



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

SPAWARINST 12351.2
SPAWAR 07-2
16 April 1999

SPAWAR INSTRUCTION 12351.2

From: Commander, Space and Naval Warfare Systems Command

Subj. REDUCTION-IN-FORCE (RIF)

Ref: (a) Demonstration Project Plan as published in the Federal Register of 18 April 1980 and
24 September 1982
(b) SPAWARINST 12510.1, Demonstration Project Classification Guide

1. Purpose. To establish policy, outline the mechanics, define responsibilities and establish competitive areas for conducting a reduction-in-force (RIF) for positions covered by the Navy Demonstration Project.
2. Cancellation. NCCOSC Instruction 12351.1 is cancelled.
3. Coverage. The provisions of this instruction cover all organizations aligned under or serviced by the Space and Naval Warfare Systems Command (SPAWAR) and Program Executive Office-Space, Communications and Sensors (PEO-SCS).
4. Background. SPAWAR and PEO-SCS include organizations that are geographically dispersed and functionally differentiated. It is necessary to establish overall policies and discrete competitive areas for RIF purposes. Most SPAWAR and PEO-SCS employees are covered by the Navy Demonstration Project and some aspects of RIF are administered differently as a result of waiver of specific law and/or regulation. RIF procedures for employees not covered under the Demonstration Project will be governed by applicable Office of Personnel Management (OPM), Department of Defense (DoD) and Department of Navy (DoN) guidelines.
 - a. RIF action may be caused by:
 - (1) Lack of work;
 - (2) Shortage of funds;
 - (3) Reduction in numbers of authorized personnel;
 - (4) Reorganization;
 - (5) Exercise of individual reemployment/restoration rights; and/ or
 - (6) Position reclassifications based on erosion of duties that occur during RIF situations.

SPAWARINST 12351.2

16 April 1999

b. In a RIF, employees are released from their competitive level by the following means:

- (1) Separation;
- (2) Furlough for more than 30 days;
- (3) Demotion;
- (4) Reassignment requiring displacement.

c. The use of RIF does not suspend management's authority/responsibility to remove, demote, reassign, or relocate any employee. Any of these actions may be taken before, during, or after RIF. Employees with unacceptable performance will be removed by appropriate means before determining which positions will be eliminated in RIF.

5. Policy. SPAWAR/PEO-SCS will accomplish civilian personnel reductions through attrition and/or other voluntary means where appropriate. During periods of personnel reductions, every effort will be made to minimize the impact of reductions on employees and their communities. When RIF is deemed necessary, the provisions of reference (a) and applicable portions of Federal, DoD, and DoN regulations and guidelines will be followed.

6. Competitive Areas. Employees compete for retention only in their own competitive area. Competitive areas are established as follows:

a. By organization.

SPAWAR Systems Command, San Diego, CA
SPAWAR Systems Command, Washington DC
SPAWAR Systems Center, San Diego, CA
SPAWAR Systems Center, Charleston, SC
SPAWAR Systems Center, Chesapeake, VA
PEO-SCS, San Diego, CA
PEO-SCS, Washington DC

b. By commuting area.

c. By Demonstration Project career paths. Non-Demonstration Project positions (e.g. GS/GM/WS/WG/etc.) are in a separate competitive area.

Example: SPAWAR Headquarters (HQ), PEO-SCS, and SPAWAR Systems Center San Diego are in separate competitive areas although they exist within the same commuting area. Within each of these organizations each Demonstration Project career path is a separate competitive area. The career path competitive area is determined by occupational series and pay system.

16 April 1999

7. Competitive levels. Within each competitive area, SPAWAR HQ, PEO-SCS and each SPAWAR Systems Center will establish separate competitive levels for all positions having the same:

- a. Service (competitive or excepted);
- b. Pay Schedule/Career Path (DP, DA, DS, DT, DG, GM, GS, WS, WL, or WG);
- c. Appointment authority. (Separate levels will be established for excepted service positions filled under different appointment authorities);
- d. Work schedule (full-time, part-time, intermittent, etc.);
- e. Supervisory or nonsupervisory status;
- f. Trainee status (see paragraph 8(c) below); and
- g. Title, series, grade or level, and specialty and functional code (where used).

8. Retention Order Within a Competitive Level

a. Demonstration Project Employees. Under the Demonstration Project performance rating groups are combined into retention groups. Within each competitive level, employees in retention group 1 are placed at the top of the retention register in standard tenure, veteran's preference, and length of service order. Employees in retention group 2 are placed at the bottom of the register, in standard order, and are first to be released from the competitive level. Individuals in retention group 1 always displace those in retention group 2. Placement in retention group 1 or 2 is determined by current performance rating, as follows:

<u>Rating</u>	<u>Retention Group</u>
Outstanding	1
Superior	1
Successful	1
Marginal	2
Unsatisfactory	2

b. Non-Demonstration Project Employees. Retention order is determined in accordance with appropriate DoN, DoD and OPM guidelines.

c. Employees in Trainee/Developmental Positions. Trainees, for RIF purposes, are those in positions in a formally designated trainee or developmental program which is:

(1) Designed to meet a management need for development of skilled employees.

(2) Formally designated with provisions announced to all employees and supervisors.

(3) Developmental by design, offering planned growth in duties and responsibilities, and providing advancement in recognized lines of career progression.

(4) Fully implemented, with participants having been chosen through standard selection procedures; and

(5) Documented in the official system of records as being a developmental/trainee position.

d. To be fully qualified to displace a trainee in a developmental position, an employee must meet all conditions required for selection and entry into the training/developmental program. A person who has already completed a course of training or development or is otherwise fully trained cannot displace back into the program because he/she no longer meets the conditions for entry into such programs.

9. Assignment Rights for Demonstration Project Employees. Because some Demonstration Project employees in the DA, DS, and DT career paths are included in DP levels III, IV and V, a modification of their assignment rights is necessary. When necessary to provide assignment rights, DP III, IV and V employees who were promoted from the DA, DS, and DT career paths are permitted to compete with employees in their career path of origin. The career path of origin is determined by the occupational series held by the employee while at the DP III, IV or V level. Reference (b) provides a description of established career paths used in the Demonstration Project.

10. Normal Line of Progression for Wage System Employees. Each SPAWAR organization and PEO-SCS, with the assistance of their servicing human resources staff, will determine and document the normal line of progression for Federal Wage System positions in that organization. These grade/interval progressions will be used to determine limits on assignment rights during RIF.

11. RIF Appeals/Reconsiderations. SPAWAR HQ, PEO-SCS, and each SPAWAR Systems Center, with the assistance of their servicing human resources staff, will insure that their employees are fully informed about review processes available to an employee reached for RIF action, who believes that the governing regulations have been incorrectly applied. Existing

Demonstration Project procedures will be applied to Demonstration Project employees unless different procedures are provided by a collective bargaining agreement.

All other employees (i.e., those not covered by the Demonstration Project) are subject to appeal processes established by appropriate DoN, DoD and OPM guidelines.

12. Responsibilities

a. SPAWAR Systems Centers. When RIF actions are required, SPAWAR Systems Centers are responsible for:

(1) Notifying SPAWAR HQ, in advance, of the need to hold a RIF and request downsizing authorities and incentives, as appropriate.

(2) When appropriate, notifying and fulfilling any bargaining obligation with an exclusive representative.

(3) Submitting an action plan to SPAWAR detailing how a proposed RIF will be implemented including any special placement efforts under consideration.

(4) Submitting properly formatted and complete RIF approval requests to SPAWAR.

(5) As appropriate, submitting evidence that requests to utilize separation and retirement incentives (i.e. voluntary early retirement authority (VERA)) have been explored, and the disposition of that effort.

(6) Determining positions to be eliminated.

(7) Identifying and formally approving positions for elimination by position number, and title/level and name of the incumbent.

(8) Providing official and complete lists of approved positions to be eliminated to their servicing human resources staff in a timely manner for conduct of RIF.

(9) Informing their employees of the reason(s) for RIF and the personal impact it will have on individuals.

(10) Implementing RIF actions, including the delivery of notices.

(11) Providing aggressive leadership in outplacement actions for employees to be separated.

SPAWARINST 12351.2

16 April 1999

b. PEO-SCS will notify SPAWAR HQ, the human resources services offices and the Assistant Secretary of the Navy (Research, Acquisition and Development), in advance, of any anticipated need for a RIF.

c. Servicing Human Resources Staff/Human Resources Service Center. The servicing Human Resources Office or Human Resources Service Center staff, as appropriate, is responsible for:

(1) Assisting serviced organization in submitting complete VERA request to SPAWAR for endorsement to appropriate approval authority.

(2) Advising management on the proper use of RIF.

(3) Fulfilling any bargaining obligation.

(4) Assisting in RIF planning and interpreting regulations.

(5) Maintaining retention registers and other records for inspection/appeal purposes.

(6) Providing vigorous outplacement assistance for employees to be separated.

(7) Determining RIF rights of affected employees.

(8) Preparing appropriate notices.

(9) Counseling employees on their rights and benefits.

d. The servicing Human Resources Office or Human Resources Service Center staff, as appropriate, will provide assistance to PEO-SCS in submission of VERA and/or early incentive requests to the appropriate approval authority and all other support required for implementing a RIF.

13. Action. The Director, Human Resources Programs, Code 07-2, is responsible for keeping this instruction current.



Robert J. Martin
Deputy Commander

Distribution:
SPAWAR List 6
PEO-SCS
SNDL Part II:
FKQ (SPAWARSYSCEN)