	Inclusive dates	Organizations participating (indicated by "x" below)				
		Army	Navy	Air Force	Marine Corps	Coast Guard
American Defense Service	Sept. 8, 1939, to Dec. 7, 1941	x	x		x	x
Navy Occupation of Trieste	May 9, 1945, to Oct. 26, 1954		x			x
Army of Occupation of Berlin	May 9, 1945 to	x	x	x	x	x
Army of Occupation of Germany (exclusive of Berlin)	May 9, 1945, to May 5, 1955	x	x	x		x
Army of Occupation of Japan	Sept. 1, 1945, to Apr. 27, 1952	x	x	x	x	x
Army of Occupation of Austria	May 9, 1945, to July 27, 1955	x		x		
Navy Occupation of Austria	May 9, 1945, to Oct. 25, 1955		x		x	
Units of the Sixth Fleet (Navy)	May 9, 1945, to Oct. 25, 1955		x			
China Service Medal (Extended)	Sept. 2, 1945, to Apr. 1, 1957		x		x	x
Korean Service	June 27, 1950, to July 27, 1954	x	x	x	x	x
Vietnam Service Medal	July 3, 1965, to Mar. 28, 1973	x	x	x	x	x
Armed Forces Expeditionary Medal for these operations:						
Berlin	Aug. 14, 1961, to June 1, 1963	x	x	x	x	x
Lebanon	July 1, 1958, to Nov. 1, 1958 and June 1, 1983 to	x	x	x	x	x
Quemoy and Matsu Islands	Aug. 23, 1958, to June 1, 1963	x	x	x	x	x
Taiwan Straits	Aug. 23, 1958, to Jan. 1, 1959	x	x	x	x	x
Cuba	Oct. 24, 1962, to June 1, 1963	x	x	x	x	x
Congo	July 14, 1960, to Sept. 1, 1962 and Nov. 23 to 27, 1964	x	x	x	x	x
Laos	Apr. 19, 1961, to Oct. 7, 1962	x	x	x	x	x
Dominican Republic	Apr. 28, 1965, to Sept. 21, 1966	x	x	x	x	x
Korea	Oct. 1, 1966, to June 30, 1974	x	x	x	x	x
Vietnam (incl. Thailand)	July 1, 1958, to July 3, 1965	x	x	x	x	x
Cambodia	Mar. 29, 1973, to Aug. 15, 1973	x	x	x	x	x
Cambodia Evacuation	Apr. 11, 1975, to Apr. 13, 1975	x	x	x	x	x
Vietnam Evacuation	Apr. 29, 1975, to Apr. 30, 1975	x	x	x	x	x
Mayaguez Operation	May 15, 1975	x	x	x	x	x
Grenada	Oct. 23, 1983 to Nov. 21, 1983	x	x	x	x	x

ATTACHMENT 5—Page 3
LIST OF WARS AND CAMPAIGNS

Campaign or Expedition	Inclusive dates	Organizations participating (indicated by "x" below)				
		Army	Navy	Air Force*	Marine Corps	Coast Guard
Navy Expeditionary Medal and Marine Corps Expeditionary Medal for these Operations: ◊ Iranian/Yemen/Indian Ocean Contingency	Dec. 6, 1978 thru Jan. 6, 1979	.....	x	.....	x	.....
Indian Ocean Contingency	Nov. 21, 1979 to Oct. 20, 1982	.....	x	.....	x	.....
Lebanon	Aug. 20, 1982 to May 31, 1983 ◊	.....	x	.....	x	.....

* The United States Air Force became a separate branch of the armed forces of the United States on September 18, 1947.
 † The effective date of the Treaty of Peace with Japan that officially terminated World War II.
 ‡ Campaigns for war-time preference based on service between September 8, 1939, and December 7, 1941, must meet the requirements for campaign service. The award of an American Defense Service Medal does not prove service in a campaign or expedition for which a campaign badge has been authorized. However, the requirement of campaign service is met if, in addition to this medal, the recipient is awarded a service's loop (bearing the inscription Foreign Service if Army, Fleet or Base if Navy; Fleet, Sea or Base if Coast Guard); or a bronze star for service outside the continental limits of the United States.
 § There are over 100 Navy Expeditions, including:
 — Republic of Haiti—December 4, 1929 to August 3, 1931;
 — Thailand Military Operation—May 16, 1962 to August 10, 1962;
 — Cuban Military Operation—January 3, 1961 to October 23, 1962.
 ¶ July 2, 1921 is the date of a Joint Resolution of the US Congress that terminated the war with Germany and Austria-Hungary.

REDUCTION
Part F

PM Section 7

PART F

DETERMINING FEDERAL SERVICE DATE

I. Redetermination of Federal Service Date Upon Reemployment

	<u>Year</u>	<u>Month</u>	<u>Day</u>		<u>Year</u>	<u>Month</u>	<u>Day</u>
Federal service date at time of last termination from Federal service	52	9	12				
	<u>Year</u>	<u>Month</u>	<u>Day</u>				
Date of reemployment	(60) 61	(14) 2	14*				
Date of last termination plus one day	- 59	6	4				
Noncreditable time	1	8	10	<u>+1</u>	<u>8</u>	<u>10</u>	
Adjusted Federal service date	53 54	17 5	22 or 22**				

*In subtraction, if days or months below are greater than the number above, borrow one month (30 days) or one year (12 months) from the month or year column.

**If this is an impossible date, change it to the appropriate calendar date; for example: 54 - 2 - 30 is changed to 54 - 3 - 2, and 54 - 6 - 31 is changed to 54 - 7 - 1.

II. Initial Determination of Federal Service Date

Service	Date of Appointment			Date of Termination			Method
	Year (Last 2 Figures)	Month (Numerical Equivalent)	Day	Year (Last 2 Figures)	Month (Numerical Equivalent)	Day	
U.S. Armed Forces	50	8	15	52	12	30	Enter date of appointment and date of separation opposite each agency in which previously employed.
TVA	53	1	15	55	5	9	
U.S. Dept. of Agriculture	55	7	10	56	4	2	
Entrance on duty date	57	10	3				Enter date of most recent entrance on duty
Total noncreditable service		3	43				See Table III.
Number of separations						3	Enter in the day column the number of separations.
Total	215	29	86	163	21	44	Add columns.
	163	21	44				Subtract total under date of termination from total under date of appointment.*
Federal service date	52	8	42	(or 52 - 9 - 12)**			

*In subtraction, if days or months below are greater than the number above, borrow one month (30 days) or one year (12 months) from the month or year column.

**If this is an impossible date, change it to the appropriate calendar date; for example: 52 - 2 - 30 (leap year) is changed to 52 - 3 - 1, and 52 - 9 - 31 is changed to 52 - 10 - 1.

REDUCTION
Part F

PM Section 7

III. Computation of Noncreditable Service

LWOP in Excess of 6 Months
In One Calendar Year

Period of LWOP	54 - 4 - 3 through 55 - 3 - 6, inclusive	
1955 LWOP	55 - 1 - 1 through 55 - 3 - 6 is creditable	
1954 LWOP		(32)*
		54 - 12 - 31
		<u>-54 - 4 - 3</u>
Total in 1954		8 - 29
Less 6 months' creditable		<u>-6 - 0</u>
Noncreditable LWOP		2 - 29

Noncreditable Service During Period of Intermittent Employment

Period of intermittent employment	58 - 1 - 7 through 58 - 4 - 10, inclusive	
		(11)*
		58 - 4 - 10
		<u>58 - 1 - 7</u>
		3 - 4
Total time		(2) (34)**
		<u>3 - 4</u>
Creditable service during period		<u>-1 - 20</u>
Noncreditable time		1 - 14

*Add one day.

**In subtraction, if days or months below are greater than the number above, borrow one month (30 days) or one year (12 months) from the month or year column.