

DoD Cyber Excepted Service (CES) Personnel System



Civilian Reduction in Force Guide



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Introduction

The Office of the DoD Chief Information Officer (DoD CIO), in partnership with the Defense Civilian Personnel Advisory Service is providing this guidance to exclusively implement procedures and practices specific to DoD CES civilian employees impacted by a Reduction in Force (RIF). This document provides the definition and requirements for each Tenure Group, defines Assignment Rights, and describes the Order of Retention for DoD CES civilian employees by adopting provisions of title 5, US Code (U.S.C.) (reference (a)) (as modified by any applicable provisions of title 10, U.S.C. (reference (b))), and title 5, Code of Federal Regulations (CFRs) (reference (c)). The information contained within this guide will continue to be improved and is subject to change as additional information is incorporated.

This guide is being implemented in lieu of formal instruction to provide CES designated component organizations; Human Resources Offices (HROs); Supervisors; Managers; and employees with technically sound guidance regarding RIF matters for the CES workforce.

This guidance addresses:

1. SCOPE:

- a. The Department of Defense takes every effort to prevent involuntary separations due to RIF. When circumstances necessitate a RIF within our civilian Cyber Excepted Service (CES) workforce consideration is given for an employee's Tenure group, veteran status, years of service, and performance as a method to retain our skilled and talented workforce. As of the date of publication of the guidance, CES-related personnel matters addressed in the 3000 Volume series of DoD Instruction 1400.25 (references (d), (e), (f), and (g)) are subject to the provisions of (references (a), (b) and (c)).
- b. Additional guidance that addresses the order of retention when a reduction in the CES civilian workforce is necessary, will be in accordance with Section 1597 of title 10, U.S.C (reference (h)) and part 351 of title 5, C.F.Rs. (reference (i)). Unless identified in this guidance, DoD Components will refer to Deputy Secretary of Defense Memorandum, "Policy and Procedures for Reduction in Force in the Civilian Workforce," January 19, 2017 (reference (j)), for general guidance for RIF of civilian personnel in the competitive and excepted service. This guide provides additional guidance specific to DoD civilian CES employees that differs from guidance defined in reference (j).

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2. APPLICABILITY:

- a. This guidance applies to all personnel on excepted service appointments of the CES designated organization's rolls within the Department.
- b. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (OCJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the "DoD Components").
- c. Members of the Defense Senior Executive Service (SES) only insofar as they make RIF decisions, serve as members of the CES RIF Appeals Committee (AC), or perform other similar managerial functions with respect to RIF.
- d. DoD civilian cyber workforce positions to include:
 - 1) A preference eligible civilian Defense CES employee in the excepted service whose position is within a military department (MILDEP) cybersecurity activity.
 - 2) DoD CES also includes, "unclassified civil service" or "unclassified service".

3. RELEASABILITY – UNLIMITED. This guidance is approved for public release.

4. EFFECTIVE DATE. This guidance is effective October 31, 2019.

References:

- (a) Title 5, US Code
- (b) Section 1599(f) title 10, US Code
- (c) Title 5, Code of Federal Regulations
- (d) DoD Instruction 1400.25-V3001, "DoD Civilian Personnel Management System: Cyber Excepted Service Introduction," August 15, 2017
- (e) DoD Instruction 1400.25-V3005, "DoD Civilian Personnel Management System: Cyber Excepted Service Employment and Placement," August 15, 2017

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- (f) DoD Instruction 1400.25-V3006, "DoD Civilian Personnel Management System: Cyber Excepted Service Compensation Administration," August 15, 2017
- (g) DoD Instruction 1400.25-V3007, "DoD Civilian Personnel Management System: Cyber Excepted Service Occupation Structure," August 15, 2017
- (h) Section 1597 of title 10, U.S.C.
- (i) Part 351 of title 5, C.F.R.
- (j) Deputy Secretary of Defense Memorandum, "Policy and Procedures for Reduction in Force in the Civilian Workforce," January 19, 2017
- (k) DoD Instruction 1400.25-V 431, "DoD Civilian Personnel Management System: Performance Management and Appraisal Program," February 4, 2016
- (l) Section 1614 of title 10, U.S.C.
- (m) Section 5102(c)(11) of title 5, U.S.C.
- (n) DoD Directive 5144.02, "DoD Chief Information Officer (DoD CIO)," November 21, 2014
- (o) DoD Directive 8000.01, "Management of the Department of Defense Information Enterprise (DoD IE)," March 13, 2016
- (p) DoD Instruction 1100.22, "Policy and Procedures for Determining Workforce Mix," Change 1, December 1, 2017
- (q) DoD Directive 8140.01, "Cyberspace Workforce Management," Change 1, July 31, 2017
- (r) DoD Directive 1100.4, "Guidance for Manpower Management," February 12, 2005
- (s) Office of Personnel Management, "Workforce Reshaping Operations Handbook," March 2017
- (t) DODEA Administrative Instruction 5820.01, "Reduction In Force," Change 1, Oct 13, 2016
- (u) Available at: <https://www.opm.gov/policy-data-oversight/pay-leave/pay-systems/general-schedule/>
- (v) Section 831.114 of title 5, CFR

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(w) Chapter 35 of title 5, U.S.C.

Background

The Cyber Excepted Service Civilian Reduction in Force Guide provides the affected DoD Components with the requisite guidance as adopted from references (c), (j), and DoDI 1400.25, Volume 431 (reference (k)) to effectively implement a DoD CES civilian RIF.

1. This guidance applies to all DoD CES positions (irrespective of organization) in the Cyber Excepted Service. This guidance does not apply to:
 - a. Members of the Defense SES or other experts (i.e., Highly Qualified Experts) who work at the SES equivalent level, unless specifically addressed in references (d), (e), (f), and (g).
 - b. A Presidential or Senate appointed employee or an employee whose position has been determined to be of a confidential, policy-determining, policy-making or policy-advocating character by:
 - 1) The President for a position that the President has excepted from the competitive service.
 - 2) The Office of Personnel Management (OPM) for a position that the Office has excepted from the competitive service.
 - 3) The President or the head of an agency for a position excepted from the competitive service by statute.
 - c. An employee who is receiving an annuity from the Civil Service Retirement and Disability Fund, or the Foreign Service Retirement and Disability Fund, based on the service of such employee.
 - d. An employee who is a member of the Foreign Service.
 - e. An employee whose position is within an intelligence component of the Department of Defense as defined in Section 1614 of title 10, U.S.C. (reference (l)).
 - f. A preference eligible Civilian Defense Intelligence employee in the excepted service whose position is within a MILDEP intelligence activity.

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- g. Aliens or noncitizens of the United States who occupy positions outside the United States as stated in Section 5102(c)(11) of title 5, U.S.C. (reference (m)).
2. Unless specifically stated in Federal statutes in references (a), (b), (c), and (j) and this guidance, RIF guidance for the DoD CES civilian workforce does **not** apply to:
 - a. Employees covered by the Defense Civilian Intelligence Personnel System, the Federal Wage System, or equivalent; non-appropriated fund employees; Competitive Service employees; and foreign national employees employed under authority other than the CES.
 - b. Employees in CES-designated cyber positions who declined the voluntary opportunity to convert to the cyber excepted service.
 - c. Employees in cyber positions that are not CES-designated.
 - d. Employees in SES, senior level, scientific and professional, and equivalent positions unless specifically stated in this guidance.

If an employee declines to voluntarily convert to CES, the CES-designated position will be converted when vacated by that employee. An employee's decision to decline an offer to convert voluntarily to the excepted service will be final, although the employee may compete for other positions in CES.

Component Supplemental Guidance

DoD Components are authorized and encouraged to develop and issue supplemental guidance that align to the provisions specified in references (d), (e), (f), and (g) and this guide. To eliminate redundancy and foster expediency, it is recommended that DoD Components only develop additional guidance for areas that require local organizations to administratively carry out facilitation where a DoD civilian CES RIF is exercised.

Components will, at minimum establish supplemental guidance to the extent it further defines applicability of the intent for internal tracking and documenting of Order of Retention for participating employees. This supplemental guidance will be in accordance with required documentation of the assignment (e.g., all required agreements/statements of understanding; personnel actions and documents as required for auditing purposes; exceptions granted, appeal requests and outcomes, etc.).

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CES serves as the civilian excepted service personnel system for cyber positions designated as CES positions by the DoD CIO in consultation with the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), the Under Secretary of Defense for Policy (USD(P)), and the DoD Component heads.

1. The employees occupying CES positions must perform, manage, supervise, or support functions necessary to execute the responsibilities of the United States Cyber Command, pursuant to reference (b).
2. The DoD CIO oversees management of cybersecurity workforce elements of the DoD cyberspace workforce in accordance with DoD Directive 5144.02 and DoD Directive 8000.01 (references (n) and (o)).
3. Determination of which civilian employees will be separated from employment in the Department for positions in the DoD in the cyber excepted service will be made primarily on the basis of performance in accordance with reference (j).
4. Implementation of any RIF for civilian positions in the DoD in the excepted service will be determined under any applicable performance management system and made primarily on the basis of performance.
5. DoD civilian CES RIF practices will be evaluated by the DoD CIO to ensure consistent implementation of CES RIF practices across the Department and to avoid or mitigate the size of a RIF. Evaluated DoD civilian CES RIF practices include:
 - a. Advanced resource planning.
 - b. Job change or retention to include placement assistance and referral programs within and outside the DoD Component.
 - c. Use of Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Pay (VSIP) coupled with out-placement assistance.
 - d. Hiring freezes.
 - e. Termination of employees on temporary appointments.
 - f. Reduction in work hours.

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- g. Spending restrictions.
 - h. Revalidation of manpower, performed by DoD Components, in accordance with DoD Instruction 1100.22 (reference (p)), during reorganizations, mission area analyses, efficiency reviews, and streamlining, reengineering, or restructuring efforts (to include most efficient organizations, high-performing organizations, and business process reengineering studies covered by OMB guidance).
 - i. Identification, by DoD Component heads with OSD, of the total manpower required to perform cyberspace work roles in manpower databases in accordance with DoD Directive 8140.01 and DoD Directive 1100.4 (references (q) and (r)).
6. DoD Components will not conduct a RIF until a report to Congress is submitted through the DoD CIO in accordance with reference (h).

Tenure Codes

1. The scope and parameters for DoD civilian CES employee workforce Tenure Groups differs from Competitive Service personnel Tenure Groups.
 - a. CES Tenure Group I:
 - 1) Requires completion of the Tenure Group II probation period.
 - 2) Employee is considered “Permanent.” upon achieving three-years of service.
 - 3) Employees with a CES Retention Register category of CES Tenure Group I have a higher standing in the CES Retention Register than any employee in Tenure Groups II and III.
 - b. CES Tenure Group II:
 - 1) Requires three-years of probationary service.
 - 2) Employees with a CES Retention Register category of CES Tenure Group II have a higher standing in the CES Retention Register than any employee in Tenure Group III.

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- c. CES Tenure Group III requires:
 - 1) Indefinite tenure (i.e., without specific time limit), but not actually or potentially permanent.
 - 2) A specific time-limited appointment of more than 1 year.
 - 3) Temporary appointment employment limited to 1 year or less, and after completing 1 year of current continuous service under a temporary appointment without a break in service of 1 workday or more.
- 2. The probation period for all employees hired under CES billets will be three years in accordance with reference (b).

Assignment Rights

- 1. Assignment Rights will follow OPM, “Workforce Reshaping Operations Handbook,” (reference (s)) except where those Assignment Rights contradict or misalign with DoD CES RIF Assignment Rights described in this guide.
 - a. A DoD CES employee impacted by a RIF does not displace another excepted or competitive service employee with a lower retention score (i.e., “Bump and Retreat”).
 - b. DoD CES employees impacted by a RIF may apply for and move to an existing open billet within the Federal Government.
 - c. DoD CES employees are not subject to Mandatory Assignment Rights.

Voluntary Early Retirement Authority (VERA) or Voluntary Separation Incentive Pay (VSIP)

- 1. VERA and VSIP will be equally offered and made available to DoD civilian CES employees to mitigate reductions through involuntary separations from the workforce.

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Order of Retention

1. Competing employees will be classified on a retention register in tenure groups based primarily on individual employee performance in accordance with reference (j). CES retention register classification will be listed based on the following retention factors:
 - a. Performance Rating of Record.
 - b. Tenure group I, group II, or group III.
 - c. Average Score.
 - d. Veteran Preference subgroups AD, A, or B.
 - e. Within each subgroup by years of service as augmented by credit for performance under Section 504 of reference (i), beginning with the earliest service date.

CES Retention Register

1. A Retention Register for CES personnel will be used.
 - a. Number of employees in qualified positions hired, disaggregated by occupation, grade, or level of pay band.
 - b. Placement of employees in qualified positions, disaggregated by military department, Defense Agency, or other Component within the Department.
 - c. Total number of preference eligible status individuals hired, including:
 - 1) Veterans.
 - 2) Disabled veterans.
 - d. Number of separations of employees in qualified positions, disaggregated by occupation, grade, or level of pay band.
 - e. Number of retirements of employees in qualified positions, disaggregated by occupation, grade, or level of pay band.

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- f. Number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, or level of pay band.
2. Copies of any RIF actions to include appeals and exceptions granted, will be provided to and/or retained by the employee, manager/supervisor, Component Service Team, and in the employee's electronic Official Personnel Folder in an automated system of personnel records for each CES employee.
3. CES employees will be coded with the General Government (GG) pay scale.
4. Competitive Service employees will continue to be coded with the GS pay scale.
5. Retention Registers for CES personnel will be evaluated and validated by the DoD CIO.

Implementation of a RIF

1. Assessment and implementation of any DoD CES RIF will be performed by the DoD Component Head to determine the need, impact on positions covered by DoD CES, and the DoD civilians assigned to these covered positions.
2. Any finalized assessment and implementation plan for a RIF performed in the DoD of CES civilian employees will be submitted through the DoD Component Head to the DoD CIO for approval no later than 120 days prior to the planned RIF.
3. Implementation of any final DoD CES RIF plan, performed by a DoD Component Head, will begin only after a DoD CES RIF report to Congress is submitted by the USD(P&R) or the DoD CIO in accordance with reference (h).

Exceptions

1. Delayed Release will be granted to:
 - a. Establish initial eligibility for immediate retirement in accordance with Sections 8336, 8412, and 8414 of reference (a).
 - b. Establish initial eligibility to continue health benefits coverage into retirement in accordance with Section 8905 of reference (a).

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2. Limitations to delayed release:
 - a. Employees may not be retained by the DoD Components beyond the date the employee first becomes eligible for immediate retirement or continuation of health benefits, unless it is necessary to satisfy both retirement and health benefits requirements.
 - b. Unless otherwise specified, exceptions to a temporary postponement of release for DoD CES RIF employees will be limited to 90 calendar days. Temporary exceptions may be provided:
 - 1) To satisfy a government obligation allowing an employee to have written notice 60 calendar days prior to the DoD CES RIF effective date.
 - 2) To retain DoD CES employees who elect to use annual leave to remain on the rolls. Annual leave considered must be accrued by, and may not be advanced to, the employee.
 - 3) To retain a DoD CES Retention Registry employee with a lower standing and who, on the effective date of the DoD CES RIF, is on approved sick leave. A temporary exception will not exceed the date the employee's sick leave is exhausted.
3. Exceptions to the order of retention and release may occur when all positions subject to the DoD CES RIF are abolished. Employees may be released based on need.

Appeals

1. DoD CES employees may submit appeals for any pending RIF judgements to the USD(P&R), in coordination with the DoD CIO and the Component Head responsible for the CES RIF, through the CES RIF AC. Preference eligible DoD CES employees may submit an appeal of action taken under this guidance to the OPM Merit Systems Protection Board (MSPB) in lieu of the CES RIF AC.
2. The CES RIF AC will hear CES RIF appeals submitted by the DoD civilian CES employees.
3. DoD civilian CES employees will submit an appeal, if necessary, to the CES RIF AC no later than 30 calendar days of receipt of the official RIF notice by the DoD Component Head responsible for the subject CES RIF.

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4. CES RIF appeals will be heard within 7 business days of submission to the CES RIF AC.
5. The CES RIF AC will make decisions within 30 calendar days from the date the CES RIF AC convenes.

CES Supervisors and Managers

1. Supervisors and Managers will:
 - a) Actively support this Guide and comply with provisions contained herein.
 - b) Keep subordinates fully informed of the provisions of this Guide.
 - c) Counsel employees concerning RIF and the opportunity for career development and training.

CES Employees

1. Employees will:
 - a) Continue to stay informed on the provisions of this Guide and follow the procedures accordingly.
 - b) Ensure that official personnel records and any other supporting documentation accurately reflect appropriate experience, education, training, and awards.
 - c) Notify the local HRO and Component Service Team of any changes in assignment.
 - d) Notify the local HRO, Component Service Team, and supervisor in writing of the intent to exercise an appeal.

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Appendix A: Abbreviations and Acronyms

AC	Appeals Committee
CES	Cyber Excepted Service
C.F.R.	Code of Federal Regulations
CMIS	Corporate Management Information System
DCPDS	Defense Civilian Personnel Data System
DoD CES RIF AC	DoD Cyber Excepted Service Reduction in Force Appeals Committee
DoD CIO	DoD Chief Information Officer
DoDD	DoD Directive
DoDI	DoD Instruction
DPMAP	Defense Performance Management Appraisal System
GG	General Government
GS	General Schedule
HRO	Human Resources Office
IG DoD	Inspector General of the Department of Defense
MILDEP	military department
MSPB	Merit Systems Protection Board
OCJCS	Office of the Chairman of the Joint Chiefs of Staff
OPM	Office of Personnel Management
RIF	Reduction in Force
SES	Senior Executive Service
U.S.C.	United States Code
USD(P)	Under Secretary of Defense for Policy
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
VERA	Voluntary Early Retirement Authority
VSIP	Voluntary Separation Incentive Pay

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Appendix B: Definitions

B-1. Assignment Rights. Applicable to Competitive Service. The right of a competing employee to be assigned in RIF competition to a position in a different competitive level held by an employee with lower standing on the register as defined in DODEA Administrative Instruction 5820.01, "Reduction In Force," (reference (t)). An agency shall offer assignment, rather than furlough or separate, in accordance with Bump, Retreat, and Limitations to another competitive position which requires no reduction, or the least possible reduction, in representative rate. Assignment Rights are applicable when a group I or II competitive service employee with a current annual performance rating of record of minimally successful (Level 2) or equivalent, or higher, is released from a competitive level. The employee must be qualified for the Assignment position offered. The offered position shall be in the same competitive area, last at least 3 months, and have the same type of work schedule (e.g., full-time, part-time, intermittent, or seasonal) as the position from which the employee is released per Section 701 of reference (c).

B-2. Cybersecurity Workforce. Personnel who secure, defend, and preserve data, networks, net-centric capabilities, and other designated systems by ensuring appropriate security controls and measures are in place, and taking internal defense actions. This includes access to system controls, monitoring, administration, and integration of cybersecurity into all aspects of engineering and acquisition of cyberspace capabilities.

B-3. DoD Cyber Excepted Service Reduction in Force. The DoD CES force shaping or reduction mechanism for releasing employees from competitive areas based on Tenure group, veteran status, years of service, and performance.

B-4. DoD Cyber Excepted Service Reduction in Force Appeals Committee. A DoD appellate body established by the DoD CIO for adjudicating RIF appeals from DoD CES employees, except for appeals to the Merit Systems Protection Board (MSPB).

B-5. DoD Cyber Excepted Service Retention Register. A register that includes and differentiates DoD CES employees. DoD CES employees may be ranked according to retention factors. The CES Retention Register may perform Queries and Sorts to identify a hierarchy of employees according to their relative retention standing from highest to lowest.

B-6. Defense Civilian Personnel Data System (DCPDS). DCPDS is a human resources transaction information system (IS) supporting civilian personnel operations in the Department of Defense. DCPDS is designed to support appropriated fund, non-appropriated fund, and Local Nationals human resources operations.

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B-7. Corporate Management Information System (CMIS). CMIS consolidates DoD employee and position data for all DoD civilian employees from all DCPDS databases to provide a corporate level data query and reporting capability.

B-8. DCPDS and CMIS. DCPDS and CMIS support strategic DoD civilian workforce planning, trend analysis, mobilization, and contingency planning.

B-9. Defense Intelligence Position. A civilian position as an intelligence officer or intelligence employee of the Department of Defense as defined in reference (l).

B-10. Employee. An individual in the excepted service who is not serving a probationary or trial period under an initial appointment pending conversion to the competitive service or who has completed 2 years of current continuous service in the same or similar positions in an Executive agency that was not a temporary appointment limited to 2 years or less. Also includes a preference eligible individual in the excepted service who has completed 1 year of current continuous service in the same or similar positions in an Executive agency or in the United States Postal Service or Postal Regulatory Commission established under Section 7511 of reference (a).

B-11. Excepted Service. Consists of those civil service positions which are not in the competitive service or the SES. Excepted Service also includes "unclassified civil service" or "unclassified service" per Section 2103 of reference (a).

B-12. Executive Agency. An Executive department (i.e., the Department of Defense), a Government corporation, and an independent establishment as defined in Sections 101 and 105 of reference (a).

B-13. Federal Employees Affected by Reductions in Force. Federal employees who are separated, or are scheduled to be separated, from service under a reduction in force pursuant to Order of Retention regulations prescribed under Section 3502 of reference (c) or procedures for reduction in force in the SES established under Section 3595 of reference (c).

B-14. General Government (GG) Pay Plan. A pay plan for grades similar to the General Schedule. The GG pay plan is used by DoD Components to identify Excepted Service employees. The GG pay plan may also be used in the Federal Government to identify temporary or term employees.

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B-15. General Schedule (GS) Pay Plan. The Office of Personnel Management's basic classification and compensation system for white collar occupations in the federal government. GS classification standards, qualifications, pay structure, and related human resources policies (e.g., general staffing and pay administration policies) are administered by the U.S. OPM on a Government-wide basis. Each agency classifies its GS positions and appoints and pays its GS employees filling those positions following statutory and OPM guidelines, as described in reference (u).

B-16. Personnel Action. An action that affects an employee's compensation, promotion, demotion, transfer, work assignment, or performance evaluation.

B-17. Preference Eligible. Categorization of employees. Preference eligible status is used to rank individuals for hiring and retention. Includes veteran and disabled veterans as defined in Section 2108 of reference (a) and Section 501 of reference (c).

B-a. Subgroup AD. Includes each preference eligible employee who has a compensable service-connected disability of 30 percent or more.

B-b. Subgroup A. Includes each preference eligible employee not included in subgroup AD. A veteran who is eligible for preferential status but not eligible for placement in Subgroup AD (disabled less than 30%).

B-c. Subgroup B. An Employee not eligible for Subgroup AD or A. Subgroup B includes each non-preference eligible employee.

B-18. Qualified Position. A position, designated by the Secretary of Defense, in which the individual occupying such position performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations per (reference (b)).

B-19. Reduction in Force. One of several downsizing methods that involves use of defined retention status and assignment rights to move or release employees from the workforce.

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B-20. Severance Pay. An employee who is entitled to be paid severance pay in regular pay periods by the agency from which separated. Severance pay consists of a basic severance allowance computed on the basis of 1 week's basic pay at the rate received immediately before separation for each year of civilian service up to and including 10 years for which severance pay has not been received under the authority of Section 5595 of reference (a), and 2 weeks' basic pay at that rate for each year of civilian service beyond 10 years for which severance pay has not been received under the authority of Section 5595 of reference (a); and an age adjustment allowance computed on the basis of 10 percent of the total basic severance allowance for each year by which the age of the recipient exceeds 40 years at the time of separation.

B-21. Tenure Group. Category of employees in a competitive area ranked in priority order for retention during Reduction in Force. Tenure Groups are based on whether an employee is considered permanent career, trial period, serving on a trial period or serving on a non-permanent appointment.

B-22. Voluntary Early Retirement Authority. The DoD Component conducting a CES RIF will determine the scope and criteria that define a VERA. A VERA may occur only if the DoD Component's personnel and/or budgetary situation will result in an excess of personnel because of a substantial delayering, reorganization, reduction in force, transfer of function, or other workforce restructuring or reshaping, consistent with agency human capital goals. A VERA will include any appropriate combination of defining factors including whether the CES RIF affects one or more organizational units; affects one or more occupational series or levels; affects one or more geographical locations; is time-bound to specific periods; or identifies skills, knowledge, or other factors related to a position. DoD Components are responsible for ensuring that employees are not coerced into voluntary early retirement. If a Component finds any instances of coercion, it must take appropriate corrective action. Except as provided for employees on military duty in Section 831.114 of title 5, CFR (reference (v)), an agency may not offer or process voluntary early retirements beyond the stated expiration date of a VERA or offer early retirements to employees who are not within the scope of the VERA approved by OPM per reference (v).

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B-23. Voluntary Separation Incentive Pay. May occur by resignation, early retirement, or optional retirement. VSIP offers to its employees may be limited based on an established opening and closing date or the acceptance of a specified number of applications. A VSIP will include any appropriate combination of defining factors including whether the CES RIF affects one or more organizational units; affects one or more occupational series or levels; affects one or more geographical locations; the VSIP offer identifies skills, knowledge, or other factors related to a position; or is time-bound to specific periods of time during which eligible employees may elect a voluntary incentive payment. VSIP offers will be paid in a lump sum after the employee's separation; be equal to the lesser of: a) an amount equal to the amount the employee would be entitled to receive as severance pay (as defined in Section 5595 of reference (a), if the employee is entitled to severance pay (without adjustment for any previous payment made); or b) an amount determined by the agency head, not to exceed \$25,000. Additional guidance regarding VSIP is available in Chapter 35 of title 5, U.S.C. (reference (w)).

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