

Sample Notices for Reduction in Force (RIF)

This document includes samples of notices that may be used in downsizing situations where the employees will be separated. The situations covered in this document include:

Separation, No Severance/Retirement Separation, Severance Separation, Discontinued Service or Optional Retirement Separation, Severance or Annual Leave for Initial Retirement Eligibility

Agencies may modify these sample notices as needed and in consultation with legal counsel when preparing reduction in force notices that meet the requirements in 5 Code of Federal Regulations, Part 351, <u>Subpart H</u>.

Final notices should be printed on the letterhead of the agency/activity/competitive area conducting the RIF and signed by the appropriate agency official.

Separation, No Severance Pay or Retirement

Memorandum

То:	(Employee Name)
From:	(Agency Head or Chief Human Capital Officer)
Subject:	Specific Notice of Reduction in Force (RIF)

This memorandum is to inform you that because **(Specify either: your position is being abolished** OR **you are being displaced from your position)**, you will be separated from the Federal service.

(Reason for RIF. Example: This RIF is necessary to implement the abolishment of the Office of Procurement Operations.)

This is your specific notice of how the Office of Procurement Operations RIF will affect you. You will be released from your competitive level and, based on your retention standing, you do not have an assignment right to another position in the competitive area. Consequently, you will be separated from the Federal service effective (Month, Day, Year). You will continue in your present position during this specific notice period.

This RIF was conducted by the Human Resources Office (HRO) by preparing retention registers which listed employees in retention standing order based on civil service tenure, veteran's preference, length of Federal service, and performance ratings. The following information was used to determine your retention standing as of the RIF effective date:

- Competitive Area:
- Type of Service:
- Position Title, Series, Grade:
- Competitive Level:
- Tenure Group and Subgroup:
- Service Computation Date (SCD):
- Three Most Recent Performance Ratings received during the last 4 years (*include number of years credited for each*):
- Adjusted SCD (SCD-RIF):

Separation, No Severance Pay or Retirement, page 1

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The <u>RIF Benefits Guide</u> has general information about leave and benefit entitlements. This resource provides guidance on grade and pay retention, repromotion consideration, severance pay, leave and unemployment compensation.

(Include information or a link to information about benefits available the **(State's Name)** Workforce Innovation and Opportunity Act (WIOA) including unemployment insurance.)

You will not be eligible for severance pay since you will have less than 12 months of continuous Federal service as of your separation date.

You are eligible for placement assistance under the Agency Career Transition Assistance Program (CTAP) which provides:

- Special selection priority to other Agency offices within the commuting area,
- Registration on the Agency Reemployment Priority List (RPL); and
- Information about special selection priority under the Interagency CTAP.

(Attach or include a link to a current copy of the agency's policies for these programs including RPL application form.)

Please be advised that you may affect your eligibility for Federal reemployment/placement assistance programs and/or your appeal rights if you resign. You are strongly encouraged to contact the HRO for information if you are considering resigning during this specific notice period.

This action is being taken under the civil service RIF regulations and procedures. The HRO maintains the retention registers, RIF regulations, and records affecting your action. You may make an appointment to review this material by calling the (HR Representative's Name) on (Phone Number or Email). For benefits information, please schedule an appointment with (HR Representative's Name) on (Phone number or email).

If you believe that your retention rights were violated, you may appeal the RIF action to the Merit Systems Protection Board (MSPB), **(City)** Regional Office, **(Street Address), (City), (State), (Zip Code)**. Your appeal must be in writing and must be filed during the 30-day period beginning the day after the effective date of the RIF action. If your appeal is not filed within this 30-calendar day limit, it may be dismissed as an untimely filling, unless you can show good cause for the delay.

For more information on filing an appeal, you may review the MSPB <u>appeal form</u> and the MSPB <u>appeal regulations</u>.

Separation, No Severance Pay or Retirement, page 2

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This RIF action does not reflect on your service, performance, or conduct. It is being taken solely for the reason stated. Every effort will be made to retain your services at the highest level as allowed by regulation.

(Agency signature)

Acknowledgement of Receipt:

Please sign below to acknowledge receipt of this notice.

Signature_____ Date_____

(Typed Employee Name)

Separation, No Severance Pay or Retirement, page 3

U.S. Office of Personnel Management Workforce Policy and Innovation

Separation, Severance Pay

Memorandum		
То:	(Employee Name)	
From:	(Agency Head or Chief Human Capital Officer)	
Subject:	Specific Notice of Reduction in Force (RIF)	

This memorandum is toto inform you that because **(Specify either: your position is being abolished** OR **you are being displaced from your position)**, you will be separated from the Federal service.

(Reason for RIF. Example: This RIF is necessary to implement the abolishment of the Office of Procurement Operations.)

This is your specific notice of how the Office of Procurement Operations RIF will affect you. You will be released from your competitive level and, based on your retention standing, you do not have an assignment right to another position in the competitive area. Consequently, you will be separated from the Federal service effective (Month, Day, Year). You will continue in your present position during this specific notice period.

This RIF was conducted by the Human Resources Office (HRO) by preparing retention registers which listed employees in retention standing order based on civil service tenure, veteran's preference, length of Federal service, and performance ratings. The following information was used to determine your retention standing as of the RIF effective date:

- Competitive Area:
- Type of Service:
- Position Title, Series, Grade:
- Competitive Level:
- Tenure Group and Subgroup:
- Service Computation Date (SCD):
- Three Most Recent Performance Ratings received during the last 4 years (*include number of years credited for each*)
- Adjusted SCD (SCD-RIF):

Separation, Severance Pay, page 1

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You will be eligible for severance pay. The <u>RIF Benefits Guide</u> has general information about leave and benefit entitlements. This resource provides guidance on grade and pay retention, repromotion consideration, severance pay, leave and unemployment compensation.

(Include information or a link to information about benefits available the **(State's Name)** Workforce Innovation and Opportunity Act (WIOA) including unemployment insurance.)

An estimate of your severance pay fund is included as attachment 1. (*Attach a copy of the employee's severance pay fund estimate using* <u>Severance Pay Estimation Worksheets</u>)

You are eligible for placement assistance under the Agency Career Transition Assistance Program (CTAP) which provides:

- Special selection priority to other Agency offices within the commuting area,
- Registration on the Agency Reemployment Priority List (RPL); and
- Information about special selection priority under the Interagency CTAP.

(Attach a copy of or include a link to the agency's policies for these programs including the RPL application form.)

If you resign on or before the RIF effective date of **(Month, Day, Year)**, your separation will be considered involuntary for the purposes of severance pay. Please be advised that you may affect your eligibility for Federal reemployment/placement assistance programs and/or your appeal rights if you resign. You are strongly encouraged to contact the HRO for information if you are considering resigning during this specific notice period.

This action is being taken under the civil service RIF regulations and procedures. The HRO maintains the retention registers, RIF regulations, and records affecting your action. You may make an appointment to review this material by calling the (**HR Representative's Name**) on (**Phone Number or email**). For benefits information, please schedule an appointment with (**HR Representative's Name**) on (**Phone Number or email**).

If you believe that your retention rights were violated, you may appeal the RIF action to the Merit Systems Protection Board (MSPB), **(City)** Regional Office, **(Street Address), (City), (State), (Zip Code)**. Your appeal must be in writing and must be filed during the 30-day period beginning the day after the effective date of the RIF action. If your appeal is not filed within this 30 calendar day limit, it may be dismissed as untimely filed, unless you can show good cause for the delay.

Separation, Severance Pay, page 2

U.S. Office of Personnel Management Workforce Policy and Innovation For more information on filing an appeal, you may review the MSPB <u>appeal form</u> and the MSPB <u>appeal regulations</u>.

This RIF action does not reflect on your service, performance, or conduct. It is being taken solely for the reason stated. Every effort will be made to retain your services at the highest level allowed by regulation.

(Agency signature)

Attachments

1. Severance Pay Fund Estimate (Resource: Severance Pay Estimation Worksheets)

Acknowledgement of Receipt:

Please sign below to acknowledge receipt of this notice.

Signature_____ Date_____

Separation, Severance Pay, page 3

U.S. Office of Personnel Management Workforce Policy and Innovation

Separation, Discontinued Service or Optional Retirement

Memorandum

To:	(Employee Name)
From:	(Agency Head or Chief Human Capital Officer)
Subject:	Specific Notice of Reduction in Force (RIF)

This memorandum is to inform you that because **(Specify either: your position is being abolished** OR **you are being displaced from your position)**, you will be separated from the Federal service.

(Reason for RIF. Example: This RIF is necessary to implement the abolishment of the Office of Procurement Operations.)

This is your specific notice of how the Office of Procurement Operations RIF will affect you. You will be released from your competitive level and, based on your retention standing, you do not have an assignment right to another position in the competitive area. Consequently, you will be separated from the Federal service effective (**Month, Day, Year**). You will continue in your present position during this specific notice period.

This RIF was conducted by the Human Resources Office (HRO) by preparing retention registers which listed employees in retention standing order based on civil service tenure, veteran's preference, length of Federal service, and performance ratings. The following information was used to determine your retention standing as of the RIF effective date:

- Competitive Area:
- Type of Service:
- Position Title, Series, Grade:
- Competitive Level:
- Tenure Group and Subgroup:
- Service Computation Date (SCD):
- Three Most Recent Performance Ratings received during the last 4 years (*include the number of years credited for each*):
- Adjusted SCD (SCD-RIF):

Based on your age and years of service, you are eligible for an immediate annuity either through <u>involuntary discontinued service</u> *or* <u>voluntary optional retirement</u>.

U.S. Office of Personnel Management Workforce Policy and Innovation There are differences between these two types of retirement, especially if you are reemployed in the Federal service. Please contact **(HR Representative's Name)** on **(Phone number or email)** to discuss these differences and their potential impact. Since you are eligible for an immediate annuity, you are not eligible for severance pay.

The <u>RIF Benefits Guide</u> has general information about leave and benefit entitlements. This resource provides guidance on grade and pay retention, repromotion consideration, severance pay, leave and unemployment compensation.

(Include information or a link to information about benefits available the **(State's Name)** Workforce Innovation and Opportunity Act (WIOA) including unemployment insurance.)

You are eligible for placement assistance under the Agency Career Transition Assistance Program (CTAP) which provides:

- Special selection priority to other Agency offices within the commuting area,
- Registration on the Agency Reemployment Priority List (RPL); and
- Information about special selection priority under the Interagency CTAP.

(Attach a copy of or include a link to the agency's policies for these programs including RPL application form.)

If you resign on or before the RIF effective date of **(Month, Day, Year)**, your separation will be considered involuntary for retirement purposes. Please be advised that you may affect your eligibility for Federal reemployment/placement assistance programs and/or your appeal rights if you resign. You are strongly encouraged to contact the HRO for information if you are considering resigning during this specific notice period.

This action is being taken under the civil service RIF regulations and procedures. The HRO maintains the retention registers, RIF regulations, and records affecting your action. You may make an appointment to review this material by calling the **(HR representative's name)** on **(phone number or email)**.

If you believe that your retention rights were violated, you may appeal the RIF action to the Merit Systems Protection Board (MSPB), **(City)** Regional Office, **(Street Address), (City), (State), (Zip Code)**. Your appeal must be in writing and be filed during the 30-day period beginning the day after the effective date of the RIF action. If your appeal is not filed within this 30 calendar day limit, it may be dismissed as untimely filed, unless you can show good cause for the delay.

For more information on filing an appeal, you may review the MSPB <u>appeal form</u> and the MSPB <u>appeal regulations</u>.

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U.S. Office of Personnel Management Workforce Policy and Innovation This RIF action does not reflect on your service, performance, or conduct. It is being taken solely for the reason stated. Every effort will be made to retain your services at the highest level allowed by regulation.

(Agency signature)

Acknowledgement of Receipt:

Please sign below to acknowledge receipt of this notice.

Signature_____ Date_____

(Typed Employee Name)

Separation, Discontinued Service or Optional Retirement, page 3

U.S. Office of Personnel Management Workforce Policy and Innovation

Separation, Severance Pay, or Annual Leave for Initial Retirement Eligibility

Memorandum

То:	(Employee Name)
From:	(Agency Head or Chief Human Capital Officer)
Subject:	Specific Notice of Reduction in Force (RIF)

This memorandum is to inform you that because **(Specify either: your position is being abolished** OR **you are being displaced from your position)**, you will be separated from the Federal service.

(Reason for RIF. Example: This RIF is necessary to implement the abolishment of the Office of Procurement Operations.)

This is your specific notice of how the Office of Procurement Operations RIF will affect you. You will be released from your competitive level and, based on your retention standing, you do not have an assignment right to another position in the competitive area. Consequently, you will be separated from the Federal service effective (Month, Day, Year). You will continue in your present position during this specific notice period.

This RIF was conducted by the Human Resources Office (HRO) by preparing retention registers which listed employees in retention standing order based on civil service tenure, veteran's preference, length of Federal service, and performance ratings. The following information was used to determine your retention standing as of the RIF effective date:

- Competitive Area:
- Type of Service:
- Position Title, Series, Grade:
- Competitive Level:
- Tenure Group and Subgroup:
- Service Computation Date (SCD):
- Three Most Recent Performance Ratings received during the last 4 years (*include the number of years credited for each*):
- Adjusted SCD (SCD-RIF):

Because your first eligibility date to retire will occur between the RIF effective date and the expiration of your accumulated annual leave balance, you will be eligible for one of the following separation benefits:

Separation, Severance Pay or Annual Leave for Initial Retirement Eligibility, page 1

• Severance pay: If you resign before, or are separated on the RIF effective date, you will be eligible for severance pay. An estimate of your severance pay fund is included as attachment 1. (Attach a copy of the employee's severance pay fund estimate using <u>Severance Pay Estimation Worksheets</u>)

OR

- Discontinued Service Retirement: You may elect to take annual leave from (Month, Day, Year), the date you would otherwise be separated by RIF, through (Month, Day, Year), your first retirement eligibility date.
 Your personnel records as of (Month, Day, Year) indicate you have enough annual leave to be eligible for this option. You will lose eligibility if your accumulated annual leave falls below the amount needed to cover the period specified above.
 Once you become eligible for an immediate annuity, you will no longer be eligible for severance pay. Attachment 2 has additional information and an election form. To discuss this eligibility, please contact (HR representative's name) on (phone or email).
 - To elect this option, submit your completed election form to (**HR representative's name**).
 - If you do not submit a completed election form by (Month, Day, Year), you will be separated effective (Month, Day, Year) and severance pay will apply.

The <u>RIF Benefits Guide</u> has general information about leave and benefit entitlements. This resource provides guidance on grade and pay retention, repromotion consideration, severance pay, leave and unemployment compensation.

(Include information or a link to information about benefits available the **(State's Name)** Workforce Innovation and Opportunity Act (WIOA) including unemployment insurance.)

You are eligible for placement assistance under the Agency Career Transition Assistance Program (CTAP) which provides:

- Special selection priority to other Agency offices within the commuting area,
- Registration on the Agency Reemployment Priority List (RPL); and
- Information about special selection priority under the Interagency CTAP.

(Attach a copy of or include a link to the agency's policies for these programs including RPL application form.)

If you resign on or before the RIF effective date of **(Month, Day, Year)**, your separation will be considered involuntary for retirement purposes. Please be advised that you may affect your eligibility for Federal reemployment/placement assistance programs and/or your appeal rights if you resign. You are strongly encouraged to contact the HRO for information if you are considering resigning during this specific notice period.

This action is being taken under the civil service RIF regulations and procedures. The HRO maintains the registers, RIF regulations, and records affecting your action. You may make an appointment to review this material by calling the **(HR representative's name)** on **(phone number or email)**.

If you believe that your retention rights were violated, you may appeal the RIF action to the Merit Systems Protection Board (MSPB), **(City)** Regional Office, **(Street Address)**, **(City)**, **(State)**, **(Zip Code)**. Your appeal must be in writing and must be filed between the day after the RIF effective date and 30 calendar days after that effective date. If your appeal is not filed within this 30 calendar day limit, it may be dismissed as untimely filed, unless you can show good cause for the delay.

For more information on filing an appeal, you may review the MSPB <u>appeal form</u> and the MSPB <u>appeal regulations</u>.

This RIF action does not reflect on your service, performance, or conduct. It is being taken solely for the reason stated. Every effort will be made to retain your services at the highest level allowed by regulation.

(Agency signature)

Attachments

- 1. Severance Pay Fund Estimate (Resource: Severance Pay Estimation Worksheets)
- 2. Annual Leave for First Retirement Eligibility Information and Election Form

Acknowledgement of Receipt:

Please sign below to acknowledge receipt of this notice.

Signature_____ Date_____

(Typed Employee Name)

Attachment 2

Annual Leave for Retirement Eligibility

Information and Election Form

Information

Under 5 C.F.R 351.606(b), an agency must allow an employee scheduled for RIF separation to elect to use annual leave to remain on the rolls past the RIF effective date to establish first eligibility for immediate retirement.

The regulatory requirements of this temporary exception include:

- The agency may not retain the employee past the first immediate retirement annuity eligibility date
- The agency may not approve any other type of leave after the employee has been retained under this temporary exception.
- Annual leave for this purpose is defined in 5 C.F.R. 630.212(b) to include all accumulated, accrued, restored, and other authorized annual leave credited before the RIF effective date and annual leave earned while in a paid leave status after the RIF effective date.

Election Form

To: Human Resources Office

From: (Typed Employee Name)

Subject: Annual Leave to Attain First Retirement Eligibility Election

Under 5 C.F.R. 351.606(b), I elect to use my accumulated annual leave to attain first eligibility for a retirement annuity. I understand that by electing this option, I will not be eligible for severance pay.

I elect this option with full understanding that:

- I will be placed on annual leave effective (Month, Day, Year), the date I otherwise would have been separated by RIF procedures, through (Month, Day, Year), the first date I am eligible for an immediate retirement annuity; AND
- I may not use any other type of leave to be retained under this authority; AND
- I will lose eligibility under this authority if my accumulated annual leave falls below the amount required to cover the period from (Month, Day, Year) to (Month, Day, Year); AND

• I will be separated by RIF procedures effective (Month, Day, Year), the first date I am eligible for an immediate retirement annuity.

Signature: _____ Date: _____

(Typed Employee Name)