



The Director

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

MEMORANDUM

To: Heads of Departments and Agencies
From: Scott Kupor, Director, U.S. Office of Personnel Management
Date: September 2, 2026
Re: **Final Regulations on Reduction in Force**

The U.S. Office of Personnel Management (OPM) is pleased to announce the issuance of final regulations amending Reductions in Force procedures found in 5 CFR part 351. These regulations were published on August 3, 2026. The final rule will be effective September 2, 2026, as specified in the Federal Register.

Summary of Key Regulatory Changes

- **Employee coverage.** Initial probationary and trial-period employees, specified temporary or short-term time-limited employees, and Schedule C and Schedule G employees are excluded from RIF competition.
- **Competitive areas.** Agencies may define competitive areas using official organizational units or geographic locations. Establishing or materially modifying an area within 90 days before notice issuance requires OPM approval before the RIF.
- **Transfers of function.** The transfer-of-function procedures in subpart C apply to transfers between agencies, not internal moves of work within one agency.
- **Retention standing.** Competitive service and excepted service employees are placed on separate registers. Employees are ranked by performance credit augmented by veterans' preference points, followed by tenure subgroup and actual service computation date as tie-breakers.
- **Performance credit.** Ratings are converted directly to points: Level 5 = 7, Level 4 = 5, Level 3 = 3, and Levels 1-2 = 0.
- **Assignment rights.** The revised rule replaces bump and retreat with a single right to assignment where a released employee may be assigned to a qualifying position held by an employee with a lower retention standing. Generally, this

assignment requires a job-analysis-based qualification assessment unless exceptions for doing the same-work within five years and performance applies.

- **Competitive-area abolishment and exceptions.** The rule provides a streamlined process when every position in a competitive area will be abolished within 180 days and updates USERRA protections and continuing and temporary exceptions.
- **Notices and records.** Agencies must update notice content, record-access procedures, appeal information, and retention-register documentation.

Comprehensive information on the regulatory changes is available within the Federal Register notice. In addition, this memorandum's attachments provide further information on the regulatory changes and frequently asked questions. OPM plans to provide additional guidance in the future on implementing the revised regulations.

OPM is requiring compliance with this final rule based on the date the agency issues the RIF notice. An agency that issues a RIF notice before September 2, 2026, must process the RIF under the regulations in effect when the notice was issued. An agency that issues a RIF notice on or after September 2, 2026, must apply the revised RIF provisions which will be in effect when the notice is issued.

Additional Information

Agency headquarters-level HR offices may contact OPM at WPIntake@opm.gov. Agency components and field offices should consult their headquarters-level HR office. Employees and supervisors should contact their agency HR office for additional information.

Attachments

- [Reduction in Force Basics](#)
- [RIF FAQs Applicability and Employee Coverage](#)
- [RIF FAQs Assignment Rights and Qualification Assessments](#)
- [RIF FAQs Competitive Area Abolishment](#)
- [RIF FAQs Competitive Areas and OPM Approval](#)
- [RIF FAQs Excluded Employees and Notice Requirements](#)
- [RIF FAQs Notices, Records, Appeal Information, and Transition Programs](#)
- [RIF FAQs Retention Standing and Performance Credit](#)
- [RIF FAQs Transfers of Function](#)

cc: CHCOs, Deputy CHCOs, Chief Information Officers, and Human Resources Directors

Reduction in Force (RIF) Basics

Implementation timing

A RIF notice issued before the final rule's effective date, September 2, 2026, is processed under the regulations in effect when the notice was issued. A notice issued on or after the effective date is processed under the revised regulations. Retention standing is fixed as of the date the employee receives the specific RIF notice. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026).

When RIF Procedures Apply

An agency must use 5 CFR part 351 when it releases a competing employee from a competitive level by a furlough of more than 30 days, separation, demotion, or a reassignment that requires displacement, and the release is required because of lack of work, shortage of funds, insufficient personnel ceiling, reorganization, or the exercise of reemployment or restoration rights.

- A furlough is covered when it exceeds 30 consecutive calendar days, or 22 workdays on a discontinuous basis during a period of no more than 1 year.
- An emergency shutdown furlough caused by a lapse in appropriations is not a RIF furlough when the agency does not know the ultimate duration at the outset.
- A reclassification to a lower grade because of erosion of duties is not a RIF action. However, after a RIF is formally announced and until it is completed, the agency may not use such a reclassification if it would adversely affect an employee's RIF retention standing.

Regulatory references: 5 CFR 351.201-351.203.

Potential Outcomes for an Employee

- Reassignment to an equivalent position.
- Assignment or demotion to a lower-graded position, with grade or pay retention when applicable.
- Furlough for more than 30 days or separation from Federal employment.

Notice Period and Additional Notifications

A competing employee generally is entitled to at least 60 days of specific written notice before a RIF action takes effect. An agency may request OPM approval to use a shorter period, but the notice period may not be less than 30 days.

When an agency separates 50 or more employees by RIF from a competitive area, 5 CFR 351.803 requires additional notifications, including notice to OPM, appropriate labor representatives, the State dislocated-worker or rapid-response program, and appropriate local government officials. These notifications do not replace duties under labor-relations law or a collective bargaining agreement.

Regulatory references: 5 CFR 351.801 and 351.803.

Competitive Area

The competitive area sets the organizational and, when applicable, geographic limits of RIF competition.

- It may consist of an organizational unit, or combination of units, established on the agency's official organizational chart. The unit must be clearly distinguished from other units by its operation, work function, staff, and supervisory oversight.
- An agency may designate a geographic location, such as a county or national park, as a separate competitive area.
- An employee working at an approved alternate location remains assigned to the employee's official organizational unit for competitive-area purposes.
- If an agency establishes or materially modifies a competitive area within 90 days before issuing specific RIF notices, it must obtain OPM approval in advance and explain the bona fide organizational basis for the area.

Regulatory references: 5 CFR 351.402.

Competitive Level

Within each competitive area, the agency groups interchangeable positions into competitive levels. A competitive level generally includes positions with the same grade or occupational level, classification series, official tour of duty, qualification requirements, duties, and responsibilities. The agency establishes the level from official position descriptions and other official records, not from an employee's personal qualifications.

Regulatory references: 5 CFR 351.403 and 351.404.

Who Competes in a RIF?

A competing employee is an employee in either the competitive service tenure group or the excepted service tenure group. Employees in the two tenure groups are placed on separate retention registers and do not compete against one another.

Included in RIF competition	Excluded from RIF competition
Competitive service employees in tenure subgroup I or II.	Competitive service employees serving an initial probationary period.
Excepted service employees occupying a career position in tenure subgroup I or II.	Competitive service employees serving under a temporary appointment of 1 year or less under 5 CFR part 316, subpart D.
A supervisory or managerial probationary period alone does not exclude an otherwise covered employee; the exclusion is for an initial probationary period.	Excepted service employees serving a trial period, under a Schedule C or Schedule G appointment, or under a temporary or time-limited appointment of 1 year or less.

Effect of exclusion from competition

An excluded employee may be retained while a competing employee is released or may be furloughed, separated, demoted, or reassigned for a RIF reason without a retention-standing calculation, order-of-release analysis, or assignment rights. Unless the action is simply the expiration of a temporary or time-limited appointment according to its terms, the employee must receive a modified written RIF notice.

Regulatory references: 5 CFR 351.202(d), 351.203, and 351.502.

Tenure Groups and Subgroups

Tenure group	Subgroup	Who is included
Competitive service	I	Career employees who have completed any required initial probationary period.
Competitive service	II	Other competitive service employees who are not excluded from RIF competition, such as eligible career-conditional employees who completed probation.
Excepted service	I	Employees occupying a career position whose appointment has no restriction or condition, such as conditional, indefinite, or a specific time limit, and who completed any required trial period.
Excepted service	II	Other employees occupying a career position who completed any required trial period and are not serving in a temporary or time-limited appointment of 1 year or less.

Regulatory references: 5 CFR 351.502. A career position in the excepted service excludes Schedule C and Schedule G positions.

Retention Factors and Order of Retention

The law requires due effect to tenure of employment, performance, veterans' preference, and length of service. Under the revised framework, tenure determines the register; performance, augmented by veterans' preference, determines the order within that register.

1. Place competitive service and excepted service employees on separate retention registers for the affected competitive level.
2. Within each tenure group, rank employees by total performance credit, including veterans' preference points, from highest to lowest.
3. If employees have the same total, rank tenure subgroup I ahead of tenure subgroup II.
4. If employees remain tied, rank the employee with the earlier service computation date first. If every factor is identical, the agency may select any tied employee for release.

Regulatory references: 5 CFR 351.501 and 351.601(c). Agency-specific statutes may establish different requirements.

Performance Credit

Performance credit is based on the three most recent ratings of record received during the 4-year period before the agency issues specific RIF notices, or before an agency-established cutoff date. Only completed ratings of record that have all required reviews and signatures and are available to the office constructing the registers may be used.

Level	Rating description	RIF points
5	Outstanding or equivalent	7
4	Exceeds Fully Successful or equivalent	5
3	Fully Successful or equivalent	3
2	Minimally Satisfactory or equivalent	0
1	Unacceptable	0

Missing Ratings

- No rating in the lookback period: use the modal rating for the summary-level pattern that applies to the employee's position.
- Two ratings: average the point values of the two actual ratings to create a proxy value for the missing rating, then add all three values.
- One rating: multiply the point value for that rating by three.

Optional Performance Enhancements

When employees are covered by certain single or multiple summary-level patterns, an agency may use documented evidence of exceptional performance to provide additional or translated performance credit. The agency must establish and document the criteria in advance, make them available for review, and apply them uniformly and consistently. The RIF-only enhancement does not change the employee's rating of record.

Regulatory references: 5 CFR 351.503.

Veterans' Preference Points

Subgroup	Category	Added points
AD	Preference eligible with a compensable service-connected disability of 30 percent or more	5
A	Every other preference eligible, including eligible derived-preference claimants	3
B	Not preference eligible for RIF purposes	0

Regulatory references: 5 CFR 351.504. RIF veterans' preference is distinct from preference used in competitive examining.

Worked Retention-Standing Example

The example below shows how performance and veterans' preference determine the score, and how tenure subgroup and service computation date break a tie.

Rank	Employee	Tenure Group	Veterans Preference Subgroup	Ratings	Performance Credit	Veterans Preference Points	Performance Total	Tenure Subgroup	SCD
1	Rivera	Competitive Service	B	5 / 5 / 4	19	0	19	I	4/2/2018
2	Singh	Competitive Service	A	5 / 4 / 3	15	3	18	I	8/15/2013
3	Morgan	Competitive Service	A	5 / 4 / 3	15	3	18	I	1/27/2020
4	Taylor	Competitive Service	AD	4 / 4 / 3	13	5	18	II	7/10/2023

Rivera ranks first with the highest total. Singh, Morgan, and Taylor tie at 18; tenure subgroup I ranks ahead of subgroup II, and Singh ranks ahead of Morgan because Singh has the earlier service computation date.

Retention Registers and Effective Date

For each affected competitive level, the agency lists employees from highest to lowest standing on the appropriate tenure-group register. The lowest-standing employee or employees are reached first for release, subject to mandatory or discretionary exceptions. Retention standing is determined as of the date the employee receives the specific RIF notice and remains fixed unless the agency discovers and corrects an error.

Regulatory references: 5 CFR 351.404, 351.506, and 351.507.

Release From the Competitive Level

The agency releases the employee or employees with the lowest retention standing from the affected competitive level. The RIF remains a position-based organizational action; performance ratings influence retention standing but do not convert a RIF into a disciplinary or performance-based action.

Regulatory references: 5 CFR 351.601-351.603.

Mandatory and Discretionary Exceptions

USERRA restoration protection

An employee performing duty with the uniformed services is not a competing employee and may not be demoted or separated by RIF; if the position is abolished, the agency must reassign the employee to a position of like status and pay.

After restoration or reemployment, a competing employee who remains within the applicable 6-month or 1-year protection period is restoration-protected. The agency first determines ordinary retention standing, then applies a mandatory exception: it may not release the protected employee if another competing employee can be released instead. If an entire competitive area is abolished, the agency must reassign the protected employee to a position of like seniority, status, and pay for which qualified, or seek OPM placement assistance when required.

Other exceptions

- A discretionary continuing exception may retain a lower-standing employee on duties that cannot be taken over within 90 days without undue interruption.
- Discretionary temporary exceptions may extend a separation date for undue interruption, a Government obligation, continuous leave for a sick-leave purpose, qualifying annual-leave use to reach retirement or health-benefits eligibility, military-spouse circumstances, or another situation that does not adversely affect a higher-standing employee.
- Temporary exceptions generally may not be stacked. Notice and register documentation are required when an exception exceeds 30 days.

Regulatory references: 5 CFR 351.606-351.608; 5 CFR part 353.

When every position in a competitive area is abolished

If the agency will eliminate all positions in the competitive area, including positions occupied by employees excluded from RIF competition, within 180 days, it may use 5 CFR 351.605. The agency does not construct retention registers or apply assignment rights because no positions will remain in the area. It must provide the required tailored notice and honor mandatory restoration protections.

Assignment Rights

The revised rule replaces the former "bump" and "retreat" framework with a single assignment-right standard. When a competitive service tenure-group employee with a current rating of record at Level 2 or higher is released, the agency must offer assignment rather than furlough or separation when all applicable conditions are met.

- The position is in the same competitive area and has the same type of work schedule as the employee's position of record.
- The position is held by an employee with lower retention standing in the same tenure group.
- The assignment requires no reduction, or the least possible reduction, in representative rate.

- The position is no more than three grades or appropriate grade intervals below the released employee's position. The limit is five grades or intervals for a preference eligible with a compensable service-connected disability of 30 percent or more.
- The released employee is qualified for the position. Promotion potential is not considered when determining the right.

Skills-Based Qualification Assessment

The agency generally must use a job-analysis-based assessment that allows the employee to demonstrate job-related skills, abilities, knowledge, and competencies and does not rely principally on an automated self-assessment. A new assessment is not required when official records show that, during the 5 years before the RIF notice, the employee held the same or a substantially similar position at the same grade or pay level and earned a Level 3 or higher rating for that work. **Acceptable methods include structured interviews; a work-related exercise; a custom or generic procedure for measuring an employee's employment or career-related qualifications and interests; a structured resume review; or another assessment. Any method used must both demonstrate job-related technical skills, abilities, and knowledge and be relevant for the position for which the assessment is developed.**

Assignment rights are mandatory for covered competitive service employees. An agency may, at its discretion, provide comparable rights to excepted service employees under the same appointing authority.

Regulatory references: 5 CFR 351.701, 351.702, and 351.705.

Content of the Specific RIF Notice

Except where a modified notice is authorized, the specific written notice must provide the information needed for the employee to understand the action and how the agency determined it. Among other required items, the notice includes:

- The action to be taken, the reason for the action, and the effective date.
- The employee's competitive area and competitive level; veterans' preference subgroup; tenure group and subgroup; service computation date; and the three most recent ratings of record received during the applicable 4-year period.
- The employee's relative retention standing and how it was determined, including any offer of assignment or the reasons no offer was available, as applicable.
- A link to 5 CFR part 351, instructions for accessing pertinent agency RIF records, reemployment information, and appeal or grievance rights.

An amended notice issued only to delay the effective date does not create a new retention-standing date and does not require the agency to rerun the register. The agency must still correct any discovered error.

Regulatory references: 5 CFR 351.802 and 351.805.

Employee Access to RIF Records

An employee who receives a specific RIF notice, and the employee's representative acting on the employee's behalf, may inspect the completed records used in the action. This includes the complete applicable retention register and other registers that could affect the employee's competitive level or assignment rights. Access must be consistent with the Freedom of Information Act and Privacy Act. The agency must preserve RIF registers and records for at least 2 years after issuing specific notices.

Regulatory references: 5 CFR 351.506.

Transfer of Function

Transfer-of-function procedures apply when a continuing function moves from one agency to another agency. Before a related RIF, a competing employee identified with the function generally transfers to the gaining agency without a change in tenure. An employee is identified with the function when the agency determines that the employee performs it at least half of the employee's work time. A canvass letter must explain the consequences of accepting or declining and give the employee at least 30 calendar days to respond.

Regulatory references: 5 CFR 351.301-351.303.

Career Transition Assistance

Eligible displaced employees may receive assistance through the Reemployment Priority List (RPL), the agency Career Transition Assistance Plan (CTAP), and the Interagency Career Transition Assistance Plan (ICTAP). The revised rules align eligibility with the new competitive-service tenure group and emphasize valid, job-related, skills-based assessments when determining qualifications and selecting RPL candidates. The core selection priorities under RPL, CTAP, and ICTAP remain in place.

Regulatory references: 5 CFR part 330, subparts B, F, and G.

Benefits Following Separation or Downgrading

Depending on individual eligibility, an employee affected by RIF may qualify for severance pay, unemployment compensation, a lump-sum annual-leave payment, restoration of sick leave upon reemployment or credit toward a retirement annuity, discontinued-service or other retirement benefits, and grade or pay retention following a qualifying demotion.

Appeals and Grievances

When a specific RIF notice is issued on or after September 2, 2026, an employee who is separated, demoted, or furloughed for more than 30 days by RIF may appeal to the Office of Personnel Management if the employee believes the agency did not properly follow applicable statutes or regulations. The appeal generally must be filed within 30 days after the effective date of the RIF action. A bargaining-unit employee covered by a negotiated grievance procedure that does not exclude RIF generally must use that procedure, subject to the collective bargaining agreement and applicable law.

When a specific RIF notice is issued before September 2, 2026, an employee who is separated, demoted, or furloughed for more than 30 days by RIF may appeal to the Merit Systems Protection Board.

Regulatory references: 5 CFR part 351, subpart I.

Reduction in Force (RIF) FAQs: Applicability and Employee Coverage

Determining which rule applies, which actions are covered, and who competes

Audience	Agency human resources, employee relations, counsel, and workforce-planning officials
Purpose	Support the threshold determinations that must be made before constructing a retention register.
Primary citations	5 CFR 351.201-.204; 351.507; conforming provisions in parts 316 and 362

These materials are implementation aids. The published Federal Register rule, the CFR, and applicable statutes are controlling. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. How does an agency determine whether the prior or revised RIF regulations apply?

Use the date the agency issues the specific RIF notice. A notice issued before the final rule's effective date of September 2, 2026, is processed under the regulations in effect when the notice was issued. A notice issued on or after the effective date, September 2, 2026, must use the revised provisions.

Regulatory reference: Final rule implementation considerations; 5 CFR 351.507. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026).

2. Does a change to a later RIF effective date change which regulatory framework applies?

No. An amended notice that only delays the action does not create a new retention-standing date. The agency must still correct any error it discovers.

Regulatory reference: 5 CFR 351.507(c), 351.805(b)

3. What personnel actions constitute a RIF?

A RIF is the release of a competing employee from the employee's competitive level by a covered furlough, separation, demotion, or reassignment requiring displacement when the action is required because of lack of work, shortage of funds, insufficient personnel ceiling, reorganization, or the exercise of reemployment or restoration rights.

Regulatory reference: 5 CFR 351.201(a)(2), 351.203

4. Are emergency shutdown furloughs covered by the RIF furlough rules?

No. A furlough caused by a lapse in appropriations is excluded when the agency does not know the ultimate duration at the outset. Planned nondisciplinary furloughs that meet the part 351 duration thresholds remain subject to the RIF furlough procedures.

Regulatory reference: 5 CFR 351.203

5. What general compliance obligation applies?

The agency must follow part 351 and administer it consistently with all applicable law and the merit system principles. The rule does not authorize discriminatory, retaliatory, politically motivated, pretextual, or otherwise unlawful actions.

Regulatory reference: 5 CFR 351.204; 5 U.S.C. 2301(b)

6. Who is a competing employee?

A competing employee is an employee in either the competitive-service tenure group or the excepted-service tenure group. Employees in specified exclusion categories do not compete.

Regulatory reference: 5 CFR 351.203

7. Which excepted service employees are excluded?

Employees serving under a temporary or time-limited appointment of 1 year or less, employees serving a trial period, and employees serving under a Schedule C or Schedule G appointment are excluded.

Regulatory reference: 5 CFR 351.202(d)(1)

8. Which competitive-service employees are excluded?

Employees serving an initial probationary period in the competitive service and employees serving under a temporary appointment of 1 year or less under part 316, subpart D, are excluded.

Regulatory reference: 5 CFR 351.202(d)(2)

9. Does supervisory or managerial probation exclude an otherwise career employee?

Not by itself. The initial probation definition does not include the probationary period imposed upon initial appointment to a supervisory or managerial position. An employee who is simultaneously serving an initial probationary period and supervisory probation remains excluded.

Regulatory reference: 5 CFR 351.203 (Initial probationary period)

10. How are time-limited appointments longer than 1 year treated?

An employee on a time-limited appointment of more than 1 year is not necessarily excluded. An otherwise eligible employee who completed the applicable probationary or trial period generally enters subgroup II.

Regulatory reference: 5 CFR 351.502(a)(3), (b)(3)

11. How are Pathways participants and post-secondary students treated?

Participants appointed for 1 year or less do not compete. Employees appointed for more than 1 year generally enter the applicable tenure group after completing the initial probationary or trial period. Expiration of a time-limited appointment is governed by the appointment terms.

Regulatory reference: 5 CFR 316.911, 351.202(d), 362.205, 362.306

12. How does the rule treat an erosion-of-duties reclassification?

A change to lower grade based on erosion of duties generally is not processed under part 351. After an agency formally announces a RIF and until completion, an agency may not take such a reclassification if it would adversely affect retention standing.

Regulatory reference: 5 CFR 351.202(c)(3)

13. Coverage Quick Reference

Employee status	Competes?	Placement
Competitive service; serving initial probationary period	No	Excluded
Competitive service; career-conditional, probationary period completed	Yes	Usually, subgroup II until career tenure
Competitive service; career employee, no initial probationary period required	Yes	Subgroup I
Temporary competitive service appointment, 1 year or less	No	Excluded
Excepted service; serving trial period	No	Excluded
Excepted service; Schedule C or G appointment	No	Excluded
Excepted service career position; unrestricted appointment, trial period completed	Yes	Subgroup I
Excepted service career positions; conditional or indefinite appointments, trial period completed	Yes	Subgroup II

Reduction in Force (RIF) FAQs: Assignment Rights and Qualification Assessments

Determining available positions, employee qualifications, and assessment timing

Audience	Agency RIF teams, staffing and assessment specialists, counsel, and selecting officials
Purpose	Explain the unified assignment-right framework and the assessment or prior-performance evidence used to determine qualification.
Primary citations	5 CFR 351.701-.705

These materials are implementation aids. The published Federal Register rule, the codified CFR, applicable statutes, and later OPM guidance control. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. Did the rule eliminate bump and retreat?

Yes. It replaces those separate concepts with a unified assignment-right standard. A released employee may be assigned to a qualifying position held by an employee with lower retention standing in the same tenure group.

Regulatory reference: 5 CFR 351.701

2. Who is entitled to assignment rights?

A competitive-service tenure-group employee released from a competitive level with a current annual rating of record of Level 2, Minimally Satisfactory, or higher must be offered an available qualifying assignment rather than furlough or separation, consistent with the rule.

Note: Excepted service employees are not entitled to assignment rights.

Regulatory reference: 5 CFR 351.701(a)

3. Do excepted-service employees have assignment rights?

Not automatically under the mandatory competitive-service provision. An agency may adopt provisions that provide competing excepted-service employees with assignment rights to positions under the same appointing authority on the same basis.

Regulatory reference: 5 CFR 351.705(a)

4. What conditions must the position satisfy?

The position must be in the same competitive area, have the same type of work schedule, be held by an employee with lower retention standing in the same tenure group, require no reduction or the least possible reduction in representative rate, and be a position for which the released employee is qualified.

Regulatory reference: 5 CFR 351.701(a)-(b)

5. What grade limits apply?

The ordinary limit is no more than three grades, grade intervals, or equivalent below the released position. For a preference eligible with a compensable service-connected disability of 30 percent or more, the limit is five grades or intervals. Pay-band equivalents apply.

Regulatory reference: 5 CFR 351.701(b)(2), (f)-(g)

6. How must the agency determine qualifications?

Generally, the agency must use an assessment based on job analysis that permits the employee to demonstrate job-related skills, abilities, knowledge, and competencies.

Regulatory reference: 5 CFR 351.702(a)(4)(i)

7. When may past performance replace a new assessment?

A new assessment is not required when, during the 5 years ending on the notice date, the employee occupied the same position or a same-grade or pay-level position with substantially the same duties, series, qualifications requirements, and conditions of employment and received a Level 3 or higher rating for that work.

Regulatory reference: 5 CFR 351.702(a)(4)(v)

8. What assessment methods may be used?

In accordance with the Chance to Compete Act of 2024 (Pub. L. 118-188), and the Merit Hiring Plan, methods may include structured interviews, work samples or exercises, structured resume reviews, and other relevant job-related assessments. The assessment may not consist solely of, or principally rely on, an automated self-assessment.

Regulatory reference: 5 CFR 351.702(a)(4)(ii)-(iv)

9. When must the assessment be administered?

The regulation does not prescribe a specific time frame. The agency must complete the qualification determination before it concludes that no qualifying assignment exists, before issuing a RIF notice, and before it effects the RIF action.

Implementation note: Agencies may assess earlier once at-risk employees and potential positions are known, provided the job analysis and criteria remain valid.

Regulatory reference: 5 CFR 351.701-.702; 351.802

10. How much time should the employee receive to complete an assessment?

The agency should establish a reasonable, consistently applied response or testing period that accounts for the assessment method, notice schedule, accessibility, and the need for reasonable accommodation. The administrative record should show when the employee received instructions and when the assessment closed.

Regulatory reference: 5 CFR 351.702; applicable reasonable-accommodation requirements

11. How should multiple potential positions be evaluated?

Apply the qualification method to the available positions within the regulatory limits and identify the position that avoids a reduction or produces the least possible reduction in representative rate. Document the sequence and why each position did or did not qualify.

Regulatory reference: 5 CFR 351.701(b); 351.702

Reduction in Force (RIF) FAQs: Competitive-Area Abolishment

Applying streamlined abolishment procedures and protections that modify the ordinary release order

Audience	Agency RIF teams, employee relations, counsel, USERRA coordinators, and leave officials
Purpose	Explain the conditions and documentation for abolishing an entire area and applying mandatory or discretionary exceptions.
Primary citations	5 CFR 351.605-.608; 353.110; 353.209

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the CFR, and applicable statutes control. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. When may an agency use the streamlined competitive-area abolishment provision?

The agency may use it when every position in the competitive area, including positions held by excluded employees, will be abolished within 180 days.

Regulatory reference: 5 CFR 351.605(a), (b), (d)

2. Must the agency construct a retention register or determine assignment rights?

No. Because no positions will remain in the area, the agency need not construct a retention register or conduct an assignment-right analysis. The agency must still apply statutory protections and provide the tailored notice.

Regulatory reference: 5 CFR 351.605(b)-(d)

3. What information must be included in the notice to affected employees?

The notice must identify the competitive area, personnel action, effective date, access to the RIF regulations and records pertinent to the RIF, reemployment information, and appeal information. It must state that the employee was not ranked relative to others because all positions in the area are being abolished. Additionally, the agency should also include information about severance pay or retirement benefits (if applicable), health and life insurance, and applying for unemployment benefits insurance at the appropriate State office.

Regulatory reference: 5 CFR 351.605(c), 351.802

4. What information about appeals must be included in the RIF notice?

The agency must include information regarding the employee's right to submit an appeal to OPM, information about the official e-filing website, and time limits for filing as provided in 5 CFR part 351, Subpart I–Appeals. The agency should verify the exact wording and current URL before issuance.

Regulatory reference: 5 CFR 351.802; applicable appeals regulations

5. What records may an employee who received a notice inspect?

The employee and authorized representative may inspect completed records used in the action, including the applicable list of employees in the competitive area and relevant data. Access must comply with the Privacy Act and FOIA.

Regulatory reference: 5 CFR 351.506(b)–(e)

6. How does an agency request OPM placement assistance for a restoration-protected employee?

Submit the request to OPM's Workforce Policy & Innovation office by email at WPIntake@opm.gov. The August 25, 2026, correction replaced the former mailing address for the Associate Director for Employment Services with this email intake.

Regulatory reference: 5 CFR 353.110(a)(1), as corrected at 91 FR 54796

Reduction in Force (RIF) FAQs: Competitive Areas and OPM Approval

Defining areas, identifying material modifications, and applying the 90-day approval rule

Audience	Agency HR, counsel, organization-management, and workforce-planning officials
Purpose	Provide implementation guidance on the revised competitive-area provisions.
Primary citations	5 CFR 351.402; 351.204

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the CFR, and applicable statutes control. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. How may an agency define a competitive area?

A competitive area may consist of any organizational unit or combination of units shown on the agency's official organizational chart. The unit or combination must be clearly distinguished from other units with respect to operation, work function, staff, and supervisory oversight.

Regulatory reference: 5 CFR 351.402(b)(1)

2. May a geographic location be a separate competitive area?

Yes. An agency may define a geographic location, such as a county, installation, or national park, as a separate area when the boundary is documented and the designation complies with the regulation.

Regulatory reference: 5 CFR 351.402(b)(2)

3. How are competitive areas assigned for employees working at an alternate-work-location?

The agency must assign the employee to the organizational unit to which they are officially assigned.

Regulatory reference: 5 CFR 351.402(b)(3)

4. Who may designate or approve a competitive area?

The agency head or a designee may designate or approve the area. The authority may not be delegated below the agency's headquarters level.

Regulatory reference: 5 CFR 351.402(b)(1)

5. May multiple organizational units be defined as a single competitive area for RIF purposes?

Yes. A single competitive area may consist of a combination of organizational units that are grouped together for purposes of increasing the scope of RIF competition, enabling more efficient restructuring, or another valid reason consistent with applicable law.

Regulatory reference: 5 CFR 351.402(b)(1)

6. What does removal of the phrase 'under separate administration' mean?

Separate administration is no longer a standalone threshold. The revised rule focuses on whether the proposed unit or combination appears on the official organization chart and is clearly distinguishable by operation, work function, staff, and supervisory oversight. Agencies must still use a bona fide organizational basis and may not manipulate area boundaries to target employees.

Implementation note: Document the specific facts showing how the area is organizationally distinct.

Regulatory reference: 5 CFR 351.402(b); 351.204

7. What is a material modification of a competitive area?

Agencies should treat a change as material when it could alter which employees or positions compete together, change the scope of displacement or assignment rights, or otherwise affect a RIF outcome.

Regulatory reference: 5 CFR 351.402(c)

8. What changes generally should be treated as a material modification of a competitive area?

Examples include splitting or merging competitive areas; adding or removing an organizational unit; changing a geographic boundary; moving a substantial group of positions or employees between areas; or changing the organizational assignment of remote employees in a way that changes their area.

Implementation note: These examples are implementation guidance. Agencies should seek OPM input when the effect is uncertain.

Regulatory reference: 5 CFR 351.402(c)

9. What changes ordinarily are not material?

A correction of a typographical error, update to an office name that does not change the organizational unit, or other change that does not affect area membership or RIF rights ordinarily is not material. These may include changes in work assignments, shifts in the unit's goals or priorities, or administrative changes. The agency should retain a written explanation.

Regulatory reference: 5 CFR 351.402(c)

10. When is OPM approval required?

If the agency establishes or materially modifies a competitive area within 90 days before issuing specific RIF notices, it must submit the area description and a written explanation of the bona fide organizational basis to OPM and receive approval before conducting the RIF.

Regulatory reference: 5 CFR 351.402(c)

11. How is the 90-day period measured?

Measure backward from the date the agency expects to issue the specific notices. The relevant event is notice issuance, not the later effective date of the personnel action.

Regulatory reference: 5 CFR 351.402(c); 351.507

12. What should an approval request contain?

At a minimum, provide the official organizational chart excerpt, the current and proposed area descriptions, the effective date of the change, the bona fide organizational basis, the positions and employees affected, the anticipated notice date, and an explanation of why the change is not designed to manipulate retention outcomes.

Regulatory reference: 5 CFR 351.402(c); 351.204

13. May an agency issue notices while OPM approval is pending?

No. When approval is required, the agency must receive it before the RIF notices are issued. Agencies should build sufficient review time into the schedule and should not issue specific notices based on the proposed area until approval is obtained.

Regulatory reference: 5 CFR 351.402(c)

14. Pre-notice documentation checklist

- Current organization chart and written area description.
- Identification of the approving headquarters official.
- Analysis of organizational distinctness and geographic boundaries, if applicable.
- List of employees and positions included in and excluded from the area.
- Comparison with the prior designation and materiality determination.
- OPM approval request and approval, when required.

Reduction in Force (RIF) FAQs: Excluded Employees and Notice Requirements

Distinguishing a modified RIF notice from appointment expiration or another personnel-action notice

Audience	Agency HR, employee relations, counsel, and program officials
Purpose	Explain when excluded employees receive written RIF notice and when an action is governed by appointment expiration or another authority.
Primary citations	5 CFR 351.202(d); 351.801-.802

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the codified CFR, and applicable statutes control. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. Which employees are excluded from RIF competition?

The exclusions include specified initial probationary or trial-period employees, competitive- or excepted-service employees serving appointments of 1 year or less, and Schedule C or Schedule G employees.

Regulatory reference: 5 CFR 351.202(d)(1)-(2)

2. May an agency retain an excluded employee while releasing a competing employee?

Yes. An agency may retain an excluded employee while releasing a competing employee.

Regulatory reference: 5 CFR 351.202(d)(3)

3. May an agency take a RIF-reason action against an excluded employee without ranking the employee?

Yes. Subject to the appointment and applicable law, the agency may furlough, separate, demote, or reassign an excluded employee for a RIF reason without calculating retention standing, applying the order of release, or providing part 351 assignment rights.

Regulatory reference: 5 CFR 351.202(d)(3)

4. When must an excluded employee receive a modified RIF notice?

The employee receives a written notice when the agency furloughs the employee for more than 30 days, separates, demotes, or reassigns the employee for a RIF reason. The notice explains that the employee was not ranked on a retention register.

Regulatory reference: 5 CFR 351.202(d)(4), 351.801-.802

5. When is a part 351 notice not required?

A part 351 notice is not required when the action is simply the natural expiration of the temporary or time-limited appointment according to its terms, or when the termination is not for a RIF reason (i.e., the employee is terminated for failing to satisfactorily complete a probationary or trial period, including where the agency determines that continued employment of a probationer is not in the public interest). The agency should provide any appointment-expiration notice required by the appointment or agency procedure.

Regulatory reference: 5 CFR 351.202(d)(4)

6. What if the agency ends the appointment early because of a reorganization?

If the employee is separated before the appointment's natural expiration for a RIF reason, the agency should use the modified notice required for excluded employees rather than characterize the action as a routine expiration.

Regulatory reference: 5 CFR 351.202(d)(3)-(4)

7. What notice applies during a full competitive-area abolishment?

An excluded employee whose position is ended because all positions in the area are being abolished should receive the modified notice applicable to excluded employees, unless the appointment independently expires according to its terms before the agency takes the RIF-reason action.

Regulatory reference: 5 CFR 351.202(d)(4), 351.605

8. Should the notice state that the employee has no appeal rights?

The notice should accurately state that the employee was not ranked and has no part 351 assignment rights. However, consistent with 5 CFR 351.802, the notice should also state the employee's right, as applicable, to appeal to OPM, including the time limit for filing an appeal under § 351.902(b) of this part and the electronic filing system, identified on OPM's website, through which an appeal must be filed.

Regulatory reference: 5 CFR 351.202(d)(4), 351.802; other applicable law

9. What if the reason is performance or conduct rather than a RIF reason?

The termination should be taken under the procedures provided in 5 CFR part 11, not RIF procedures. Do not use a RIF notice to disguise an action taken for a different reason.

Regulatory reference: 5 CFR 11.2, 11.3, 351.201, 351.204; applicable adverse-action or probation rules

10. What if the employee is a probationary employee, and the reason is that the employee's continued employment does not advance the agency's organizational goals?

The termination should be taken under the procedures provided in 5 CFR part 11, not RIF procedures.

Regulatory reference: 5 CFR 11.2, 11.3, 11.5, 351.201, 351.204; applicable adverse-action or probation rules

11. What records should support the decision?

Agencies should retain the appointment authority and not-to-exceed date, probationary or trial-period status, Schedule status when applicable, reason for the action, natural-expiration analysis, notice issued, and legal review of appeal language.

Regulatory reference: 5 CFR 351.506; agency records requirements

Reduction in Force (RIF) FAQs: Notices, Records, Appeal Information, and Transition Programs

Completing the administrative record and updating notice and placement procedures

Audience	Agency HR, employee relations, counsel, appeals coordinators, records officials, and transition-program staff
Purpose	Explain revised notice content, record access, error correction, appeal-information fields, and RPL/CTAP/ICTAP coordination.
Primary citations	5 CFR 351.506-507; 351.801-805; 5 CFR part 330

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the CFR, and applicable statutes control. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. What must a standard specific RIF notice include?

In addition to other required content, identify the employee's competitive area, competitive level, veterans' preference subgroup, tenure group and subgroup, service date, and three most recent ratings of record received during the last 4 years. Provide the required regulation link, record-access instructions, action and effective date, and appeal information.

Regulatory reference: 5 CFR 351.802

2. What appeal information must be included?

The agency must include information regarding the employee's right to submit an appeal to OPM, the official e-filing website, and the time limitations for filing in 5 CFR 351, Subpart I – Appeals. The agency should verify the exact wording and current URL before issuance.

Regulatory reference: 5 CFR 351.802; applicable appeals regulations

3. How do notice requirements differ for excluded employees?

An excluded employee receives a modified notice explaining that the employee was not ranked and does not receive part 351 assignment rights. Natural expiration of a temporary or time-limited appointment does not require a part 351 notice solely because the appointment ends.

Regulatory reference: 5 CFR 351.202(d)(4), 351.802

4. How does a competitive-area-abolishment notice differ?

It explains that every position in the area is being abolished and therefore no relative ranking or assignment-right analysis was performed. It still includes the action, date, record access, reemployment information, and appeal information.

Regulatory reference: 5 CFR 351.605(c), 351.802

5. When is retention standing fixed?

Retention standing is determined as of the date the employee receives the specific notice and generally remains fixed through the action, subject to correction of error and the rule for identified exceptions.

Regulatory reference: 5 CFR 351.507(a)-(c)

6. What records may an employee who received a notice inspect?

The employee and authorized representative may inspect completed records used in the action, including the applicable retention register with names and relevant data and other registers that could affect the competitive level or assignment rights. Access must comply with the Privacy Act and FOIA.

Regulatory reference: 5 CFR 351.506(b)-(e)

7. Does an employee without a specific notice have the same access right?

No. Section 351.506 does not create that right for an employee who did not receive a specific notice. Other access rights, including FOIA, may still apply.

Regulatory reference: 5 CFR 351.506(d)

8. How long must records be preserved?

At least 2 years after the agency issues a specific RIF notice.

Regulatory reference: 5 CFR 351.506(f)

9. What must the agency do if it discovers an error?

Correct the error and adjust any erroneous RIF action to conform to the employee's proper standing as of the applicable retention-standing date.

Regulatory reference: 5 CFR 351.507(c), 351.805(b)

10. How do the revised rules affect the Reemployment Priority List (RPL), Career Transition Assistance Program (CTAP), and Interagency Career Transition Assistance Program (ICTAP)?

Conforming changes align eligibility terminology and qualification procedures with the revised framework. Agencies should coordinate registration, priority consideration, notices, and records before the RIF action is effected. For RPL, CTAP, and ICTAP purposes, "qualified" is defined at 5 CFR 330.202. As corrected, that definition includes both a revised paragraph (5) and a new paragraph (6), and the assessment-example list in paragraph (5)(iv) mirrors 5 CFR 351.702(a)(4)(iv).

Regulatory reference: 5 CFR part 330

11. Are RPL veterans' points the same as RIF retention points?

No. RIF retention uses 5 points for a 30% or more compensably disabled preference eligible and 3 points for another preference eligible. RPL numerical scoring uses the competitive-examining convention of 10 or 5 additional points on a 100-point scale.

Regulatory reference: 5 CFR 351.504; 330.213(c)(1)

12. Notice quality-control checklist

- Correct rule version and retention-standing date.
- Correct action, effective date, reason, competitive area, and competitive level.
- Tenure group and subgroup, veterans' subgroup, actual SCD, and ratings.
- Assignment offered or clear explanation of why no right exists.
- Record-access instructions and agency contact.
- Official appeal forum, e-filing website, and filing deadline.
- RPL, CTAP, ICTAP, benefits, and reemployment information.
- Independent legal and data review before delivery.

Reduction in Force (RIF) FAQs: Retention Standing and Performance Credit

Constructing registers under the revised performance, veterans' preference, tenure, and service rules

Audience	Agency RIF teams, HR specialists, data analysts, counsel, and quality-control reviewers
Purpose	Explain the revised calculation and provide reproducible examples.
Primary citations	5 CFR 351.501-.507

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the CFR, and applicable statutes are controlling. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. What is the revised order of the retention factors in the revised RIF regulations?

Competitive service and excepted service employees are placed on separate registers. Within each tenure group, employees are ranked by performance credit after adding veterans' preference points. Ties are broken by tenure subgroup, then actual service computation date.

Regulatory reference: 5 CFR 351.501

2. What are the competitive-service tenure subgroups?

Subgroup I generally includes career employees not serving an initial probationary period. Subgroup II includes other competitive service employees who are not excluded and are not in subgroup I.

Regulatory reference: 5 CFR 351.502(a)

3. What are the excepted-service tenure subgroups?

Subgroup I includes employees in career positions who completed the trial period and whose appointments are not conditional, indefinite, or time limited. Subgroup II includes other competing employees in career positions who completed the trial period and are not serving an appointment of 1 year or less.

Regulatory reference: 5 CFR 351.502(b)

4. How are ratings converted to points?

For each rating used, assign 7 points for Level 5, 5 points for Level 4, 3 points for Level 3, and 0 points for Level 2 or Level 1. Add the values for three ratings or applicable proxy values.

Regulatory reference: 5 CFR 351.503(a)

5. Which ratings may be used?

Use the three most recent ratings of record received during the 4-year period before the agency issues notices, unless a valid cutoff date applies. A rating must be complete and available to the office constructing the register.

Regulatory reference: 5 CFR 351.503(b)-(c)

6. May an agency establish a rating cutoff date?

Yes. The agency may establish a specified number of days before notice issuance after which new ratings will not be placed on record or used. The agency issuance must define when a rating is considered received and apply the rule uniformly within the competitive area.

Regulatory reference: 5 CFR 351.503(c)(2)-(4)

7. How is performance credit calculated when an employee has fewer than three ratings of record?

When an employee does not have three ratings of record available for the applicable 4-year period, the agency calculates credit for the missing rating or ratings as follows:

- Two ratings available: Use the two actual ratings and assign a proxy value for the missing third rating. The proxy is the average of the point values assigned to the two actual ratings. Add the two actual point values and the proxy value. The total may include one-half point.
- One rating available: Multiply the point value assigned to the actual rating by three.
- No ratings available: Use the modal rating for the summary-level pattern that applies to the employee's official position of record at the time of the RIF.

Regulatory reference: 5 CFR 351.503(f)(1)-(3); 5 CFR 351.203 (definition of "modal rating").

8. May an agency recognize exceptional performance when a pass/fail pattern is used?

At the agency's discretion, it may assign additional points based on advance, documented criteria tied to specified performance-related recognition when the highest summary level is a level "3" rating (i.e., a pattern A 'pass/fail'). The criteria and weights must be established before the RIF and made available for review to employees.

Implementation note: Do not convert awards to RIF credit on an ad hoc basis after the RIF is announced.

Regulatory reference: 5 CFR 351.503(d)

9. How may an agency address multiple rating patterns?

The agency may provide additional credit or transmute a rating when documented exceptional performance supports the adjustment. The method must be established in advance, made available, and applied consistently. A rating may not be transmuted to a summary level that does not exist in the applied pattern.

Regulatory reference: 5 CFR 351.503(e)

10. How is veterans' preference applied?

5 points are added for a preference eligible with a compensable service-connected disability of 30 percent or more, 3 points for another preference eligible, and 0 points for a non-preference eligible.

Regulatory reference: 5 CFR 351.504(a)

11. Does veterans' preference always place a preference eligible ahead of every non-preference eligible?

No. Preference points are added to the performance score. A non-preference eligible with a sufficiently higher raw performance score may rank ahead.

Regulatory reference: 5 CFR 351.501, 351.504

12. What role does length of service play?

Actual service computation date is the final tiebreaker after augmented performance credit and tenure subgroup. Performance is no longer converted into artificial years of service.

Regulatory reference: 5 CFR 351.501(c), 351.505

13. What happens if employees remain tied after all factors?

If employees in the same tenure group have the same augmented score, tenure subgroup, and service date, the agency may select any of the tied employees for release from the competitive level.

Regulatory reference: 5 CFR 351.601(c)

14. Performance and Preference Quick Reference

Performance Credits

Rating level	Points
5	7
4	5
3	3
2	0
1	0

Veterans' preference additions

Veterans' category	Register Label	Points
30% or more compensably disabled preference eligible	AD	5
Other preference eligible	A	3
Non-preference eligible	B	0

Worked Register Example

Employee	Tenure	Vet	Ratings	Raw	Vet	Total	SCD	Rank
Rivera	I	B	5 / 5 / 4	19	0	19	2018-04-02	1
Singh	I	A	5 / 4 / 3	15	3	18	2013-08-15	2
Morgan	I	A	5 / 4 / 3	15	3	18	2020-01-27	3
Taylor	II	AD	4 / 4 / 3	13	5	18	2023-07-10	4
Nguyen	II	A	4 / 4 / 4	15	3	18	2023-11-06	5
Owens	I	B	5 / 5 / 3	17	0	17	2016-05-12	6

How to read the example

Owens is released first because the total score is lowest. Among employees tied at 18, subgroup I ranks ahead of subgroup II; SCD orders employees within each subgroup.

Reduction in Force (RIF) FAQs: Transfers of Function

Managing movements of work within an agency after revision of subpart C

Audience	Agency HR, counsel, organization-management, classification, and workforce-planning officials
Purpose	Explain when an internal movement of work is outside the transfer-of-function procedures and when ordinary RIF requirements may still apply.
Primary citations	5 CFR 351.203; part 351, subpart C; 351.201

These materials are implementation aids. The final rule was published at 91 FR 49178 (Aug. 3, 2026), as corrected at 91 FR 54794 (Aug. 25, 2026). The published Federal Register rule, the CFR, and applicable statutes are controlling. Agencies should complete legal and labor-relations review before using the guidance in a specific RIF.

1. What is a transfer of function under the revised rule?

It is the transfer of a continuing function from one agency to another agency, unless the function is virtually identical to functions already performed by the gaining agency.

Regulatory reference: 5 CFR 351.203 (Transfer of function)

2. Do the transfer-of-function procedures apply to moves within one agency?

No. Revised subpart C applies to transfers between agencies. Moving work between components, offices, or locations within the same agency is not an interagency transfer of function under subpart C.

Regulatory reference: 5 CFR part 351, subpart C

3. Does that mean an agency may move work internally without any employee-placement analysis?

No. The absence of subpart C Transfer of Function procedures does not eliminate other obligations. The agency must determine whether the internal reorganization can be implemented through management reassignments, whether a change in duty station is involved, and whether any employee will be released from a competitive level or another employee will be displaced under RIF as a result of the reorganization.

Regulatory reference: 5 CFR 351.201; applicable reassignment and labor-relations rules

4. When can an internal movement of work trigger a RIF?

A RIF may be required when the reorganization causes a competing employee to be released from a competitive level through separation, demotion, a covered furlough, or a reassignment that requires displacement. The agency then applies part 351 to the affected competitive area.

Regulatory reference: 5 CFR 351.201(a)(2), 351.203

5. How should an agency identify employees associated with the moving work when a function transfers between agencies?

For internal planning, agencies should use official position descriptions, work assignments, time records, schedules, and supervisory information to identify who performs the work. The 50-percent identification rule in 5 CFR 351.303 governs interagency transfers; it does not automatically create an internal placement entitlement.

Regulatory reference: 5 CFR 351.303; part 351, subpart C scope

6. May an agency reassign employees with the work?

An agency may use its reassignment authority when the action is consistent with the employee's appointment, classification, qualification, duty-station, bargaining, and other applicable requirements. A reassignment that requires displacement for a RIF reason must be analyzed under part 351.

Regulatory reference: 5 CFR 351.201(a)(2); applicable agency reassignment authority

7. What if the internal move changes competitive-area membership?

The agency must evaluate whether the organizational change establishes or materially modifies a competitive area. If that occurs within 90 days before specific RIF notices are issued, OPM approval is required before the RIF.

Regulatory reference: 5 CFR 351.402(c)

8. What records should the agency retain?

Retain the management decision, organization charts, description of the moving work, positions affected, employee-assignment methodology, competitive-area analysis, reassignment or relocation decisions, and the explanation of why subpart C does or does not apply.

Regulatory reference: 5 CFR 351.204, 351.402; agency records requirements

9. Interagency and Intra-agency Comparison

Scenario	Subpart C?	Required Analysis
Function moves to another agency	Yes, if the regulatory definition is met	Apply subpart C identification, notice, and transfer procedures
Work moves between components of the same agency	No	Manage as an internal reorganization; evaluate reassignment and RIF consequences
Internal move causes release or displacement	No transfer-of-function procedure, but parts 335 and 351 will apply	Define area and level, construct registers, and determine rights
Only reporting lines or office names change	No	Document the change and confirm no employee is released or displaced