



## How are employees who are called up to the Reserves or National Guard Duty Handled in RIF?

Any Air Force employee who performs duty with a uniformed service (including active duty, active duty for training, or inactive duty training), whether voluntary or involuntary, is entitled to be restored to the position he or she would have attained had the employee not entered the uniformed service.

Uniformed service means the Armed Forces; the Army and Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; the commissioned corps of the Public Health Service; and any other category of persons designated by the President in time of war or emergency.

While on duty with the uniformed services, the Air Force carries the employee on leave without pay (LWOP-US) unless the employee requests separation. A separation under these circumstances does not affect restoration rights.

### **Reduction-in-Force (RIF) Protections while on LWOP-US:**

An employee may not be demoted or separated (other than military separation) while on active duty. RIF is not considered “for cause” in this situation. An employee on LWOP-US is not a “competing employee” in RIFs that impact his position or competitive area while they are gone. If the employee’s position is abolished during such absence, they are not listed on the retention register (reference 5 CFR 351.404) and the agency must reassign the employee to another position of like status, and pay.

### **Reduction-in-Force (RIF) Protections upon Return to Duty/Reemployment:**

Upon reemployment, an employee may not be discharged, except for cause. Again, RIF is not considered “for cause” in this situation.

- If the period of uniformed service was more than 180 days, the employee is protected from “separation” for a period of 1 year.
- If the period of uniformed service was more than 30 days, but less than 181 days, the employee is protected from “separation” for 6 months.

If an employee with restoration rights is reached for release from a competitive level in RIF (during the applicable mandatory retention period) the AF is obligated to find another position for the employee rather than separate the employee. This means the RIF could be run, and the employee would compete in it, but the employee could not be separated. They may be downgraded or reassigned through. The agency may

also management reassign the individual to another Air Force position in a different competitive area which meets the conditions of his/her restoration rights. Otherwise, they are given a mandatory exception in the retention order for the applicable period of time (that is remaining on their 6 month or 1 year retention period).