



DEPARTMENT OF DEFENSE  
**DCPAS**  
Defense Civilian Personnel Advisory Service



## Defense Civilian Personnel Advisory Service

# DISPLACED EMPLOYEE GUIDE

Benefit and Entitlement Information  
June 2015

## FOREWORD

This guide replaces the previous version, which was dated March 2011. It complies with the general information requirements in section 351.803 of title 5, Code of Federal Regulations (CFR), and provides basic information concerning the right to reemployment consideration, career transition assistance, and benefits and entitlements for employees adversely affected by reduction in force (RIF), or transfer of function (TOF) outside of the commuting area.

Department of Defense (DoD) activities must ensure that a copy of this guide is provided to all employees adversely affected by RIF or TOF, and to those entitled to grade retention. This guide must be provided to each employee with his or her specific notice of separation or change to lower grade. The guide may also be distributed to employees immediately upon announcement of any planned reorganization or transformation action. Local reproduction of the guide is authorized. Activities must insert a copy of the Merit Systems Protection Board (MSPB) Appeals Regulations and Appeal Form at Appendix 1 when issuing the Displaced Employee Guide.

Recommended revisions should be submitted through DoD Component channels to the Chief, Staffing and Civilian Transition Programs Division, Defense Civilian Personnel Advisory Service (DCPAS). A copy of this document is available on the DCPAS website at

<http://www.cpms.osd.mil/Subpage/Library>.

## TABLE OF CONTENTS

1.0	INTRODUCTION.....	4
A.	PURPOSE .....	4
B.	SELF-HELP SUGGESTIONS.....	4
2.0	EMPLOYEE PLACEMENT PROGRAMS .....	5
A.	DOD PRIORITY PLACEMENT PROGRAM (PPP).....	6
B.	DOD RETAINED GRADE PLACEMENT PROGRAM (PROGRAM R).....	7
C.	REEMPLOYMENT PRIORITY LIST (RPL) .....	7
D.	INTERAGENCY CAREER TRANSITION ASSISTANCE PLAN (ICTAP) .....	8
E.	TRANSITION ASSISTANCE WEBSITES.....	9
3.0	TRANSITION ASSISTANCE PROGRAMS.....	9
A.	TRAINING AND RETRAINING.....	9
B.	RELOCATION ENTITLEMENTS.....	10
C.	HOMEOWNER’S ASSISTANCE PROGRAM (HAP).....	11
D.	PLACEMENT ASSISTANCE FOR SPOUSES .....	11
4.0	PAY & POST-SEPARATION BENEFITS AND ENTITLEMENTS.....	12
A.	PAY .....	12
B.	LEAVE UPON SEPARATION.....	15
C.	UNEMPLOYMENT COMPENSATION .....	16
D.	CIVIL SERVICE RETIREMENT SYSTEM (CSRS).....	16
E.	FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS).....	19
F.	THRIFT SAVINGS PLAN (TSP) BENEFITS .....	22
G.	FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM .....	23
H.	FEDERAL EMPLOYEES GROUP LIFE INSURANCE (FEGLI) PROGRAM.....	25
5.0	APPEALS .....	26
A.	RIF APPEALS .....	26
B.	PREPARING A RIF APPEAL.....	26
C.	GROUND FOR A RIF APPEAL .....	26
D.	MSPB APPEAL FORM.....	27
	APPENDIX 1-5.....	28

## 1.0 INTRODUCTION

### A. PURPOSE

This guide provides basic information concerning the right to reemployment consideration, career transition assistance, and benefits and entitlements for employees adversely affected by reduction in force (RIF) or by transfer of function (TOF) outside of the commuting area. It complies with the employee general information requirements in title 5 Code of Federal Regulations (CFR) section 351.803, and DoD Components must ensure that a copy of this document is provided to all employees receiving specific RIF or TOF notices. The information in this guide is not intended to be all-inclusive, and it neither amends nor supersedes Federal regulations or DoD policies and procedures. Your supporting human resources office (HRO) is responsible for providing in-depth RIF and TOF counseling, as well as information concerning reemployment and outplacement programs, career transition assistance, the Employee Assistance Program (EAP), and other benefits and entitlements. The use of the term HRO in this guide refers to both on-site customer support units and regional service centers. The office providing a specific service may vary by DoD Component.

### B. SELF-HELP SUGGESTIONS

- 1) Placement assistance programs usually require an up-to-date and accurate employment application or resume. When preparing the application or resume, you should completely describe your knowledge, skills, and abilities, and make several copies so you can quickly register for placement programs or apply for available vacancies. In addition to listing your current and past work assignments, include all information that describes your qualifications (e.g., licenses or certifications, education, specialized training, etc.). You may be asked to sign a release authorizing your supporting HRO to provide your application or resume to your State Workforce Agency and potential public and private sector employers.
- 2) Prior to registering in placement assistance programs, carefully consider the lowest grade level or pay band you are willing to accept. If you are available for placement at lower grades or pay bands, opportunities for continuing your Federal career will be proportionately greater. If you enter a DoD position at a lower grade or pay band without a break in service and are otherwise eligible, your pay will be set in accordance with the retained grade or retained pay rules that are applicable to your position. If you are placed through the Priority Placement Program (PPP) but are not eligible for grade or pay retention (e.g., if you are placed following a break in service), your last earned rate of pay will be preserved to the maximum extent permitted by law. In any event, your new employer's HRO will be responsible for setting your pay in accordance with the applicable regulations.
- 3) When registering for placement consideration outside your commuting area, you should gather as much information as possible on climate, cost-of-living

- (including state and local taxes), housing costs, schools, and other living conditions. You should consult with family members before declaring availability for other geographical areas, since relocation will require an adjustment on their part as well. Before accepting a job offer in another geographic area, you should always determine whether relocation expenses will be paid, and by whom. If you make yourself available for positions outside of your current commuting area, you should be ready to relocate on short notice.
- 4) It is important to keep your supporting HRO advised concerning your whereabouts so you can be reached when job opportunities are available. Delays in contacting you could result in missed job opportunities.
  - 5) Be proactive in seeking employment. Do not rely solely on Federal placement assistance programs. Although your supporting HRO will take every possible action to provide continued employment, vacancies at other DoD installations and other Federal agencies may be limited. By personally seeking employment with both public and private organizations, you avoid relying solely on someone else to secure your future.
  - 6) Regardless of the manner by which you are leaving the DoD employment rolls (i.e., involuntary separation, retirement, or resignation), you may be eligible for unemployment compensation. You should contact your local State Workforce Agency regarding any eligibility for benefits. If you are retiring, please see the retirement information in Chapter 4, paragraph D (CSRS) or paragraph E (FERS).
  - 7) If you are eligible for retirement, you should consult with the following:
    - a) Your supporting HRO retirement counselor;
    - b) The Social Security Administration (<http://www.ssa.gov>) because you may be eligible for benefits;
    - c) The Internal Revenue Service (<http://www.irs.gov>), since income tax benefits are available to certain retirees;
    - d) The Department of Veterans Affairs (<http://www.va.gov>) if you have prior military service, since veterans may be eligible to apply for certain benefits; and
    - e) Your State Workforce Agency (SWA) (<http://www.servicelocator.org/owslinks.asp>). Some states offer benefits, including unemployment compensation, to individuals retiring because of downsizing actions. However, unemployment benefits may be reduced based on the amount of your retirement annuity. Your SWA will determine your benefits eligibility.

## 2.0 EMPLOYEE PLACEMENT PROGRAMS

The Department of Defense has earned a reputation for making every effort to ensure continuing employment for employees who are displaced through no fault of their own,

and administers several programs to assist displaced employees in locating acceptable jobs. An overview of these programs is provided below.

#### **A. DOD PRIORITY PLACEMENT PROGRAM (PPP)**

- 1) The PPP is an automated registration and referral program that matches eligible registrants with job opportunities at DoD activities. The PPP is an independent outplacement program operated solely within the administrative authority of the Secretary of Defense. It should not be confused with the Reemployment Priority List (RPL), which is described in paragraph C. If you are facing involuntary separation, demotion, or TOF outside of your commuting area, you are generally eligible to register in the PPP for placement consideration at other DoD installations. However, if you are entitled to receive severance pay benefits and do not voluntarily enroll in the PPP, registration is mandatory for all DoD activities within your commuting area once you receive a specific separation notice. If you are not entitled to severance pay, registration is entirely voluntary and if you choose to register you may request to be removed from the program at any time.
- 2) Registration in the PPP does not guarantee you an offer of continued employment, since placements only occur when registrants are well qualified for positions that are being filled. Unless your registration is mandatory, you may voluntarily register for desired locations and grade levels, provided your choices are within program guidelines. Normally, when a PPP registrant is referred for a specific vacancy and is jointly determined well qualified by the registering and gaining HROs, an offer is required. Use of the Automated Stopper and Referral System (ASARS), the Internet-based system used to administer the PPP, ensures your consideration within the Department of Defense.
- 3) It is important to understand that proper registration will minimize delays in the referral and placement process. Therefore, you should be prepared to discuss with your supporting HRO the types of positions for which you are well qualified and available, areas where you would be willing to relocate, and the grade level(s)/pay band(s) below your current permanent grade/pay band that you are willing to accept.
- 4) Generally, you may remain in the PPP for the duration of the specific notice period and for up to 12 months after separation. During the registration period, placement in an appropriate position, declination of a valid offer, or optional retirement will terminate your registration.
- 5) You are only eligible for one valid offer through the PPP. Acceptance or declination of a valid offer terminates PPP eligibility.
- 6) If you are eligible under PPP rules to register for positions in different geographic areas and accept a DoD position outside of your current commuting area, the government will pay related relocation costs to your new duty station to the maximum extent permitted under the DoD Joint Travel Regulations.



## **B. DOD RETAINED GRADE PLACEMENT PROGRAM (PROGRAM R)**

If you are on a competitive or excepted appointment and are serving under grade retention as a result of RIF or job reclassification, you are required to register in this program. The area of referral for the duration of the retained grade period is your current commuting area and normally must include all DoD installations within that area. However, if you previously relocated through the PPP to your current DoD activity at Government expense, registration is restricted to your current installation for 1 year from the effective date of the placement. After 1 year, your area of referral will be expanded to include all other DoD activities within the commuting area. If you receive a valid and reasonable offer in writing, you must accept the offer or lose your retained grade entitlement. Your supporting HRO will provide you in-depth counseling regarding Program R.

## **C. REEMPLOYMENT PRIORITY LIST (RPL)**

The RPL is a government-wide program required by law and subject to OPM regulations. While participation in the RPL is an additional opportunity for placement consideration, the program is totally separate from the DoD PPP. In order to be eligible to exercise your reemployment rights according to the OPM regulations, you must apply separately for the RPL. The following provides general RPL requirements and guidelines:

- 1) If you are scheduled for RIF separation from a career or career-conditional appointment, you may be eligible to register in both the RPL and PPP.
- 2) If you register in the RPL, your registration expires no later than 2 years from the date of reduction in force separation.
- 3) Your RPL rights apply within the same commuting area as the position from which you have been or will be separated and only for positions in your current agency. For RPL purposes, there are four agencies; Army, Navy (including the Marine Corps), Air Force, and all other Defense agencies combined. If you register for the RPL, you will receive placement priority over non-DoD applicants for vacant competitive-service DoD positions that match your qualifications.
- 4) To be entered on the RPL, you must submit a resume to your supporting HRO on or before your RIF separation date.
- 5) To be eligible to apply, you must:
  - a) Have received a specific RIF notice of separation or a Certificate of Expected Separation (CES);
  - b) Be in the competitive service in tenure group I or II;
  - c) Have received a performance rating of at least fully successful (Level 3) or equivalent on your most recent performance rating of record; and

- d) Have not declined a RIF offer with the same type of work schedule and a representative rate of pay at least as high as that of the position from which you have been or will be separated.
- 6) Your RPL eligibility will terminate prior to the end of your eligibility period if you:
  - a) Request removal in writing;
  - b) Separate for other reasons prior to the RIF effective date;
  - c) Accept a permanent appointment in any Federal agency;
  - d) Decline or fail to reply to a written offer or inquiry of availability for a position with the same type of work schedule and a representative rate of pay at least as high as the position from which you have been, or will be, separated;
  - e) Decline or fail to appear for an interview, or cannot be contacted; or
  - f) Receive a written notice that you no longer meet the conditions for RPL eligibility.
- 7) If you believe that your reemployment priority rights under the RPL have been violated, you may appeal to the MSPB under the regulations provided in Appendix 1.
- 8) If you are serving on an excepted appointment, consult with your supporting HRO concerning reemployment consideration for excepted service positions.

(NOTE: See 5 CFR, Part 330, Subpart B, and DoDI 1400.25, Volume 330, for additional RPL guidance.)

#### **D. INTERAGENCY CAREER TRANSITION ASSISTANCE PLAN (ICTAP)**

ICTAP provides you priority consideration for positions in non-DoD Federal agencies.

- 1) Eligibility for ICTAP begins on the date your agency issues you a specific RIF separation notice or proposed separation notice for declining a management-directed reassignment or TOF outside the commuting area, and ends 1 year from your separation date.
- 2) To be eligible, you must:
  - a) Be a current or former career or career-conditional competitive service employee;
  - b) Be separated or facing separation;
  - c) Have a fully successful or equivalent performance rating (current or last received);
  - d) Submit an application to the agency having the vacancy; and
  - e) Be well qualified for the vacant position.



- 3) The vacancy must be in the same commuting area as the location where you were or are being separated.
  - 4) If you meet the eligibility requirements, the agency must select you before hiring from outside the agency.
  - 5) The ICTAP requires Federal agencies to publish information at <https://www.usajobs.gov/> on all competitive service vacancies being recruited outside the agency.
  - 6) The application you submit must comply with all job announcement instructions and include a copy of your RIF separation notice or notice of proposed removal for declining a management-directed reassignment or TOF.
  - 7) Questions regarding ICTAP should be directed to your supporting HRO.
- (NOTE: See 5 CFR, Part 330, Subpart G, for additional ICTAP guidance.)

#### **E. TRANSITION ASSISTANCE WEBSITES**

Even if you are eligible for one or more of the placement assistance programs described above, you are encouraged to search for job opportunities on your own initiative using the following online services:

- 1) <https://www.usajobs.gov/> - USAJOBS is the official employment website of the Federal Government. It is a one-stop source for information about current Federal job opportunities, and includes full-text job announcements, access to electronic and hard-copy application forms, and answers to frequently asked questions.
- 2) <http://www.careeronestop.org> - The "Career One Stop" website links together state job placement offices throughout the U.S. and enables you to access job opportunities, get labor market trends and tips, post your resume for thousands of employers, and more.

### **3.0 TRANSITION ASSISTANCE PROGRAMS**

#### **A. TRAINING AND RETRAINING**

- 1) The Department of Labor, in coordination with local downsizing installations, manages training and retraining programs authorized by the Workforce Investment Act (WIA) and administered through the respective State Employment Security Agencies. This training is normally targeted to specific and known employment opportunities. In accordance with the WIA, every state is required to have "One-Stop Centers" designed to provide a full range of assistance for displaced employees. These centers offer training referrals, career counseling, job listings, and similar employment-related services. Customers can visit a center in person or access information via the Department of Labor's Employment and Training Administration website (<http://www.doleta.gov>). This website also provides valuable information on growing occupations and

employment trends in your area, which will be helpful in preparing for your next career.

- 2) Closing or downsizing activities may establish employee assistance/transition centers to provide career transition assistance, including resume preparation, interview and job hunting techniques, financial planning, and other services. Basic learning skills such as math and written communication may also be provided through the installation's transition assistance center. Check with your supporting HRO for more information on the services your agency provides.

## **B. RELOCATION ENTITLEMENTS**

- 1) Generally, when your relocation is in the best interest of the Government, relocation expenses are paid to move you from one duty station to another in a different geographical area. The DoD Joint Travel Regulations govern relocation entitlements for civilian employees and their dependents. Your supporting HRO and transportation office will provide Permanent Change of Station (PCS) counseling. You should always consult with these offices before making any relocation commitments, packing and moving household goods, or executing any contract for the sale or purchase of real estate.
- 2) Movements considered to be in the best interest of the Government generally include those involving employees who are:
  - a) Offered and accompany a TOF;
  - b) Issued a RIF notice and are being reassigned or transferred within the Department of Defense in lieu of separation;
  - c) Issued a management-directed reassignment determined to be in the best interest of the agency;
  - d) Faced with involuntary separation and have obtained employment through the PPP;
  - e) Separated by RIF, or after declining a TOF, including those permanently (non-temporary) reemployed within 1 year of separation at a duty station in another commuting area; or
  - f) Serving under retained grade and the Component has authorized registration and placement in a different commuting area.
- 3) Relocation expenses usually reimbursed include the following:
  - a) Transportation, packing, crating, and temporary storage of household goods and personal effects up to 18,000 pounds.
  - b) Per diem and transportation for you and your dependents when searching for permanent housing at the new duty location. This process is called a house-hunting trip (HHT) and its use is limited to travel within the United States. HHT includes transportation for one round trip for you and your spouse.

- c) Temporary Quarters Subsistence Expense (TQSE) for up to 60 days when warranted. This may be extended an additional 60 days based on exceptional circumstances. In the event a HHT is authorized and used, TQSE is reduced by the number of days taken for the HHT. TQSE is not normally extended beyond the initial period when HHT is used.
- d) Payment of specified expenses may be authorized when you sell a residence or settle an unexpired lease at the old duty station and/or, when you buy a residence at the new duty location.
- e) Payment of miscellaneous moving expenses, without receipts or itemized statements, may be up to 2 weeks' pay or \$1,000 if you have dependents that relocate, and 1 week's pay or \$500 if you are without dependents (whichever is less in both cases). Payment of miscellaneous moving expenses, with receipts, may be up to 2 weeks' pay if you have dependents that relocate or 1 week's pay if you are without dependents.
- f) Permanent storage of household goods and personal effects when your assignment is to an isolated area where living quarters are not available. Total amount of household goods storage and transportation cannot exceed 18,000 pounds.

#### **C. HOMEOWNER'S ASSISTANCE PROGRAM (HAP)**

Homeowners affected by base closures or realignments could be eligible for the HAP, which is administered by the U.S. Army Corps of Engineers. The HAP provides financial relief to employees who are relocating outside the commuting area and would otherwise lose money on the sale of their primary residence. To be eligible for HAP, you must be employed at or near an installation scheduled for realignment or closure and be the owner-occupant of the residence at the time of the BRAC announcement. You may also be eligible if you are serving on a tour of duty overseas and own a residence at or near a BRAC installation. Regardless of your circumstances, HAP assistance is not available until the Corps of Engineers has conducted a real estate survey and confirms that certain market conditions are in effect. Your HRO can refer you to the appropriate point of contact for more information regarding the HAP, or you can review information online at <http://hap.usace.army.mil>.

#### **D. PLACEMENT ASSISTANCE FOR SPOUSES & DOMESTIC PARTNERS**

If you are subject to separation due to RIF or declining a TOF outside of the commuting area and meet certain basic eligibility requirements, you will be eligible to register in the PPP. If you register and subsequently accept a DoD position outside of the commuting area, your spouse or domestic partner may also be eligible to register in the PPP, even though he or she was not affected by the RIF or TOF. Registration is allowed only if your spouse or domestic partner is a permanent DoD employee and is included as a dependent on your PCS orders. The area of consideration is limited to DoD activities within the commuting area of your new permanent duty station. Your spouse or domestic partner should contact his or her

supporting HRO for more detailed information regarding PPP registration for civilian spouses.

## 4.0 PAY & POST-SEPARATION BENEFITS AND ENTITLEMENTS

### A. PAY

- 1) **Final Salary Check.** Your final salary check is deposited to your current direct deposit account. Savings bonds are mailed to the address contained in the payroll system records. In order to receive any bonds or your Wage and Tax Statement (W-2 Form), it is important that you provide a complete and accurate forwarding address to your payroll office upon separation.
- 2) **Grade and Pay Retention.** You may be entitled to grade retention for up to 2 years and to pay retention thereafter, if you are placed prior to separation in a lower-graded DoD position as a result of RIF or job reclassification. Basic eligibility requirements are contained in title 5 U.S.C., Chapter 53, Subchapter VI, and 5 CFR Part 536. Your supporting HRO will advise you of your entitlement under these provisions.
- 3) **Severance Pay.** Federal agencies are required to make severance payments to eligible separating employees. The amount is determined by a formula that considers years of creditable civilian service, basic pay at the time of eligibility, and an adjustment for employees over age 40.
  - a) **Eligibility.** You may be entitled to severance pay if your separation is involuntary and, if on the date of separation, you have been continuously employed by the Federal Government for at least 12 months. This may include non-temporary and temporary employment provided there was no break in service of more than 3 calendar days between appointments. “RIF” and “Resignation-RIF” actions are considered involuntary separations only when you have received a written notice of RIF separation. There are other circumstances that provide severance pay eligibility. Your supporting HRO will explain these conditions at the appropriate time.
  - b) **Ineligibility.**
    - i. If you are eligible for an immediate annuity (see retirement information in Chapter 4, paragraphs D and E) or are receiving an annuity under any retirement law or system that applies to Federal employees or members of the uniformed services, you are not entitled to severance pay. This prohibition remains in effect even if you decide not to retire.
    - ii. Your eligibility for severance pay will terminate if you decline a reasonable offer before the involuntary separation. A reasonable job offer must be made in writing. You must meet the established qualification requirements and the offered position must be:

- (a) In the Department of Defense;
  - (b) Within your commuting area, unless geographic mobility is a condition of employment;
  - (c) The same tenure and work schedule (e.g., part-time or full-time); and
  - (d) Not lower than two grades or pay bands below your current permanent grade or pay band, without consideration of grade or pay retention.
- iii. Statutory requirements prohibit the concurrent receipt of severance pay and certain Federal Employees' Compensation Act (FECA) benefits. Specifically, compensation for temporary total disability (TTD) may not be paid for the period covered by severance pay. An election between the FECA benefits and the severance pay will be required in order to avoid an overpayment of benefits. Medical benefits under FECA as well as compensation for partial disability, however, are exempt from this prohibition.
  - iv. Employees who accept a nonappropriated fund position within 3 days of separation from an appropriated fund position are not eligible for severance pay.
- c) Severance Pay Computation.
- Severance pay is computed on the basis of two elements:
- i. **Basic Allowance.** The basic allowance is determined by adding 1 week of basic compensation (basic pay rate received immediately before involuntary separation) for each of the first 10 years of creditable service and 2 weeks of basic compensation for each year of creditable service beyond 10 years.
  - ii. **Age Adjustment.** The basic allowance is adjusted if you are over 40 years of age. The age adjustment is equal to 10 percent of the total basic allowance for each year that you exceed 40 years of age at the time of involuntary separation.
  - iii. **Total Severance Pay.** The basic allowance is added to the age adjustment allowance to determine your total entitlement.
  - iv. **Maximum Allowance.** The total severance pay you are eligible to receive is limited to 1 year of pay at the rate of pay received immediately before separation. **THIS IS A LIFETIME LIMITATION.** Therefore, if you become eligible to receive severance pay for a second time in your Federal career, your severance pay entitlement ends once the sum of the two severance periods reaches 52 weeks.

**EXAMPLE:** An employee, 45 years and 2 months of age, is involuntarily separated after 15 years of creditable service. The basic weekly pay prior to separation was \$450.00. Severance pay would be computed as follows:

<b>Basic Severance Allowance</b>		<b>Age Adjustment Allowance</b>	
1 week Basic Pay	\$450.00	Basic Severance Allowance	\$9,000.00
(Years of service up to 10)	<u>X 10</u>	(10 % of Basic Severance Allowance)	<u>X .10</u>
	\$ 4,500.00		\$900.00
2 weeks Basic Pay	\$900.00	(Number of Years age exceeds 40)	<u>X 5</u>
(Years of service beyond 10)	<u>X 5</u>	Age Adjustment Allowance	
	\$ 4,500.00		\$ 4,500.00
Basic Severance Allowance	\$ 9,000.00	Basic Severance Allowance	\$ 9,000.00
		Plus Age Adjustment Allowance	<u>+4,500.00</u>
		Total Severance Pay Fund	\$13,500.00

d) Creditable Service.

Service creditable for severance purposes includes:

- i. Civilian service performed by an employee;
- ii. Service performed with the United States Postal Service or the Postal Rate Commission;
- iii. Military service, including active or inactive training with the National Guard, when performed by employees who return to civilian service through the exercise of a restoration right provided by law, Executive order, or regulation; and
- iv. Service performed in a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard, as defined in 5 U.S.C. 2105(c), when individuals move to a position within the civil service employment system of the Department of Defense or the Coast Guard without a break in service of more than 3 days.

e) Payment

- i. Severance pay may be paid on a biweekly pay period basis or in a lump sum.
- ii. If paid in biweekly payments, the amount of each payment will be the same as your basic pay immediately prior to separation. These payments will continue every 2 weeks until the total severance pay fund is exhausted.
- iii. No deductions are withheld from severance payments other than Federal and state income tax withholding and FICA tax, if appropriate.
- iv. In the event you die before expiration of the payment period, biweekly payments will continue to your survivor until your severance pay entitlement ends. It will be paid on a pay period basis to your survivor



or survivors. No payment is made unless you are actually drawing severance pay.

- v. Any period during which severance pay is received is not considered Federal service or employment.
  - vi. Severance pay payments are terminated on reemployment in a Federal agency by a career or career-conditional appointment. If you received a lump-sum severance payment and are subsequently reemployed under a career or career-conditional appointment during the severance pay calculation period, you will be required to repay the portion of the lump sum payment not covered under the severance pay calculation period.
  - vii. Severance pay is deferred on reemployment in a Federal agency by temporary appointment not to exceed 1 year. Payments are resumed upon termination of the temporary appointment. The period of temporary appointment is not creditable for purposes of computing the severance pay it interrupts.
- f) Documentation.

When you are involuntarily separated, the remarks section of the Standard Form (SF) 50, "Notification of Personnel Action," will state whether you are or are not entitled to severance pay. If entitled, the SF 50 will state the total amount of severance pay, the amount of weekly pay, the number of weeks it will take to exhaust the entitlement, and the date payment begins.

(NOTE: See 5 CFR, Part 550, Subpart G, for additional Severance Pay guidance.)

## **B. LEAVE UPON SEPARATION**

### 1) Annual Leave.

- a) After you separate, you normally receive a lump-sum payment for any unused annual leave. The period of leave used for calculating the lump-sum payment ends as of your separation. It is not affected by a subsequent holiday. Lump-sum annual leave payments are not subject to retirement deductions. However, if you are reemployed by any Federal agency, or by the Government of the District of Columbia, within the period represented by the leave for which a lump sum was paid, you may be required to refund to the new agency some portion of the lump-sum amount. In this event, the new agency will credit you with the leave amount equal to the refund. Employees may not receive lump-sum payment for accumulated annual leave if they move to a DoD NAF position within 3 days of separation from a DoD appropriated fund position.
- b) Normally, you may carry up to 240 hours of annual leave (up to 360 hours for certain employees with overseas experience) into a new leave year. However, if you are at an activity scheduled to close or be realigned, you

may be entitled to accumulate annual leave without restriction under the provisions of 5 U.S.C. 6304(d)(3). If you are placed at a DoD activity not being closed or realigned, any leave restored under the authority of 5 U.S.C. 6304(d)(3) will be paid to you in lump sum. Similarly, if placed in another Federal agency, the leave is paid in lump sum upon your departure.

- c) You may use your accumulated annual leave upon involuntary separation as a result of RIF to remain on the rolls beyond your separation date in order to reach first retirement eligibility or attain eligibility for continued health benefits. For example, if you are close to retirement eligibility at the time of involuntary separation, you may stay on the rolls in an annual leave status to meet eligibility for retirement or continued health benefits. Annual leave cannot be advanced for this purpose.
- 2) Sick Leave. You are not paid for any unused sick leave at the time of separation. When you retire on an immediate CSRS annuity, you receive service credit equal to the unused sick leave. This additional credit is used in computing your annuity. Employees retiring under FERS will receive 50% service credit for unused sick leave if separating on or after October 28, 2009. Employees retiring under FERS on or after January 1, 2014, will receive 100% service credit for unused sick leave.

#### **C. UNEMPLOYMENT COMPENSATION**

Your State Workforce Agency determines your rights to unemployment compensation under the applicable unemployment compensation laws. In order to determine your eligibility for unemployment compensation, you must contact the nearest State Workforce Agency. All claims are submitted to that office upon separation. To support a claim, you will need a Social Security Number, the separation SF 50, "Notification of Personnel Action," and an SF 8, "Notice to Federal Employee About Unemployment Compensation" (provided on your last duty day). However, you should not wait until you receive these forms to file your claim for unemployment benefits as it may affect your eligibility. Instead, you should contact your local State Workforce Agency as soon as you are separated. Payments you receive such as an annuity, incentive pay, lump-sum annual leave, or workers' compensation may affect your eligibility for unemployment compensation. The applicable State Workforce Agency will make that determination.

#### **D. CIVIL SERVICE RETIREMENT SYSTEM (CSRS)**

- 1) Eligibility for Optional Retirement. Eligibility for CSRS retirement is determined based on your age and number of years of creditable service. Your servicing benefits center can assist you in determining a monthly annuity under CSRS. Your HRO can provide contact information or further guidance on requesting an annuity estimate. You may be eligible for an immediate annuity under optional retirement, provided you separate from a position subject to CSRS coverage, have at least 5 years of civilian service, and have:

- a) Attained age 55 and completed 30 years of creditable service; or
  - b) Attained age 60 and completed 20 years of creditable service; or
  - c) Attained age 62 and completed 5 years of creditable service.
  - d) In all cases, you must have been employed under the CSRS retirement system for at least 1 year within the 2-year period immediately preceding your separation.
- 2) Discontinued Service Retirement (DSR).
- a) If you are scheduled for involuntary separation as a result of RIF, you may be eligible for an immediate annuity under DSR provisions of the CSRS, provided that you separate from a position subject to CSRS coverage, have at least 5 years of civilian service, and have:
    - i. Attained age 50 and completed 20 years of creditable service; or
    - ii. Completed 25 years of creditable service, regardless of age.
    - iii. In either case, you must have been employed under the CSRS retirement system for at least 1 year within the 2-year period immediately preceding your separation.
    - iv. If you are under age 55, your basic annuity is reduced by 1/6 of one percent for each full month (two percent a year) you are under age 55. Your annuity rate will not be increased when you reach age 55.
- 3) Voluntary Early Retirement Authority (VERA). VERA age and service eligibility requirements are identical to DSR. The early retirement authority may be open to all or to a selected group of employees; however, it is available only during a specified time period, or “window.” VERA is a management tool used by organizations faced with downsizing, workforce restructuring, and/or base closure and realignment actions. VERA, however, is fundamentally different from DSR. DSR occurs as a result of an action against the will of an employee. VERA allows you to volunteer for retirement well in advance of the announcement or implementation of formal RIF procedures. Employees in receipt of a specific RIF separation notice or a decision notice of involuntary separation for misconduct or unacceptable performance are not eligible for VERA. If you are eligible for VERA and work in specified organizations or positions where it is being offered, you may volunteer to take early retirement if your departure would prevent the involuntary separation or demotion of another employee. Your separation must take place during the VERA opportunity period. Depending on your age, you may receive a reduced annuity (see paragraph D.2.a.(4))

(NOTE: See CSRS Two Percent Age Reduction Table, Appendix 4, to compute estimated reduction.)

- 4) Deferred Retirement.
  - a) If you are ineligible for an immediate annuity, you may be entitled to a deferred annuity at age 62 if you have:
    - i. Completed at least 5 years of civilian service, separated from a position subject to CSRS coverage and do not take a refund of retirement contributions after separating; and
    - ii. Been employed under the CSRS retirement system for at least 1 year within the 2-year period immediately preceding separation.
  - b) You should request an Office of Personnel Management (OPM) Form 1496A at <http://www.opm.gov/forms/html/opm.asp> not earlier than 3 months before attaining age 62 to make application for a deferred annuity. The request must include your full name, date of birth, social security number, last employing agency, and date of separation from Federal employment. You may obtain an application from OPM at the following address: Office of Personnel Management Retirement Operations Center, P.O. Box 45, Boyers, PA 16017-0045

(NOTE: If you receive a deferred annuity, you may not reinstate your health and life insurance benefits.)

- 5) Refund of Retirement Contributions. If you are not eligible for an immediate annuity, you may elect to withdraw your retirement contributions in a lump sum, or you may elect to leave your contributions in the retirement fund and avoid future redeposit considerations in the event you are reemployed in the Federal service. If you have less than 5 years of service, you are not vested. If you do not contemplate a return to Federal service, there is no advantage to leaving your contributions in the fund. If you are entitled to a deferred annuity at age 62, the value of the deferred annuity in most cases will exceed the amount of the lump sum. Leaving your contributions in the fund does not preclude a refund at a later date, providing you make application with the Office of Personnel Management at least 31 days before becoming eligible for an annuity. If you die before attaining age 62, the lump sum contributions are paid as a death benefit. If you desire a refund, you should obtain and file an “Application for Refund of Retirement Deductions” (SF 2802 - CSRS) at <http://www.opm.gov/forms/html/sf.asp> or from your supporting HRO. If you have been separated from employment for more than 30 days, the application should be sent directly to: Office of Personnel Management, Civil Service Retirement System Retirement Operations Center, Boyers, PA 16017.
- 6) The monthly annuity rate chart in Appendix 2 is for information only. Estimates of annuities and contributions should be obtained through your servicing benefits center. Your HRO can provide contact information or further guidance on requesting an annuity estimate.

**E. FEDERAL EMPLOYEES RETIREMENT SYSTEM (FERS)**

- 1) Eligibility for Optional Retirement. Eligibility for FERS retirement is determined based on your age and number of years of creditable service. Your servicing benefits center can assist you in determining a monthly annuity under FERS. Your HRO can provide contact information or further guidance on requesting an annuity estimate. You must have reached the Minimum Retirement Age (MRA) to be eligible for retirement benefits. You may be eligible for an immediate annuity under optional retirement, if you separate from a position subject to FERS coverage, have at least 5 years of civilian service, and have:
  - a) Attained your MRA and completed 30 years of creditable service;
  - b) Attained age 60 and completed 20 years of creditable service;
  - c) Attained age 62 and completed 5 years of creditable service, or
  - d) Attained your MRA and completed 10 years of creditable service (MRA+10).
- 2) Minimum Retirement Age (MRA) Information.

IF BORN:	THE MRA IS:
Before 1948	55
In 1948	55 and 2 months
In 1949	55 and 4 months
In 1950	55 and 6 months
In 1951	55 and 8 months
In 1952	55 and 10 months
In 1953 through 1964	56
In 1965	56 and 2 months
In 1966	56 and 4 months
In 1967	56 and 6 months
In 1968	56 and 8 months
In 1969	56 and 10 months
In 1970 and after	57

- 3) Retiree Annuity Supplement (RAS).
  - a) The retiree annuity supplement is a benefit paid until age 62 to certain FERS employees who retire before age 62 and are entitled to an immediate annuity. The RAS approximates the portion of a full career Social Security benefit earned while under FERS and supplements the annuity. The RAS ends at age 62 when Social Security benefits first become available.

- b) You will be immediately eligible for the RAS at the time of retirement if you:
  - i. Have at least 1 calendar year of FERS service; and
  - ii. Retire with entitlement to an immediate annuity:
    - (a) At or after the MRA with at least 30 years of service;
    - (b) At age 60 with at least 20 years of service;
    - (c) Under one of the special provisions for law enforcement officers, firefighters, air traffic controllers, or military reserve technicians;
    - (d) At or after the MRA under DSR (see paragraph E.4.) or VERA (see paragraph E.5.) retirement provisions; or
    - (e) Regardless of age for members of the Senior Executive Service and Defense Intelligence Senior Executive Service who are eligible for early retirement because of failure to be recertified as a senior executive.
- c) You will be eligible for the RAS annuity supplement only upon attaining the MRA (rather than at time of retirement) if you:
  - i. Have at least 1 calendar year of FERS service; and
  - ii. Retire before the MRA under the provisions for DSR or VERA; or
  - iii. Are a member of the Senior Executive Service or Defense Intelligence Senior Executive Service and elect early retirement.
- d) Retirees in the following categories are not eligible for the RAS at any time:
  - i. Disability retirees;
  - ii. Individuals retiring under the MRA+10 provision;
  - iii. Individuals who are eligible only for a deferred annuity; or
  - iv. Individuals retiring at age 62 or later.
- 4) Discontinued Service Retirement (DSR). If you are affected by a management action beyond your control, such as RIF, abolishment of position, etc., you may be entitled to an immediate annuity under the DSR provisions of the FERS if you separate from a position subject to FERS coverage, have at least 5 years of civilian service, and have:
  - a) Attained age 50 and completed 20 years of creditable service; or
  - b) Completed 25 years of creditable service, regardless of age.

(NOTE: If you retire prior to your MRA under this provision, you will not receive RAS until you reach your MRA (55 - 57)). There is no age reduction in the annuity under FERS; however, an annuity reduction may occur if retiring under “MRA+10” as discussed in paragraph E.7.

- 5) Voluntary Early Retirement Authority (VERA). VERA age and service eligibility requirements are identical to DSR. The early retirement authority may be open



to all or to a selected group of employees; however, it is available only during a specified time period, or “window.” VERA is a management tool used by organizations faced with downsizing, workforce restructuring, and/or base closure and realignment actions. VERA, however, is fundamentally different from DSR. DSR occurs as a result of an action against the will of an employee. VERA allows you to volunteer for retirement well in advance of the announcement or implementation of formal RIF procedures. Employees in receipt of a specific RIF separation notice or a decision notice of involuntary separation for misconduct or unacceptable performance are not eligible for VERA. If you are eligible for VERA and work in specified organizations or positions where it is being offered, you may volunteer to take early retirement if your departure would prevent the involuntary separation or demotion of another employee. Your separation must take place during the VERA opportunity period. Under FERS, there is no age reduction in the annuity. However, an annuity reduction may occur if retiring under “MRA+10” as discussed in paragraph C4.5.6.

(NOTE: If you retire prior to your MRA under this provision, you will not receive the RAS until you reach your MRA (55 - 57)). There is no age reduction in the annuity under FERS; however, an annuity reduction may occur if retiring under “MRA+10” as discussed in paragraph E.7.

- 6) Deferred Retirement. If you are ineligible for an immediate annuity, you may be entitled to a deferred annuity if you separated from a position subject to FERS coverage, have completed at least 5 years of creditable civilian service and have not received any refund of your retirement contributions. The table provided indicates age and service requirements for attaining eligibility.

AGE	YEARS OF SERVICE
62	5
60	20
MRA	30
MRA	10*
*denotes reduced benefit	

If you separate and apply for a deferred annuity at your MRA with at least 10 years of service (MRA+10), but less than 30 years of service, the benefit will be reduced at the rate of 5 percent a year for each year under age 62. There is no reduction if you have at least 20 years of service and the annuity begins at age 60 or later. Under a deferred annuity, health and life insurance benefits cannot be reinstated. If you wish to apply for deferred retirement under FERS, an application form (RI Form 92-19) can be downloaded at <http://www.opm.gov/forms/html/ri.asp> or requested from OPM at least 3 months in advance of the desired retirement date. The request should be

submitted to the following address: Office of Personnel Management Federal Employees Retirement System, P.O. Box 200, Boyers, PA 16017.

- 7) Postponed “MRA+10” Annuity.
- a) If you are eligible for an MRA+10 immediate annuity upon separation, you may postpone receipt of the annuity in order to reduce or negate the age reduction for early retirement. Receipt of the annuity may be postponed until age 62. You must have at least 10 years of creditable Federal service (any required military deposits must be made prior to separation in order for the time to be creditable) and have met MRA at separation. For example, if your MRA is 56 years of age and you are separated with at least 10 years of service, the annuity would be reduced by 30 percent ( $62 - 56 = 6 \times 5$  percent = 30 percent). If you decide to postpone the annuity (allowed by FERS), annuity payments could be started at your option at age 60. This would result in only a 10 percent reduction ( $62 - 60 = 2 \times 5$  percent = 10 percent). If you elect to wait until age 62, the retirement age reduction would be negated ( $62 - 62 = 0 \times 5$  percent = 0 percent). If you choose to postpone the annuity, you would be entitled to reinstate (upon annuity receipt) health insurance and life insurance. Insurance coverage would be available during the duration of retirement. Under a MRA+10 annuity, you will not be eligible for the RAS.
  - b) If you are not eligible for a MRA+10 annuity upon separation, but have 10 years of service and will be eligible for an MRA+10 deferred annuity when you reach your MRA, you may postpone receipt of the annuity in order to reduce or negate the age reduction for early retirement. Receipt of the annuity may be postponed until age 62. You must have at least 10 years of creditable Federal service and any required military deposits must be made prior to separation in order for the time to be creditable. Under a deferred MRA+10 annuity, health and life insurance benefits cannot be reinstated and you will not be eligible for the RAS.

(NOTE: See FERS 5 Percent Age Reduction Table, Appendix 5, to compute sample reduction.)

- 8) Refund of Retirement Contributions. On separation, you may withdraw your FERS contributions. Effective October 28, 2009, employees covered by FERS are permitted to make a redeposit of previously withdrawn contributions plus interest.

#### **F. THRIFT SAVINGS PLAN (TSP) BENEFITS**

- 1) All employees separating from the Federal service, even if separated involuntarily by RIF, have several TSP options available. When you leave Federal service, your agency will give you a TSP Withdrawal letter. This letter will direct you to the TSP website at <http://www.tsp.gov> to download the necessary forms and booklets. Withdrawal options include one or any combination of three withdrawal options: a TSP life annuity, a single payment,

or a series of monthly payments. You may also transfer your account balance to an IRA or other acceptable retirement fund, or leave the money in your TSP account. If your vested account balance is less than \$200 when you leave Federal service, the TSP will automatically send you a check for the amount in your account. The check will be mailed to the address in your TSP account record. You cannot leave this money in the TSP or make any other withdrawal election.

- 2) If you leave your money in the TSP when you separate, you are required to exercise your payout options by withdrawing your account in a single payment or begin receiving monthly payments by April 1 of the year following the year you reach age 70½. If over age 70½ at separation, you must receive your account balance, or begin receiving monthly payments, by April 1 of the year following your separation from Federal service. If no withdrawal option is made to start receiving payments by this deadline, your account may be declared abandoned.
- 3) If you leave Federal service before the year in which you attain age 55 and withdraw the TSP account in a single payment (or a series of monthly payments not based on the IRS life expectancy tables), you will be assessed a 10 percent early withdrawal tax penalty on all direct payments received before age 59½. There is no early withdrawal penalty if you separate in the year, or after the year, you become age 55.

#### **G. FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM**

(<http://www.opm.gov/insure/health>)

- 1) Annuitant Coverage. Your health insurance coverage continues if you retire under certain circumstances. Annuitants are entitled to the same benefits as active employees enrolled in the same plan. The cost will be the same as for active employees and will be deducted from your annuity. (Annuitants may not currently participate in premium conversion, the program that permits employees to save on their taxes by paying health insurance premiums with pre-tax money.) Government contributions continue at the same rate as for active employees. However, to continue enrollment after retirement, you must:
  - a) Retire on an immediate annuity (an annuity which begins to accrue no later than 1 month after the date of separation);
  - b) Have been enrolled in a plan under the FEHB Program during:
    - i. The 5 years of service immediately preceding retirement (coverage under CHAMPUS or TRICARE may count toward the 5 years as long as you are enrolled in FEHB at the time of separation); or
    - ii. For the full period(s) of service since your first opportunity to enroll (if such service is less than 5 years).

- 2) Automatic Waiver of FEHB Minimum Participation Requirement.
  - a) OPM will grant pre-approved waivers to DoD employees covered under the FEHB Program continuously since the beginning date of the DoD Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Pay (VSIP) period. Since the DoD VERA and VSIP authority is permanent, the VERA/VSIP period is renewed each fiscal year and lasts from October 1 to September 30. OPM will grant pre-approved waivers to DoD employees who:
    - i. Have been covered under the FEHB program continuously since October 1st for each succeeding fiscal year; and
    - ii. Retire during the DoD VERA/VSIP period; and
    - iii. Receive a VSIP; or
    - iv. Take early optional retirement; or
    - v. Take a discontinued service retirement based on an involuntary separation due to RIF, directed reassignment, reclassification to a lower grade, or abolishment of position.
- 3) Documentation. Your supporting HRO will provide necessary counseling to you and appropriate documentation to OPM in order to process the continuance of FEHB. If, as a retiring employee, you do not want continued enrollment, you may complete an SF 2809, Employee Health Benefit Registration Form, to cancel it.
- 4) Postponed FERS Annuities. If you are a FERS retiree separating at the minimum retirement age and 10 years of service (MRA+10), you have the option to postpone your annuity in order to reduce, or negate, the age reduction. If you choose to postpone the annuity, you will be entitled to reinstate (upon annuity receipt) health insurance coverage.
- 5) Separation Coverage. If you are not eligible for retirement and are separated by RIF, or voluntarily resign, you may elect conversion of health insurance coverage to a private policy or elect Temporary Continuation of Coverage (TCC). If you are involuntarily separated by RIF, or volunteer to be separated from a “surplus position,” you may receive TCC based on 5 U.S.C. 8905a(d)(4). If you are eligible for this special TCC, you pay only the employee contribution for FEHB. If you are enrolled in health benefits on your separation date, you will be provided notification and an SF 2809, Health Benefits Registration Form, containing the procedures for electing the continued health insurance. If you are eligible, you have 60 days from the date of separation or receipt of the notification to enroll in TCC. Coverage ends after 18 months; however, there is a 31-day period to convert the coverage to a private policy.

(NOTE: TCC is a time-limited authority. Check with your local Human Resources Office to determine whether it is authorized.)

**H. FEDERAL EMPLOYEES GROUP LIFE INSURANCE (FGLI) PROGRAM**  
(<http://www.opm.gov/insure/life>)

- 1) Annuitant Coverage.
  - a) CSRS or FERS Immediate Annuities. When you retire, you must make an election concerning life insurance. To continue life insurance into retirement, you must:
    - i. Retire from a position while insured;
    - ii. Not convert the coverage to an individual policy;
    - iii. Retire on an immediate annuity (that is, an annuity that begins to accrue no later than 1 month after you separate); and
    - iv. Have each type of life insurance coverage for the 5 years of service immediately preceding retirement or the full period of service during which the coverage was available, if less than 5 years.
  - b) You may choose from three levels of coverage for your basic insurance, a 75 percent reduction, a 50 percent reduction, or no reduction. Elected reductions begin at age 65 (or upon retirement if you are older than 65). The 75 percent reduction occurs at a rate of 2 percent per month; the 50 percent reduction at 1 percent a month. As a retiree, your premiums are based on the type of post-retirement coverage elected (SF-2818) and are deducted from the annuity.
  - c) If you choose to continue Option A coverage, the amount of insurance reduces after age 65 at the rate of 2 percent per month until Option A reaches \$2500.
  - d) You may choose from two levels of coverage for your Option B and Option C insurance: Full Reduction or No Reduction. However, if you do not make an election you will automatically get the Full Reduction.
    - i. Full Reduction: You continue to pay at the same rate as active employees up to age 65. Upon reaching age 65 there is no longer any cost to you; however, the value of the coverage is reduced by 2 percent per month until the amount is reduced 100 percent.
    - ii. No Reduction: You continue to pay at the same rate as active employees. Coverage will not reduce and premiums will continue to be withheld from the annuity after age 65. You may change to full reduction at any time.
  - e) Postponed FERS Annuities. FERS retirees, separating at the minimum retirement age with 10 years of service (MRA+10), have the opportunity to postpone their annuity in order to reduce or negate the age reduction. If you make this election, you may reinstate life insurance coverage upon commencement of the annuity.



- 2) Separation Coverage. If you are enrolled in the FEGLI Program and will be separated, you will receive an Agency Certification of Insurance Status (SF 2821) indicating your enrollment is terminated. You will also receive a “Notice of Conversion Privilege” (SF 2819). If you desire conversion of the insurance coverage to an individual policy (in an amount equal to or less than the group life insurance), the reverse side of the SF 2819 must be completed. The SF 2821 must be attached to the SF 2819 and forwarded within 31 calendar days (60 calendar days if overseas) of the separation date or 60 calendar days ((90 calendar days if overseas) of the date of receipt of the SF 2819 (whichever allows the most time) to this address: Office of Federal Employees’ Group Life Insurance, P.O. Box 2627, Jersey City, NJ 07303-2627.

(NOTE: This time frame applies to employees who lose FEGLI coverage on or after October 1, 2010.)

## **5.0 APPEALS**

### **A. RIF APPEALS**

If you are adversely affected by RIF and believe the RIF action deprived you of rights to which you would otherwise be entitled under the regulations of your agency or OPM, you may appeal such action to the MSPB. Appeals of RIF actions must be filed no later than 30 days after the effective date of the action being appealed, or 30 days after the date of receipt of the agency decision, whichever is later. However, if you are in a bargaining unit covered by a negotiated grievance procedure that was negotiated after the Civil Service Reform Act, and that does not exclude RIF, you must use the negotiated grievance procedure and may not appeal RIF actions to MSPB except in limited situations. Time limits and procedures for filing and processing a grievance under a negotiated grievance procedure are contained in the applicable collective bargaining agreement. Your RIF notice will provide the proper procedures for submitting an appeal or grievance. Appendix 1 contains the MSPB regulations covering RIF appeals.

### **B. PREPARING A RIF APPEAL**

If considering an appeal or grievance, you are urged to review the applicable regulations and all records and registers that have a bearing on the RIF action. This review has a very practical purpose. It may reveal an error or oversight that can be corrected, or substantiate to your satisfaction, that the action is proper. As a minimum, a review should serve to aid you in the preparation of an appeal or grievance.

### **C. GROUNDS FOR A RIF APPEAL**

Grounds for appeal include:

- 1) Improper retention of another employee in a lower subgroup or an employee with lower retention standing;



- 2) Insufficient advance notice given. Agencies must give a minimum 60-day written notice;
- 3) Inadequate reasons or failure to give reasons for regulatory exceptions;
- 4) Denial of your right to examine the regulations or to inspect the retention registers and related records;
- 5) Excessive restriction of the competitive area;
- 6) Improper tenure group assigned;
- 7) Violation of your veterans' preference;
- 8) Error in computing a service computation date; or
- 9) Failure of the installation to comply with its RIF administrative procedures.

#### **D. MSPB APPEAL FORM**

The appeal form in Appendix 1 may be used to file an appeal of a RIF action. Employees also have the option of filing electronically, via E-Appeal at <https://e-appeal.mspb.gov/>. E-Appeal is the only means allowed for filing an appeal electronically. An appeal may be filed at any time after the effective date of a RIF action, but not later than 30 calendar days after the effective date of that action. The appeal must be in writing and addressed to the appropriate office of the MSPB. MSPB addresses are listed in Appendix 1. If you decide to appeal a RIF action to the MSPB, the appeal must include:

- 1) The name, address, and telephone number of both the employee filing the appeal and the agency;
- 2) The action taken by the agency and its effective date;
- 3) A request for a hearing, if desired;
- 4) A statement of the reasons why you believe the agency action was wrong (Failure to raise a claim or defense in the appeal will not prohibit its submission at a later time, unless doing so would prejudice the rights of the other parties and unduly delay the proceedings.);
- 5) A statement of the action you would like the presiding officer to order;
- 6) The name, address and telephone number of your representative, if any;
- 7) Any relevant documents including the decision notice;
- 8) A statement as to whether you or anyone acting on your behalf has filed a grievance or complaint with any agency regarding this matter; and
- 9) Your signature or that of your representative, if any.

## **APPENDIX 1**

### **MERIT SYSTEMS PROTECTION BOARD (MSPB) APPEAL REGULATIONS AND FORM**

(NOTE: All DoD activities must insert a copy of the MSPB Appeal Regulations and Appeal Form when this Guide is issued to employees.)

## APPENDIX 2

### CSRS GENERAL FORMULA COMPUTATION TABLE

For Computing Basic Annuity Where High-Three Average Salary is \$5,000 or more

YEARS OF SERVICE	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
5	0.075000	0.076458	0.077917	0.079375	0.080833	0.082292	0.08375	0.085208	0.086667	0.088125	0.089583	0.091042
6	.092500	.093958	.095417	.096875	.098333	.099792	.101250	.102708	.104167	.105625	.107083	.108542
7	.110000	.111458	.112917	.114375	.115833	.117292	.118750	.120208	.121667	.123125	.124583	.126042
8	.127500	.128958	.130417	.131875	.133333	.134792	.136250	.137708	.139167	.140625	.142083	.143542
9	.145000	.146458	.147917	.149375	.150833	.152292	.153750	.155208	.156667	.158125	.159583	.161042
10	.162500	.164167	.165833	.167500	.169167	.170833	.172500	.174167	.175833	.177500	.179167	.180833
11	.182500	.184167	.185833	.187500	.189167	.190833	.192500	.194167	.195833	.197500	.199167	.200833
12.	.202500	.204167	.205833	.207500	.209167	.210833	.212500	.214167	.215833	.217500	.219167	.220833
13.	.222500	.224167	.225833	.227500	.229167	.230833	.232500	.234167	.235833	.237500	.239167	.240833
14.	.242500	.244167	.245833	.247500	.249167	.250833	.252500	.254167	.255833	.257500	.259167	.260833
15	.262500	.264167	.265833	.267500	.269167	.270833	.272500	.274167	.275833	.277500	.279167	.280833
16	.282500	.284167	.285833	.287500	.289167	.290833	.292500	.294167	.295833	.297500	.299167	.300833
17	.302500	.304167	.305833	.307500	.309167	.310833	.312500	.314167	.315833	.317500	.319167	.320833
18	.322500	.324167	.325833	.327500	.329167	.330833	.332500	.334167	.335833	.337500	.339167	.340833
19	.342500	.344167	.345833	.347500	.349167	.350833	.352500	.354167	.355833	.357500	.359167	.360833
20.	.362500	.364167	.365833	.367500	.369167	.370833	.372500	.374167	.375833	.377500	.379167	.380833
21	.382500	.384167	.385833	.387500	.389167	.390833	.392500	.394167	.395833	.397500	.399167	.400833
22.	.402500	.404167	.405833	.407500	.409167	.410833	.412500	.414167	.415833	.417500	.419167	.420833
23	.422500	.424167	.425833	.427500	.429167	.430833	.432500	.434167	.435833	.437500	.439167	.440833
24.	.442500	.444167	.445833	.447500	.449167	.450833	.452500	.454167	.455833	.457500	.459167	.460833
25	.462500	.464167	.465833	.467500	.469167	.470833	.472500	.474167	.475833	.477500	.479167	.480833
26	.482500	.484167	.485833	.487500	.489167	.490833	.492500	.494167	.495833	.497500	.499167	.500833
27	.502500	.504167	.505833	.507500	.509167	.510833	.512500	.514167	.515833	.517500	.519167	.520833
28.	.522500	.524167	.525833	.527500	.529167	.530833	.532500	.534167	.535833	.537500	.539167	.540833
29.	.542500	.544167	.545833	.547500	.549167	.550833	.552500	.554167	.555833	.557500	.559167	.560833

YEARS OF SERVICE	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
30	.562500	.564167	.565833	.567500	.569167	.570833	.572500	.574167	.575833	.577500	.579167	.580833
31	.582500	.584167	.585833	.587500	.589167	.590833	.592500	.594167	.595833	.597500	.599167	.600833
32.	.602500	.604167	.605833	.607500	.609167	.610833	.612500	.614167	.615833	.617500	.619167	.620833
33.	.622500	.624167	.625833	.627500	.629167	.630833	.632500	.634167	.635833	.637500	.639167	.640833
34.	.642500	.644167	.645833	.647500	.649167	.650833	.652500	.654167	.655833	.657500	.659167	.660833
35	.662500	.664167	.665833	.667500	.669167	.670833	.672500	.674167	.675833	.677500	.679167	.680833
36.	.682500	.684167	.685833	.687500	.689167	.690833	.692500	.694167	.695833	.697500	.699167	.700833
37.	.702500	.704167	.705833	.707500	.709167	.710833	.712500	.714167	.715833	.717500	.719167	.720833
38.	.722500	.724167	.725833	.727500	.729167	.730833	.732500	.734167	.735833	.737500	.739167	.740833
39.	.742500	.744167	.745833	.747500	.749167	.750833	.752500	.754167	.755833	.757500	.759167	.760833
40.	.762500	.764167	.765833	.767500	.769167	.770833	.772500	.774167	.775833	.777500	.779167	.780833
41	.782500	.784167	.785833	.787500	.789167	.790833	.792500	.794167	.795833	.797500	.799167	80% <sup>1</sup>

To obtain the basic annuity, multiply the high-three average salary by the factor indicated under applicable years and months of service.

1. Annuity in excess of 80 percent which is produced by credit for unused sick leave is payable.

### APPENDIX 3

**FERS COMPUTATION TABLE 1% ACCRUAL FACTOR**

YEARS OF SERVICE	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4 MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
1	0.010000	0.010833	0.011667	0.012500	0.013333	0.014167	0.015000	0.015833	0.016667	0.017500	0.018333	0.019167
2	0.020000	0.020833	0.021667	0.022500	0.023333	0.024167	0.025000	0.025833	0.026667	0.027500	0.028333	0.029167
3	0.030000	0.030833	0.031667	0.032500	0.033333	0.034167	0.035000	0.035833	0.036667	0.037500	0.038333	0.039167
4	0.040000	0.040833	0.041667	0.042500	0.043333	0.044167	0.045000	0.045833	0.046667	0.047500	0.048333	0.049167
5	0.050000	0.050833	0.051667	0.052500	0.053333	0.054167	0.055000	0.055833	0.056667	0.057500	0.058333	0.059167
6	0.060000	0.060833	0.061667	0.062500	0.063333	0.064167	0.065000	0.065833	0.066667	0.067500	0.068333	0.069167
7	0.070000	0.070833	0.071667	0.072500	0.073333	0.074167	0.075000	0.075833	0.076667	0.077500	0.078333	0.079167
8	0.080000	0.080833	0.081667	0.082500	0.083333	0.084167	0.085000	0.085833	0.086667	0.087500	0.088333	0.089167
9	0.090000	0.090833	0.091667	0.092500	0.093333	0.094167	0.095000	0.095833	0.096667	0.097500	0.098333	0.099167
10	0.100000	0.100833	0.101667	0.102500	0.103333	0.104167	0.105000	0.105833	0.106667	0.107500	0.108333	0.109167
11	0.110000	0.110833	0.111667	0.112500	0.113333	0.114167	0.115000	0.115833	0.116667	0.117500	0.118333	0.119167
12	0.120000	0.120833	0.121667	0.122500	0.123333	0.124167	0.125000	0.125833	0.126667	0.127500	0.128333	0.129167
13	0.130000	0.130833	0.131667	0.132500	0.133333	0.134167	0.135000	0.135833	0.136667	0.137500	0.138333	0.139167
14	0.140000	0.140833	0.141667	0.142500	0.143333	0.144167	0.145000	0.145833	0.146667	0.147500	0.148333	0.149167
15	0.150000	0.150833	0.151667	0.152500	0.153333	0.154167	0.155000	0.155833	0.156667	0.157500	0.158333	0.159167
16	0.160000	0.160833	0.161667	0.162500	0.163333	0.164167	0.165000	0.165833	0.166667	0.167500	0.168333	0.169167
17	0.170000	0.170833	0.171667	0.172500	0.173333	0.174167	0.175000	0.175833	0.176667	0.177500	0.178333	0.179167
18	0.180000	0.180833	0.181667	0.182500	0.183333	0.184167	0.185000	0.185833	0.186667	0.187500	0.188333	0.189167
19	0.190000	0.190833	0.191667	0.192500	0.193333	0.194167	0.195000	0.195833	0.196667	0.197500	0.198333	0.199167
20	0.200000	0.200833	0.201667	0.202500	0.203333	0.204167	0.205000	0.205833	0.206667	0.207500	0.208333	0.209167
21	0.210000	0.210833	0.211667	0.212500	0.213333	0.214167	0.215000	0.215833	0.216667	0.217500	0.218333	0.219167
22	0.220000	0.220833	0.221667	0.222500	0.223333	0.224167	0.225000	0.225833	0.226667	0.227500	0.228333	0.229167
23	0.230000	0.230833	0.231667	0.232500	0.233333	0.234167	0.235000	0.235833	0.236667	0.237500	0.238333	0.239167
24	0.240000	0.240833	0.241667	0.242500	0.243333	0.244167	0.245000	0.245833	0.246667	0.247500	0.248333	0.249167
25	0.250000	0.250833	0.251667	0.252500	0.253333	0.254167	0.255000	0.255833	0.256667	0.257500	0.258333	0.259167
26	0.260000	0.260833	0.261667	0.262500	0.263333	0.264167	0.265000	0.265833	0.266667	0.267500	0.268333	0.269167
27	0.270000	0.270833	0.271667	0.272500	0.273333	0.274167	0.275000	0.275833	0.276667	0.277500	0.278333	0.279167
28	0.280000	0.280833	0.281667	0.282500	0.283333	0.284167	0.285000	0.285833	0.286667	0.287500	0.288333	0.289167

YEARS OF SERVICE	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4 MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
29	0.290000	0.290833	0.291667	0.292500	0.293333	0.294167	0.295000	0.295833	0.296667	0.297500	0.298333	0.299167
30	0.300000	0.300833	0.301667	0.302500	0.303333	0.304167	0.305000	0.305833	0.306667	0.307500	0.308333	0.309167
31	0.310000	0.310833	0.311667	0.312500	0.313333	0.314167	0.315000	0.315833	0.316667	0.317500	0.318333	0.319167
32	0.320000	0.320833	0.321667	0.322500	0.323333	0.324167	0.325000	0.325833	0.326667	0.327500	0.328333	0.329167
33	0.330000	0.330833	0.331667	0.332500	0.333333	0.334167	0.335000	0.335833	0.336667	0.337500	0.338333	0.339167
34	0.340000	0.340833	0.341667	0.342500	0.343333	0.344167	0.345000	0.345833	0.346667	0.347500	0.348333	0.349167
35	0.350000	0.350833	0.351667	0.352500	0.353333	0.354167	0.355000	0.355833	0.356667	0.357500	0.358333	0.359167
36	0.360000	0.360833	0.361667	0.362500	0.363333	0.364167	0.365000	0.365833	0.366667	0.367500	0.368333	0.369167
37	0.370000	0.370833	0.371667	0.372500	0.373333	0.374167	0.375000	0.375833	0.376667	0.377500	0.378333	0.379167
38	0.380000	0.380833	0.381667	0.382500	0.383333	0.384167	0.385000	0.385833	0.386667	0.387500	0.388333	0.389167
39	0.390000	0.390833	0.391667	0.392500	0.393333	0.394167	0.395000	0.395833	0.396667	0.397500	0.398333	0.399167
40	0.400000	0.400833	0.401667	0.402500	0.403333	0.404167	0.405000	0.405833	0.406667	0.407500	0.408333	0.409167

To obtain the basic annuity, multiply the high-three average salary by the factor indicated under applicable years and months of service.

Example 1: Employee A retires at age 62 after 13 years and 6 months of Federal employment. His high-3 average salary is \$68,000. The one percent accrual factor for 13 years and 6 months is .135 (found in the “6 Month” column, line 13). Multiply .135 by \$68,000 to obtain Employee A’s annual basic annuity amounting to \$9,180.



## APPENDIX 4

### CSRS 2% AGE REDUCTION TABLE

Factors for Determining Reduction in Basic Annuity (Age 50 and completed 20 years of creditable service or regardless of age, completed 25 years of creditable service)

AGE AT SEPARATION AND AT LEAST ONE DAY OVER	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4 MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
40	0.701667	0.703333	0.705000	0.706667	0.708333	0.710000	0.711667	0.713333	0.715000	0.716667	0.718333	0.720000
41	0.721667	0.723333	0.725000	0.726667	0.728333	0.730000	0.731667	0.733333	0.735000	0.736667	0.738333	0.740000
42	0.741667	0.743333	0.745000	0.746667	0.748333	0.750000	0.751667	0.753333	0.755000	0.756667	0.758333	0.760000
43	0.761667	0.763333	0.765000	0.766667	0.768333	0.770000	0.771667	0.773333	0.775000	0.776667	0.778333	0.780000
44	0.781667	0.783333	0.785000	0.786667	0.788333	0.790000	0.791667	0.793333	0.795000	0.796667	0.798333	0.800000
45	0.801667	0.803333	0.805000	0.806667	0.808333	0.810000	0.811667	0.813333	0.815000	0.816667	0.818333	0.820000
46	0.821667	0.823333	0.825000	0.826667	0.828333	0.830000	0.831667	0.833333	0.835000	0.836667	0.838333	0.840000
47	0.841667	0.843333	0.845000	0.846667	0.848333	0.850000	0.851667	0.853333	0.855000	0.856667	0.858333	0.860000
48	0.861667	0.863333	0.865000	0.866667	0.868333	0.870000	0.871667	0.873333	0.875000	0.876667	0.878333	0.880000
49	0.881667	0.883333	0.885000	0.886667	0.888333	0.890000	0.891667	0.893333	0.895000	0.896667	0.898333	0.900000
50	0.901667	0.903333	0.905000	0.906667	0.908333	0.910000	0.911667	0.913333	0.915000	0.916667	0.918333	0.920000
51	0.921667	0.923333	0.925000	0.926667	0.928333	0.930000	0.931667	0.933333	0.935000	0.936667	0.938333	0.940000
52	0.941667	0.943333	0.945000	0.946667	<b>0.948333</b>	0.950000	0.951667	0.953333	0.955000	0.956667	0.958333	0.960000
53	0.961667	0.963333	0.965000	0.966667	0.968333	0.970000	0.971667	0.973333	0.975000	0.976667	0.978333	0.980000
54	0.981667	0.983333	0.985000	0.986667	0.988333	0.990000	0.991667	0.993333	0.995000	0.996667	0.998333	1.000000

(NOTES: Multiply unreduced basic annuity by applicable factor shown above to calculate reduced retirement benefits. There may be further reductions.)

EXAMPLE: Under a voluntary early retirement authority, Charles retired at age 52 with 21 years of service. His birthday is February 22, 1963. He retired on June 30, 2015. His basic annuity (\$60,000) will be reduced by 2 percent for each year under age 55. Since he is 52 years, 4 months old at the time of his retirement, his basic annuity is reduced by a factor of **0.948333**. Multiply his basic annuity by this factor (\$60,000 x 0.948333). Charles' reduced basic annuity is \$56,900.

## APPENDIX 5

### FERS FIVE PERCENT AGE REDUCTION TABLE

Factors for Determining Reductions in Basic Annuity for Early Deferred or MRA + 10 Retirement

AGE AT SEPARATION (AND AT LEAST 1 DAY OVER)	0 MONTH	1 MONTH	2 MONTH	3 MONTH	4 MONTH	5 MONTH	6 MONTH	7 MONTH	8 MONTH	9 MONTH	10 MONTH	11 MONTH
55	0.654167	0.658333	0.662500	0.666667	0.670833	0.675000	0.679167	0.683333	0.687500	0.691667	0.695833	0.700000
56	0.704167	0.708333	0.712500	<b>0.716667</b>	0.720833	0.725000	0.729167	0.733333	0.737500	0.741667	0.745833	0.750000
57	0.754167	0.758333	0.762500	0.766667	0.770833	0.775000	0.779167	0.783333	0.787500	0.791667	0.795833	0.800000
58	0.804167	0.808333	0.812500	0.816667	0.820833	0.825000	0.829167	0.833333	0.837500	0.841667	0.845833	0.850000
59	0.854167	0.858333	0.862500	0.866667	0.870833	0.875000	0.879167	0.883333	0.887500	0.891667	0.895833	0.900000
60	0.904167	0.908333	0.912500	0.916667	0.920833	0.925000	0.929167	0.933333	0.937500	0.941667	0.945833	0.950000
61	0.954167	0.958333	0.962500	0.966667	0.970833	0.975000	0.979167	0.983333	0.987500	0.991667	0.995833	1.000000

(NOTES: a. Multiply unreduced Basic Annuity benefit by applicable factor shown below to calculate reduced retirement benefit.  
b. The election of a survivor benefit will further reduce benefits.)

**EXAMPLE:** George retired at his MRA (age 56) with 15 years of service. If he applies for his immediate annuity, it will be reduced 5 percent for each year under age 62. George's birthday is March 10, 1959 and his retirement date is June 30, 2015. Since he is 56 years 3 months at the time of his retirement, his annuity is reduced by a factor of **0.716667**. Multiply his basic annuity (\$13,000) by this factor. George's reduced basic annuity, due to his age reduction, is \$9,317.