UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE

4351.1
REVISION 3

1/26/95

REDUCTION IN FORCE

I. PURPOSE

This directive provides information on reduction in force.

II. CANCELLATION

This directive cancels FSIS Directive 4351.1, Revision 2, dated 2/1/88. ■

III. REASONS FOR REISSUANCE

A. **Paragraph VII.** increases the number of days required for specific notice of a RIF ■
from 30 days to at least **60 days.** ■

B. **Paragraph IX.** provides a new competitive area for field positions. (This ■
paragraph replaces Attachment 1.) ■

C. **Paragraph X.** increases the timeframe from a 3-year period to a **4-year period,** ■
if needed, for averaging the last three performance appraisals necessary to determine retention ■
standing. ■

IV. REFERENCES

FSIS Directive 4300.1, Reassignment of Food Inspectors in
Work Reduction Situations
* * *
5 CFR 351, Reduction In Force ■
Public Law 95-454, Title 7, Labor Management Relations in the
Federal Service

V. FORMS AND ABBREVIATIONS

The following will be referred to in their shortened form in this directive.

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CFR	Code of Federal Regulations ■
RIF	Reduction In Force
SPO	Servicing Personnel Office

VI. POLICY

It is FSIS policy to avoid a RIF when possible, following FSIS Directive 4300.1. However, once a RIF is imminent, FSIS officials will take no personnel action which will change the retention standing in the competitive level affected by the RIF, except as required by law and regulation.

VII. GENERAL

In effecting reductions in force, FSIS will:

A. Adhere to the governmentwide regulations in 5 CFR 351.

B. Give all possible protection to the rights of each employee.

C. Determine by RIF procedures the extent to which the RIF will affect an employee BEFORE giving the employee definite verbal or written notification of separation or furlough.

D. Consult with recognized labor organizations, working with appropriate program officials, to assure compliance with Public Law 95-454, Title 7, and all provisions of negotiated labor agreements.

E. Give employees **at least 60 days specific notice** before the effective date of a RIF action.

F. Forbid discrimination because of race, color, sex, age, religion, national origin, marital status, politics, physical or mental disability, or any other nonpertinent factor(s).

G. Observe fully the intent of the Veteran's Preference Act of 1944 and pertinent regulations.

H. Assist affected employees in securing placement elsewhere.

VIII. DEFINITIONS

A. **Competitive Area.** That part of FSIS within which employees are in competition in their respective competitive levels. (See Paragraph IX.)

B. **Competitive Level.** Within each competitive area, all positions which have similar duties, responsibilities, pay schedules, terms of appointment and which require similar experience, training, and skills.

C. Tenure Groups or Subgroups. Includes all employees within a competitive area or at the same competitive level. Also includes all employees entitled to the same degree of retention preference on the basis of tenure of employment, and veteran s preference, including disabled veterans with 30 percent or more disability.

D. **Retention Standing.** Ranking within a tenure subgroup by total length of creditable service.

IX. AREAS OF COMPETITION

In a RIF situation, each employee is in direct competition with other employees in their competitive area engaged in similar work at the same grade level and type of appointment. The competitive areas are:

A. **Headquarters positions** in the Washington, DC, metropolitan area.

B. **Field positions** within the commuting area of the official duty station of the position(s) being abolished. This includes field positions in the Washington, DC, metropolitan area.

X. EFFECT OF PERFORMANCE APPRAISALS ON RETENTION STANDING

An employee is given additional service credit based on the mathematical average of the employee's last three actual (or assumed) annual composite ratings of record received during the 4-year period before the date of issuance of a specific RIF notice. In determining this average, the value assigned to each annual performance rating of record is as follows: ■

A. **Twenty additional years of service** for each performance rating of outstanding.

B. **Sixteen additional years of service** for each performance rating of superior.

C. **Twelve additional years of service** for each performance rating of fully successful.

D. **No additional service credit** for performance ratings **below** fully successful.

EXAMPLE: An employee has received annual ratings of record of fully successful (12), fully successful (12), and superior (16). The employee would receive 14 years of additional service credit (12 + 12 + 16 = 40 divided by 3 = 13.3, rounded to 14).

XI. RESPONSIBILITY

A. **Program Officials.** When a program official knows that a RIF is imminent, the official will:

1. Advise the SPO, in writing, and specify:

   a. Types of positions affected.

   b. Grade levels of positions affected.

   c. Number of reductions to be made.

   d. Geographical locations involved.

   e. Specific reason which necessitates the RIF.

2. Give recognized labor organizations 3 days notice prior to any public announcement.

B. **S PO's.** Identify the competitive levels involved, prepare retention misters, issue all notices of furlough or separation, and extend all possible help to affected employees, including compliance with all Office of Personnel Management and USDA requirements relating to out-placement of such employees.

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