

## **Restructuring Information Handbook Module 6**

### **Reemployment Priority List**

#### **Unit A, Required Procedures (August 2003 version)**

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##### **Introduction**

The U.S. Office of Personnel Management developed the **Restructuring Information Handbook** to assist Federal agencies in identifying the mandatory statutory and regulatory procedures that apply to restructuring situations.

The Handbook also offers agencies options for minimizing or even eliminating the disruption that often results from restructuring.

There is no requirement for Federal agencies to use this Handbook. Also, the United States Court of Appeals for the Federal Circuit stated in **James v. Von Zemenszky**, 284 F.3D 1310 (2002), that: “. . . OPM’s Restructuring Information Handbook is not a formal regulation, but merely an informal statement of agency views.”

The structure of the Handbook assists the user in locating as much or as little restructuring information as the user needs. Some Modules contain only one **Unit**, while other Modules have two or more Units.

For subjects with mandatory statutory or regulatory requirements, **Unit A (Mandatory Requirements)** provides the user with both a crash course on the subject, and also with detailed information, complete with citations of requirements contained in law and regulation.

When appropriate, **Unit B (Guidance)** provides the user with useful guidance, including key appeals decisions from appellate bodies such as the Merit Systems Protection Board.

The summaries of appeals decisions are guidance prepared by individual OPM employees. The appeals summaries do not represent official summaries approved by OPM, the Board, or other appellate organizations, and are not intended to provide legal counsel or to be cited as legal authority. Instead, the appeals summaries inform and help the user locate relevant appellate precedents on a specific downsizing subject.

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**Unit F (Basic Index to Module)** and **Unit G (Detailed Index to Module)** help the user readily locate information within a specific Module.

Other Modules may contain additional Units, such as **Unit C (Appeals Index)**, and **Unit D (Samples)**.

Finally, Module 1 contains **Unit H, (Detailed Index to the Restructuring Information Handbook)**.

We welcome comments on the Restructuring Information Handbook.

Send any comments and suggestions to the Center for Talent and Capacity Policy at (202) 606-0960; FAX (202) 606-2329; or e-mail Thomas A. Glennon at [taglenno@opm.gov](mailto:taglenno@opm.gov).

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**Using the Handbook**

The Modules contain many cross-references to additional pertinent material. To assist in searches, each Module features a unique index system that assists the user in readily locating information in that Module or in the other Modules.

For example, a reference to "**3-A-15-3**" refers to:

- (1) Unit A ("**Required Procedures**"),
- (2) Unit A ("**Required Procedures**"),
- (3) Section 15 ("**Credit for Performance in Reduction in Force**"),
- (4) Paragraph 3 ("**Time Period Covered by Employees' Performance Ratings**").

For a second example, a reference to "**3-B-6-5-(b)**" refers to:

- (1) Module 3 ("**Reduction in Force**"),
- (2) Unit B ("**Guidance**"),
- (3) Section 6 ("**Reorganization and Job Erosion**"),
- (4) Paragraph 5 ("**Use of RIF Procedures in Job Erosion Situations**"),
- (5) Subparagraph (b).

All of the Modules use the same index system.

For example, a reference to "**4-A-4-3**" refers to:

- (1) Module 4 ("**Transfer of Function**"),
  - (2) Unit A ("**Required Procedures**"),
  - (3) Section 4 ("**Determining Whether the Transfer of Function Provisions are Applicable**"),
  - (4) Paragraph 3 ("**Basis for Transfer of Function Decisions**").
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## **Restructuring Information Handbook Module 6**

### **Reemployment Priority List**

#### **Unit A, Required Procedures (August 2003 version)**

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**Introduction** Restructuring Information Handbook Module 6 provides guidance on OPM's Reemployment Priority List regulations published in subpart 330-B of title 5 of the Code of Federal Regulations (subpart 5 CFR 330-B). Module 6 consists of five Units: (1) Unit A, "Required Procedures," (2) Unit B, "Guidance," (3) Unit C, "Reemployment Priority List Appeals Index." (4) Unit F, "Basic Index to Module 6," and (5) Detailed Index to Module 6." This is the August 2003 version of Unit A.

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### **Reemployment Priority List**

#### **Unit A, Required Procedures (August 2003 version)**

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## Section 1, Overview of the Reemployment Priority List

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**Introduction** This section provides an overview of OPM's Reemployment Priority List regulations. Each paragraph in Section 1 summarizes a specific transfer of function topic. For more detailed information on a topic, each paragraph in Section 1 has a reference to the appropriate section in Module 6. The "Additional Information" paragraph below lists these references.

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**Contents** This section contains the following topics:

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**Additional Information** This section in Restructuring Information Handbook Module 6, Unit A, has references to other sections in Unit 6-A for more detailed information on specific Reemployment Priority List topics.

To find additional information in this Module on the overview paragraph below in Unit 6-A,	In Unit 6-A see Section, or paragraph:
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**Additional Information** (continued)

<b>To find additional information in this Module on the overview paragraph below in Unit 6-A,</b>	<b>In Unit 6-A see Section, or paragraph:</b>
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**A** In Section 1, this symbol highlights where you can find more detailed information in Unit 6-A on a Reemployment Priority List topic.

**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

## Section 1, Overview of the Reemployment Priority List

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### **6-A-1-1**      **Requirement to Establish RPL**

An agency is required to establish and maintain a "**Reemployment Priority List**" (**RPL**) when:

- (a) The agency separates an eligible competitive service employee by reduction in force (**RIF**), or
- (b) One of the agency's former employees recovers from a compensable injury awarded by the Department of Labor's Office of Workers Compensation Programs (**OWCP**) after more than 1 year.

**A**      [See Section **6-A-2** for more detailed guidance.]

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### **6-A-1-2**      **Purpose**

An agency must give its eligible present or former employees who are registered on its Reemployment Priority List priority consideration for permanent competitive service vacancies over applicants who do not work for the agency.

- (a) An agency must also consider its Reemployment Priority List registrants for competitive service nonpermanent positions (such as temporary and term positions) when the registrants have indicated this interest on their Reemployment Priority List registration forms.
- (b) At its option, an agency may consider Reemployment Priority List registrants before considering internal candidates who are not surplus.
- (c) The Reemployment Priority List does not apply to employees who were downgraded by reduction in force, except for certain employees who are eligible based upon recovery from a compensable injury.

**A**      [See Section **6-A-2** for more detailed guidance.]

**6-A-1-3**      **Alternative Program**

As an alternative to the Reemployment Priority List, an agency may develop its own placement program.

- OPM must approve the alternative placement program before an agency may use this option.

**A**      [See Section **6-A-18** for more detailed guidance.]

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**6-A-1-4**      **Eligibility Based on RIF**

A competitive service employee in a career or career-conditional appointment is eligible to be placed on the Reemployment Priority List if the employee has:

- (a) A current performance rating above "Unacceptable" or equivalent;
  - (b) Received either a specific notice of separation, or a Certification of Expected Separation; and
  - (c) Not declined a reduction in force offer of a position at the same grade as the employee's present position.
- An employee may register for the Reemployment Priority List at any time after receiving a specific notice of separation by reduction in force, or a Certification of Expected Separation, but no later than 30 calendar days after being separated by reduction in force.

**A**      [See Section **6-A-4** for more detailed guidance.]

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**6-A-1-5**      **Eligibility Based on Compensable Injury**

A former competitive service employee who held a career or career-conditional appointment, but separated from the agency because of a compensable injury or disability, is eligible to be placed on the Reemployment Priority List if the employee has fully recovered more than 1 year after the compensation began.

- (a) An employee who accepted a lower-graded position in lieu of

separation from the agency because of a compensable injury or disability is also eligible to be placed on the Reemployment Priority List.

- (b) An eligible former employee must register for the Reemployment Priority List within 30 calendar days after the date compensation ends.

**A** [See Section **6-A-5** for more detailed guidance.]

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**6-A-1-6**      **Length of Eligibility**

A present (or former) career employee is eligible to be placed on the Reemployment Priority List for 2 years following registration; a career-conditional employee has eligibility for 1 year following registration.

**A** [See Section **6-A-6** for more detailed guidance.]

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**6-A-1-7**      **Hiring Restrictions**

When a qualified present or former employee is available on the agency's Reemployment Priority List, the agency may not fill a permanent or temporary competitive service position by:

- (a) A new appointment, unless the individual appointed is a disabled veteran; or
- (b) Transfer of an employee from another agency, or reinstatement of a former Federal employee not on the List, unless the individual is a preference eligible, or has mandatory restoration rights.

**A** [See Section **6-A-12** for more detailed guidance.]

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**6-A-1-8**      **Eligibility for Positions**

An employee on the Reemployment Priority List has first opportunity for all of the agency's positions in a local commuting area over candidates not presently working for the agency, except as

- ① summarized in paragraph **6-A-1-7** above.
- (a) Unless the employee was previously downgraded in another reduction in force, an employee has a right through the Reemployment Priority List only to positions at the same grade or lower than the position held at the time of separation from the agency.
  - (b) An agency may fill vacant positions from its pool of present employees without regard to the Reemployment Priority List.
  - (c) All components of an agency in a local commuting area are covered by the same Reemployment Priority List.
    - For example, the Department of Defense is a single agency area for purposes of the Reemployment Priority List.

**A** [See Section **6-A-6** for more detailed guidance.]

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**6-A-1-9**      **Termination of Eligibility**

A present (or former) employee is removed from the Reemployment Priority List for all positions when the employee declines an offer of a permanent position at the same grade and with the same work schedule as the position the employee held at the time of separation.

- An employee who declines an offer of a position from the Reemployment Priority List at a lower-graded position loses eligibility for other positions at that grade and at all lower grades.
- For example, a full-time GS-12 employee is separated by reduction in force and subsequently receives an offer of a full-time nontemporary GS-11 position from the Reemployment Priority List. If the individual declines the offer of the GS-11 position, the individual's name is removed from the Reemployment Priority List for all positions at GS-11 and lower.

**6-A-1-10**      **A**      [See Section **6-A-7** for more detailed guidance.]  
**Selection From the RPL**

An agency may select employees from the Reemployment Priority List under one of two procedures.

**A** [See Section **6-A-13** for more detailed guidance.]

- (a) **Retention Standing Order** (information). Under this procedure, the agency uses the employee's reduction in force retention standing to determine the order of selection. However, the agency is not required to consider employees' relative service dates in making a selection.
- For example, among the career nonveterans on the Reemployment Priority List, the agency is not required to consider the employees' individual retention service computation dates.

**A** [See Section **6-A-14** for more detailed guidance.]

- (b) **Rating and Ranking Order**. Under this procedure, the agency evaluates employees on the Reemployment Priority List and ranks the employees on a point basis in the same manner that it ranks employees for hiring for a competitive position. In ranking employees, additional points are given to disabled veterans, and to other veterans. In order, the three potential ranking categories cover disabled veterans, other veterans, and nonveterans. The agency then begins with the highest category and makes its selection from among the highest three candidates in that category.

**A** [See Section **6-A-15** for more detailed guidance.]

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## **6-A-1-11**

### **Appeals**

An employee who believes that the agency violated the Reemployment Priority List in making a selection may file an appeal to the Merit Systems Protection Board.

- The Board generally requires that the employee file an appeal within 30 days of the date that the individual became aware of the violation.

**A** [See Section **6-A-19** for more detailed guidance.]

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**6-A-1-12**      **Other Placement Programs**

OPM's regulations authorize two additional priority placement programs:

- (a) The "**Career Transition Assistance Plan**" (**CTAP**) provides career transition opportunities to displaced career and career-conditional employees within their present agencies; and,
    - ① • Restructuring Information Handbook Module 7 covers the "**Career Transition Assistance Plan.**"
  - (b) The "**Interagency Career Transition Assistance Plan**" (**ICTAP**) provides selection priority to displaced career and career-conditional employees for positions in other agencies that are filling vacancies with outside candidates after first having cleared their respective Reemployment Priority Lists.
    - ① • Restructuring Information Handbook Module 8 covers the "**Interagency Career Transition Assistance Plan.**"
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## Section 2, Requirement to Establish a Reemployment Priority List

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**Introduction** This section covers the statutory and regulatory requirements that an agency must establish a Reemployment Priority List for certain displaced present and former employees

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**Contents** This section contains the following topics:

Topic	See Paragraph
General Requirement to Establish RPL	6-A-2-1
Exception	6-A-2-2
Requirement to Notify Eligible Employees	6-A-2-3

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on this key paragraph in Unit 6-A,	In Unit 6-B see paragraph:
6-A-2-1	6-B-2-1

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 2, Requirement to Establish a Reemployment Priority List**

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### **6-A-2-1**

#### **General Requirement to Establish RPL**

OPM's regulations require each agency to establish and maintain a "**Reemployment Priority List**" (RPL) for each "**Local Commuting Area**" in which:

- (a) The agency separates, or will separate, one or more competitive service employees by reduction force (RIF); (5 CFR 330.201(b)), or
- (b) A former employee of the agency recovers from a compensable injury after more than 1 year. (5 CFR 330.201(b))

#### **B**

[See paragraph **6-B-2-1** for additional guidance.]

#### **①**

- Section 15 of the **Veterans' Preference Act of 1944** is the basis for OPM's Reemployment Priority List regulations.
  - Paragraph **6-A-2-2** below covers an exception to the general requirement for the Reemployment Priority List.
- (c) OPM's Reemployment Priority List regulations apply to each agency with competitive service employees, or with employees who by statute have the same rights as competitive service employees. (5 CFR 330.201(a))
    - A preference eligible employee of the Postal Service is covered by OPM's Reemployment Priority List regulations under authority of the Postal Reorganization Act of 1970. (39 U.S.C. 1005(a)(2))

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### **6-A-2-2**

#### **Exception**

An agency is not required to establish a Reemployment Priority List for employees who were, or will be separated by reduction in force, if the agency:

- (a) Operates a placement program for its employees; (5 CFR 330.201(c)); and

- (b) Obtains OPM approval that the program satisfies the basic regulatory requirements covering the Reemployment Priority List. (5 CFR 330.201(c))
- This option allows individual agencies to implement different placement strategies that are effective for their particular programs, and still meet employees' legal entitlements to priority consideration for reemployment. (5 CFR 330.201(c))
  - See Section **6-A-18** for additional guidance on this option.
- 

### **6-A-2-3**

#### **Requirement to Notify Eligible Employees**

The agency must give each eligible employee information about the Reemployment Priority List at the same time the agency gives the employee a specific reduction in force notice of separation. (5 CFR 330.203(b), and 5 CFR 351.802(a)(5))

- ①
- For guidance on advising employees of the Reemployment Priority List in a specific reduction in force notice, see subparagraph **3-A-29-4-(h)** in Restructuring Information Handbook Module 3, ("Reduction in Force").
  - The specific written reduction in force notice, or an attachment to the notice, must also advise each employee of the right to file a Reemployment Priority List appeal to the Merit Systems Protection Board. (5 CFR 330.203(b))
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### Section 3, Geographic Coverage

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**Introduction** This section covers the definitions of “Agency” and “Local Commuting Area” for purposes of the Reemployment Priority List

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**Contents** This section contains the following topics:

Topic	See Paragraph
Definition of Agency	6-A-3-1
Definition of Local Commuting Area	6-A-3-2

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6 Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-3-1-(a)	6-B-3-1-(a)
6-A-3-2	6-B-3-2

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**①** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## Section 3, Geographic Coverage

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### **6-A-3-1**

#### **Definition of Agency**

For purposes of the Reemployment Priority List, "**Agency**" means an Executive department, a Government corporation, and an independent establishment, as defined in paragraph 5 U.S.C. 105. (5 CFR 330.201(b))

- (a) When an agency establishes a Reemployment Priority List, all components of the agency in the local commuting area are responsible for giving priority consideration to all of the registrants on the List. (5 CFR 330.201(b))

#### **A**

[See subparagraph **6-A-3-1-(a)** for additional guidance.]

- (b) If an agency has different components in a local commuting area, the agency may allow employees to indicate their availability on the Reemployment Priority List only for certain activities or locations within the local commuting area. (5 CFR 330.202(a)(1))
- 

### **6-A-3-2**

#### **Definition of Local Commuting Area**

The "**Local Commuting Area**" is covered in paragraph **3-A-7-8** of Restructuring Information Handbook Module 3 ("**Reduction in Force**").

- (a) "**Local Commuting Area**" is defined by regulation in paragraph 5 CFR 351.203, and means the geographic area that usually constitutes one area for employment purposes, as determined by the agency. It includes any population center (or two or more neighboring centers), and the surrounding localities in which people live and can reasonably be expected to travel back and forth daily to their usual employment. (5 CFR 351.203)

#### **B**

[See paragraph **6-B-3-2** for additional guidance.]

- (b) There is no mileage standard for a local commuting area under OPM's retention regulations; instead the agency has the right and the responsibility to determine what is a reasonable interpretation relative to a specific situation.

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- ① • See paragraph **3-A-7-8** in Module 3 for additional guidance.
  
  - ① • Paragraph **6-A-8-3** notes that an employee registering for the Reemployment Priority List may limit coverage to specified components within the local commuting area. (5 CFR 330.202(a)(1))
-

## Section 4, Eligibility Based on Reduction in Force

---

**Introduction** This section covers which employees are eligible to register on the Reemployment Priority List based upon a reduction in force separation notice.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Eligibility-General	6-A-4-1
Beginning of Eligibility	6-A-4-2
Time Limit for Processing Registration	6-A-4-3
Eligibility May End Before a RIF	6-A-4-4
RIF Downgrades Not Covered	6-A-4-5
No RPL Eligibility From CTAP/Other Placement Programs	6-A-4-6

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-4-1-(c)	6-B-4-1-(c)
6-A-4-2-(a)	6-B-4-2-(a)
6-A-4-3	6-B-4-3
6-A-4-5	6-B-4-5
6-A-4-6	6-B-4-6

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## Section 4, Eligibility Based on Reduction in Force

---

### **6-A-4-1**

#### **Eligibility-General**

- ① In order to be placed on the Reemployment Priority List because of a reduction in force action, the employee must meet all four conditions covered in subparagraphs **6-A-4-1-(a)** through **-(d)** below:
- (a) Be serving under a competitive service appointment in retention tenure group I or group II; (5 CFR 330.203(a)(1)), and,
- ①
- Paragraph **3-A-2-1-(a)** in Restructuring Information Handbook Module 3 ("**Reduction in Force**") covers "**Tenure Groups**."
- (b) Have a performance rating above "Unacceptable," or equivalent, as the employee's current annual performance rating of record in reduction in force competition; (5 CFR 330.203(a)(2)), and
- The requirement for a rating above "Unacceptable" or equivalent does not apply to employees in positions excluded from a performance appraisal system by law, regulation, or OPM administrative action. (5 CFR 330.203(a)(2))
- (c) Have received a specific notice of separation by reduction in force, or received a "**Certification of Expected Separation**"; (5 CFR 330.203(a)(3)), and,
- B** [See subparagraph **6-B-4-1-(c)** for additional guidance.]
- ①
- Sections **3-A-29**, **3-A-30**, and **3-A-31**, of Module 3 cover reduction in Force. (5 CFR 351.801(a)(1))
- ①
- Section **3-A-32** of Module 3 covers the "**Certification of Expected Separation**." (5 CFR 351.807)
  - A Department of Defense employee who volunteers for reduction in force separation under authority of paragraph 5 U.S.C. 3502(f) is eligible for the List on the same basis as other eligible employees.

- (d) Not have declined a reduction in force offer of assignment to a position with both:
    - (1) The same work schedule as the position that the employee held at the time of separation by reduction in force; (5 CFR 330.203(a)(4)), and
    - (2) The same representative rate as the position that the employee held at the time of separation by reduction in force. (5 CFR 330.203(a)(4))
- 

**6-A-4-2**      **Beginning of Eligibility**

An employee may register for the Reemployment Priority List as soon as the employee receives:

- (a) A specific notice of separation by reduction in force; (5 CFR 330.203(a)(3)); or,

**B**      [See subparagraph **6-B-4-2-(a)** for additional guidance.]

- (b) A "**Certification of Expected Separation.**" (5 CFR 330.203(a)(3))
- 

**6-A-4-3**      **Time Limit for Processing Registration**

The agency must register an eligible former employee on the Reemployment Priority List within 10 calendar days of receiving a timely registration form. (5 CFR 330.202(b))

**B**      [See paragraph **6-B-4-3** for additional guidance.]

---

**6-A-4-4**      **Eligibility May End Before a RIF**

An employee who is otherwise eligible to be registered on the Reemployment Priority List after receiving a specific reduction in force notice, or a "**Certification of Expected Separation,**" loses this eligibility under certain conditions, such as retiring from the agency before being separated by reduction in force.

- ①
    - See Section **6-A-7** for additional guidance on loss of eligibility for the Reemployment Priority List.
- 

**6-A-4-5**      **RIF Downgrades Not Covered**

An employee who will be downgraded, or has been downgraded, by reduction in force is not eligible to register on the Reemployment Priority List. (5 CFR 330.203(a))

**B**      [See paragraph **6-B-4-5** for additional guidance.]

- An employee who is involuntarily downgraded is eligible for priority consideration in repromotion through the agency's internal staffing plan only if the agency provides this option.
- 

**6-A-4-6**      **No RPL Eligibility From CTAP or Other Agency Placement Programs**

There is no authority to register an employee for the Reemployment Priority List solely on the basis of eligibility in the "**Career Transition Assistance Plan**" (**CTAP**) or comparable agency-initiated program (such as the Department of Defense's "**Priority Placement Program**" (**PPP**)).

**B**      [See paragraph **6-B-4-6** for additional guidance.]

- ①
    - Restructuring Information Handbook Module 7 ("**The Career Transition Assistance Plan**") covers **CTAP**.
    - The Department of Defense provides eligible employees with information about its **PPP**.
-

## Section 5, Eligibility Based on Compensable Injury

---

**Introduction** This section covers which employees are eligible to register on the Reemployment Priority List based upon a compensable injury

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Eligibility-General	6-A-5-1
Eligibility-Downgrading	6-A-5-2
Time Limit for Processing Registration	6-A-5-3

---

**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-5-1-(a)	6-B-5-1-(a)
6-A-5-1-(c)-(1)	6-B-5-1-(c)-(1)
6-A-5-1-(c)-(2)	6-B-5-1-(c)-(2)
6-A-5-3	6-B-5-3

<p><b>B</b> This symbol highlights where you can find additional material in Unit 6-B.</p>
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<p><b>i</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.</p>
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## Section 5, Eligibility Based on Compensable Injury

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### **6-A-5-1**

#### **Eligibility-General**

In order to be placed on the Reemployment Priority List because of a compensable injury or disability as defined in 5 CFR Part 353, the former employee must meet the four conditions in subparagraphs **6-A-5-1-(a)** through **-(d)** below, meaning the employee must have:

- (a) Separated from the former position because of a compensable injury or disability; (5 CFR 330.204(a)), and

**B** [See subparagraph **6-B-5-1-(a)** for additional guidance.]

- (b) Held an appointment in a competitive service position in retention group I or group II at the time of the employee's separation; (5 CFR 330.204(a)), and

① • Subparagraph **3-A-4-2-(a)** in Restructuring Information Handbook Module 3 ("**Reduction in Force**") covers "**Tenure Groups.**" (5 CFR 351.501(a)(1))

- (c) Fully recovered from the injury or disability more than 1 year after the injury compensation started; (5 CFR 330.204(a)), and

(1) A former employee's eligibility for registration on the Reemployment Priority List because of recovery from a compensable injury is not affected by the individual's continued eligibility for a disability annuity under the Civil Service Retirement System, or under the Federal Employees Retirement System.

(2) A partially recovered employee has no right to restoration, or to register for the Reemployment Priority List. (5 CFR 330.204(a))

**B** [See subparagraph **6-B-5-1-(c)** for additional guidance.]

① (d) Requested consideration for reemployment in the agency within the time limits covered in paragraph **6-A-5-3** below. (5 CFR 330.202(a)(2))

- The employee may request consideration orally or in writing. (5 CFR 330.202(a)(2))
- 

**6-A-5-2**

**Eligibility-Downgrading**

①

An employee who accepted a lower-graded position in lieu of separation because of a compensable injury or disability, as defined in 5 CFR Part 353, is also eligible to be placed on the Reemployment Priority List, provided that the employee meets the three conditions in subparagraphs **6-A-5-1-(b)** through **-(d)** above. (5 CFR 330.204(a))

---

**6-A-5-3**

**Time Limit for Processing Registration**

The agency must register an eligible former employee on the Reemployment Priority List within 10 calendar days of receiving a timely registration form. (5 CFR 330.202(b))

**B**

[See paragraph **6-B-5-3** for additional guidance.]

---

## Section 6, Length of Eligibility for Selection

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**Introduction** This section covers the time period for eligibility on the Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Eligibility Period	6-A-6-1
Reason for Eligibility Does Not Change Time Period	6-A-6-2
Agency Must Be Able to Contact Registrant	6-A-6-3
Declining Nonpermanent Employment Does Not Affect Eligibility	6-A-6-4

---

**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

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<p><b>①</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.</p>
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## **Section 6, Length of Eligibility for Selection**

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### **6-A-6-1      Eligibility Period**

The agency enters an employee on the Reemployment Priority List based on the employee's reduction in force retention standing at the time of the employee's separation from the Federal service.

- (a) The agency enters a tenure group I employee on the Reemployment Priority List for 2 years from the date that the agency registers the employee; (5 CFR 330.203(c))
- (b) The agency enters a tenure group II employee on the Reemployment Priority List for 1 year from the date that the agency registers the employee. (5 CFR 330.203(c))

- ①
    - Subparagraph **3-A-4-2-(a)** in Restructuring Information Handbook Module 3 ("**Reduction in Force**") covers Reduction in force tenure groups. (5 CFR 351.501(a)(1))
- 

### **6-A-6-2      Reason for Eligibility Does Not Change Time Period**

The reason an employee became eligible for the Reemployment Priority List does not change the time period that the present or former employee is carried on the List. (5 CFR 330.203(c))

- ①
    - The time limits for eligibility covered in paragraph **6-A-6-1** above apply to employees eligible for the Reemployment Priority List without regard to the employee's eligibility based on a specific reduction in force notice, or compensable injury. (5 CFR 330.203(c))
- 

### **6-A-6-3      Agency Must Be Able to Contact Registrant**

The agency must suspend Reemployment Priority List consideration (for both permanent and nonpermanent positions) for any individual who the agency is unable to contact. (5 CFR 330.203(f))

- The individual may later submit an updated application to restore consideration from the Reemployment Priority

List, but the employee's applicable 1- or 2-year period of eligibility on the List is not extended beyond the original time period set at the time of the employee's registration. (5 CFR 330.203(f))

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**6-A-6-4**

**Declining Nonpermanent Employment Does Not Affect Eligibility**

An employee's declination of an offer of a nonpermanent position has no effect on the employee's future eligibility on the Reemployment Priority List, or future consideration of positions offered through the List. (5 CFR 330.203(e))



- For example, an employee registered on the Reemployment Priority List may decline a temporary or a term position and retain full eligibility on the List. (5 CFR 330.203(e))
  - An employee who accepts a nonpermanent position before separation by reduction in force loses future eligibility on the Reemployment Priority List.
  - See paragraph **6-A-7-6** for additional guidance on loss of Reemployment Priority List eligibility after accepting a nonpermanent position before separation by reduction in force. (5 CFR 330.203(d)(2)(iv))
-

## Section 7, Early Loss of Eligibility

---

**Introduction** This section covers the conditions that result in an employee's early loss of eligibility for the Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
General	6-A-7-1
Removal at Employee's Request	6-A-7-2
Employee Accepts a Nontemporary Position	6-A-7-3
Employee Declines RIF Offer	6-A-7-4
Employee Declines RPL Offer	6-A-7-5
Employee Voluntarily Leaves Position Before RIF Separation	6-A-7-6
Employee Declines Interview	6-A-7-7
RIF Notice Cancelled or Expires	6-A-7-8
Employee Leaves Alaska or Overseas	6-A-7-9

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-7-5-(d)	6-B-7-5-(d)
6-A-7-6	6-B-7-6

<p><b>B</b> This symbol highlights where you can find additional material in Unit 6-B.</p>
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<p><b>i</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.</p>
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## **Section 7, Early Loss of Eligibility**

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### **6-A-7-1**

#### **General**



An agency must remove an employee from the Reemployment Priority List before the end of the appropriate 1- or 2-year period of eligibility covered in paragraph **6-A-6-1** if the individual takes any of the six actions covered in paragraphs **6-A-7-2** through **-7** below.

---

### **6-A-7-2**

#### **Removal at Employee's Request**

An agency must remove an employee from the Reemployment Priority List if the employee requests removal. (5 CFR 330.203(d)(2)(i))

---

### **6-A-7-3**

#### **Employee Accepts a Nontemporary Position**

An agency must remove an employee from the Reemployment Priority List if the employee accepts, in any agency, a position under a career, career-conditional, or excepted appointment without a time limit. (5 CFR 330.203(d)(2)(ii))

---

### **6-A-7-4**

#### **Employee Declines RIF Offer**

An agency must remove an employee from the Reemployment Priority List if the employee declines a reduction in force offer of assignment to a position with: (5 CFR 330.203(a)(4))

- (a) A representative rate equal to the rate of the position from which the employee was, or will be separated; and,
  - (b) A career or career-conditional appointment, or an excepted appointment without a time limit.
- 

### **6-A-7-5**

#### **Employee Declines RPL Offer**

An agency must remove an employee from consideration on the Reemployment Priority List for all positions with a representative rate at, or below, that of any position that the agency offers through the List, and

for which the individual has:

- (a) Declined an offer of a career appointment; (5 CFR 330.203(d)(2)(ii))
- (b) Declined an offer of a career-conditional appointment; (5 CFR 330.203(d)(2)(ii))
- (c) Declined an offer of an excepted appointment without time limit; (5 CFR 330.203(d)(2)(ii)), or
- (d) Failed to respond to an inquiry from the agency when the position offered from the List meets the acceptable conditions covered in the individual's registration form. (5 CFR 330.203(d)(2)(iii))

**B** [See subparagraph **6-B-7-5-(d)** for additional guidance.]

- An employee who declines an offer of a position from the agency's "**Career Transition Assistance Plan**" rather than an offer from the agency's Reemployment Priority List does not lose future eligibility for offers from the List.

① • Restructuring Information Handbook Module 7 covers the "**Career Transition Assistance Plan.**"

---

**6-A-7-6**      **Employee Voluntarily Leaves Position Before RIF Separation**

An agency must remove an employee from the Reemployment Priority List if the employee voluntarily leaves the position before being separated by reduction in force. (5 CFR 330.203(d)(2)(iv))

**B** [See paragraph **6-B-7-6** for additional guidance.]

- For example, the employee may voluntarily leave the position by retirement, resignation, transfer to another agency, or by a change of positions (including a permanent or nonpermanent position in the same agency, or in a different agency).

---

**6-A-7-7**      **Employee Declines Interview**

An agency must remove an employee from the Reemployment Priority List if the employee:

- (a) Declines an interview for a position; (5 CFR 330.203(d)(2)(v)), or
- (b) Fails to appear for a scheduled interview, after being notified by the agency that the declination or absence would eliminate the employee's future eligibility on the Reemployment Priority List. (5 CFR 330.203(d)(2)(v))
- (c) When an agency removes an individual from the Reemployment Priority List because of failure to reply to either a specific offer of a permanent position or an inquiry of availability for a specific permanent vacancy, the agency must have evidence to show that:
  - (1) The agency made a written offer or inquiry; (5 CFR 330.203(d)(3)), and
  - (2) The individual received the offer or inquiry. (5 CFR 330.203(d)(3))
    - The written offer or inquiry to the individual must clearly state that failure to respond will result in future loss of consideration from the Reemployment Priority List for, as appropriate, all grades or for lower grades. (5 CFR 330.203(d)(3))

---

#### **6-A-7-8**

#### **RIF Notice Cancelled or Expires**

An employee who is no longer subject to separation by reduction in force as the result of the cancellation, or expiration, of a specific reduction in force notice is not eligible for the Reemployment Priority List. (5 CFR 330.203(a)(3))

---

#### **6-A-7-9**

#### **Employee Leaves Alaska or Overseas**

An agency must remove an employee (or former employee) from the Reemployment Priority List if:

- (a) An employee registered on the Reemployment Priority List for

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Reemployment Priority List  
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---

Alaska or overseas leaves the local commuting area covered by that List; (5 CFR 330.203(d)(2)(vi)), or

- (b) The employee becomes disqualified for overseas employment because of previous service or residence. (5 CFR 330.203(d)(2)(vi))



- Paragraph **6-A-10-8** covers operation of the Reemployment Priority List for employees in Alaska or overseas.
-

## Section 8, Employee Registration Based on RIF

---

**Introduction** This section covers registration for the Reemployment Priority List based upon a reduction in force separation notice.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Time Limit for Registration	6-A-8-1
Early Registration	6-A-8-2
Registration Forms	6-A-8-3
Agency Should Assist Employees in Registering	6-A-8-4
Time Limit for Processing Registration Forms	6-A-8-5

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-8-3-(a)	6-B-8-3-(a)
6-A-8-4	6-B-8-4
6-A-8-5	6-B-8-5

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## Section 8, Employee Registration Based on RIF

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### **6-A-8-1**      **Time Limit for Registration**

An employee who is eligible for registration on the agency's Reemployment Priority List on the basis of receiving a specific reduction in force notice must submit a completed application to the agency no later than 30 calendar days after the date on which the employee was separated by reduction in force. (5 CFR 330.202(a)(1))

- ①
  - If the agency implements an application based Reemployment Priority List procedure covered in paragraph **6-A-8-4**, the displaced employee would complete any documentation requested by the agency no later than 30 calendar days after the date on which the employee was separated by reduction in force.
  
- ①
  - Subparagraph **6-A-9-1-(b)** notes that the agency may also implement the same application based Reemployment Priority List procedure for a former employee who is eligible for the List on the basis of a compensable injury.
  
- (a) An employee who does not submit a timely application is not eligible for registration on the Reemployment Priority List. (5 CFR 330.202(a)(1))
  
- (b) If the agency did not properly notify the employee of the right to register for the Reemployment Priority List, the agency must determine if corrective action is appropriate. (5 CFR 330.201(a))
  
- ①
  - See Section **6-A-20** for guidance on corrective action and the Reemployment Priority List.
  
- (c) Appropriate corrective action may include:
  - (1) Accepting a completed application even if more than 30 calendar days elapsed since the employee was separated by reduction in force; (5 CFR 330.201(a)), and/or
  - (2) Reviewing agency appointments to determine if other

corrective action is appropriate. (5 CFR 330.201(a))

---

### **6-A-8-2**      **Early Registration**

An employee may request registration on the Reemployment Priority List at any time after the employee receives either:

- (a) A specific notice of separation by reduction in force; (5 CFR 330.202(a)(1)), or
  - (b) A "**Certification of Expected Separation.**" (5 CFR 330.202(a)(1))
    - ① • Sections **3-A-29**, **3-A-30**, and **3-A-31** of Restructuring Information Handbook Module 3 ("**Reduction in Force**") cover Reduction in Force notices. (5 CFR 351.801(a)(1))
    - ① • Section **3-A-32** of Module 3 covers the "**Certification of Expected Separation.**" (5 CFR 351.807)
  - ① (c) If the employee registers for the Reemployment Priority List before the date of separation by reduction in force, the appropriate 1- or 2-year period of eligibility covered in paragraph **6-A-6-1** still begins on the date that the agency registers the employee on the Reemployment Priority List, rather than on the date that the agency actually separates the employee by reduction in force. (5 CFR 330.203(c))
  - (d) There is no authority for the agency to register an employee on the Reemployment Priority List if the employee has not received either a specific reduction in force notice, or a Certification of Expected Separation. (5 CFR 330.202(a)(1))
- 

### **6-A-8-3**      **Registration Forms**

The agency determines what forms it uses to register employees for the Reemployment Priority List.

- (a) The registration form must allow each eligible employee to specify other acceptable conditions under which the employee will accept a position from the Reemployment Priority List. (5

CFR 330.202(a)(1))

**B** [See subparagraph **6-B-8-3-(a)** for additional guidance.]

- The displaced employee has the default option to request Reemployment Priority List consideration for all potential positions at the same or lower grade that are covered by the List. (For example, when the employee wants consideration for all possible positions, there is no basis for an agency to limit Reemployment Priority List consideration only to positions, grades, and series, specifically identified by the registrant.) (5 CFR 330.202(a)(1))
- (b) If the employee wants to limit Reemployment Priority List consideration, the employee may restrict consideration by identifying other acceptable conditions of employment. (These restrictions apply to positions that have a different grade and/or work schedule as the position that the employee held at the time of reduction in force separation). (5 CFR 330.202(a)(1))
- Conditions of employment may include grade, occupation, minimum work hours, and/or designated components or certain duty sites in the local commuting area.
- (c) After the employee files the registration form, the employee should advise the agency of any significant changes to the information in the form. (5 CFR 330.203(f))
- For example, if the employee completes a retraining program after separation by reduction in force, the individual should notify the agency in order to ensure maximum consideration from the Reemployment Priority List.

---

**6-A-8-4**

**Agency Should Assist Employees in Registering**

The agency should assist each employee in identifying positions for which the employee is qualified, and listing these positions on the employee's Reemployment Priority List registration form. (5 CFR 330.202(c))

- At its option, the agency may establish an application-based procedure to replace or supplement the usual single registration procedure for the Reemployment Priority List.
- The application based procedure that allows a displaced employee to directly apply for Reemployment Priority List selection priority for a vacancy that the agency plans to fill with an outside candidate.

**B**

[See paragraph **6-B-8-4** for additional guidance.]

---

**6-A-8-5**      **Time Limit for Processing Registration Forms**

The agency must register an eligible employee on the Reemployment Priority List within 10 calendar days of receiving a timely registration form. (5 CFR 330.202(a)(2))

**B**

[See paragraph **6-B-8-5** for additional guidance.]

**ⓘ**

- If the agency finds that it did not meet the 10-day time limit, the agency must review its appointments to determine if corrective action is appropriate, as covered in Section **6-A-20** of this Module.
-

## Section 9, Employee Registration Based on Compensable Injury

---

**Introduction** This section covers registration for the Reemployment Priority List based upon a compensable injury.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
General Time Limits	6-A-9-1
Exception to Time Limits	6-A-9-2
Registration Forms	6-A-9-3
Time Limit for Processing Registration	6-A-9-4

---

**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on this key paragraph in Unit 6-A,	In Unit 6-B see paragraph:
6-A-9-4	6-B-9-4

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 9, Employee Registration Based on Compensable Injury**

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### **6-A-9-1      General Time Limits**

A former employee who is eligible for the Reemployment Priority List on the basis of a compensable injury must request reemployment within 30 calendar days after the date the employee's compensation ceases. (5 CFR 330.202(a)(2))

- ①
  - Paragraph **6-A-9-2** below contains an exception to this general requirement. (5 CFR 330.202(a)(2))
- (a) There is no authority to register an employee early for the Reemployment Priority List based on compensable injury.
- (b) There is no specific format in OPM's regulations that the former employee must follow in requesting reemployment following compensation. (5 CFR 330.202(a)(2))
- ①
  - If the agency implements an application based Reemployment Priority List procedure covered in paragraph **6-A-8-4**, a former employee who is eligible for the List on the basis of a compensable injury must complete any documentation requested by the agency within 30 calendar days after the date the employee's compensation ceases. (5 CFR 330.202(a)(2))

---

### **6-A-9-2      Exception to Time Limits**

- ① When an employee files an appeal for continuation of compensation, the 30-day period for requesting reemployment under paragraph **6-A-9-1** above begins the day after resolution of the appeal is reached. (5 CFR 330.202(a)(2))
- (a) An employee who has filed an appeal for continuation of compensation is still eligible for the Reemployment Priority List based upon termination of the compensation. (5 CFR 330.202(a)(2))
- (b) The employee may register for the Reemployment Priority List while the compensation appeal is pending, or the employee may

wait until the compensation appeal is resolved and then apply for registrations within 30 calendar days after the compensation appeal is resolved. (5 CFR 330.202(a)(2))

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### **6-A-9-3**      **Registration Forms**

The agency determines what forms it uses to register employees for the Reemployment Priority List.

- (a) The registration form must allow each eligible employee to specify other acceptable conditions under which the employee will accept a position from the Reemployment Priority List. (5 CFR 330.202(a)(1))

①

- See paragraph **6-A-8-3** for additional guidance on the registration process for the Reemployment Priority List.
- (b) A former employee who is eligible for the Reemployment Priority List on the basis of a compensable injury also has the default option to request Reemployment Priority List consideration for all potential positions at the same or lower grade that are covered by the List. (5 CFR 330.202(a)(1))
- (c) The former employee may limit consideration by identifying other acceptable conditions of employment, such as positions that are at a lower grade and/or different work schedule than the position that the employee held at the time of separation from the service due to a compensable injury. (5 CFR 330.202(a)(1))
- (d) After the former employee files the registration form, the former employee should advise the agency of any significant changes to the information in the form. (5 CFR 330.203(f))
- 

### **6-A-9-4**      **Time Limit for Processing Registration**

The agency must register an eligible former employee on the Reemployment Priority List within 10 calendar days of receiving a timely registration form. (5 CFR 330.202(b))

**B**

[See paragraph **6-B-9-4** for additional guidance.]

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- ①
    - If the agency finds that it did not meet the 10-day time limit, the agency must review its appointments to determine if corrective action is appropriate, as covered in Section **6-A-20** of this Module.
-

## Section 10, Employee Consideration Based On RIF

---

**Introduction** This section covers the mandatory selection consideration that an agency provides to an employee eligible for the Reemployment Priority List because of a reduction in force separation notice.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Grade Limits-General	6-A-10-1
Grade Limits-Certification of Expected Separation	6-A-10-2
Promotion Potential	6-A-10-3
Grade Limits-Employee Previously Downgraded By RIF	6-A-10-4
Work Schedule	6-A-10-5
Local Commuting Area-General	6-A-10-6
Local Commuting Area-After a Transfer of Function	6-A-10-7
Local Commuting Area-Alaska and Overseas Positions	6-A-10-8

---

**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-10-1	6-B-10-1
6-A-10-4	6-B-10-4
6-A-10-5	6-B-10-5
6-A-10-6	6-B-10-6
6-A-10-6-(b)	6-B-10-6-(b)

**B** This symbol highlights where you can find additional material in Unit 6-B.

**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 10, Employee Consideration Based On RIF**

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### **6-A-10-1      Grade Limits-General**

An employee who is eligible for the Reemployment Priority List on the basis of a specific reduction in force notice of separation is registered on the List for positions with a representative rate no higher than the rate of the position that the employee held when the employee was separated, or will be separated, unless the employee was previously downgraded by reduction in force. (5 CFR 330.206(a)(1))

**B**      [See paragraph **6-B-10-1** for additional guidance.]

- ①      •      Paragraph **6-A-10-4** below covers consideration from the Reemployment Priority List when the employee was previously downgraded by reduction in force.

---

### **6-A-10-2      Grade Limits-Certification of Expected Separation**

An employee who is eligible for the Reemployment Priority List on the basis of a "**Certification Of Expected Separation**" is placed on the List for positions with a representative rate no higher than the grade of the position that the employee held when the employee received the Certification, unless the employee was previously downgraded by reduction in force. (5 CFR 330.206(a)(1))

- ①      •      Section **3-A-32** of Restructuring Information Handbook Module 3 ("**Reduction in Force**") covers the "**Certification of Expected Separation.**")

- ①      •      Paragraph **6-A-10-4** below covers consideration from the Reemployment Priority List when the employee was previously downgraded by reduction in force.

---

### **6-A-10-3      Promotion Potential**

The position offered through the Reemployment Priority List may not have any greater promotion potential than the position the employee held at the time of separation from the service, unless the employee was previously downgraded by reduction in force. (5 CFR 330.206(a)(1))

**6-A-10-4**      **Grade Limits-Employee Previously Downgraded By RIF**

An employee who was previously downgraded by reduction in force in one or more prior actions, and who has now received a notice of separation from a lower-graded position in another reduction in force, is placed on the Reemployment Priority List for positions with a representative rate no higher than the highest rate of the former position(s) that the employee held when downgraded. (5 CFR 330.206(a)(1))

**B**      [See paragraph **6-B-10-4** for additional guidance.]

---

**6-A-10-5**      **Work Schedule**

An agency must consider an employee who is eligible for the Reemployment Priority List on the basis of a specific reduction in force notice only for positions with the same category of work schedule (for example, full-time, part-time, intermittent, seasonal, or on call) that the employee holds on the date of separation from the service because of a reduction in force situation. (5 CFR 330.206(a)(2))

**B**      [See paragraph **6-B-10-5** for additional guidance.]

- At its option, an agency may allow an employee on the Reemployment Priority List to also register for positions having a different work schedule from the position that is the basis for the employee's specific reduction in force separation notice, or Certification of Expected Separation. (5 CFR 330.206(a)(2))
- 

**6-A-10-6**      **Local Commuting Area-General**

Except for certain locations overseas or in Alaska, an employee who is eligible for the Reemployment Priority List on the basis of a specific reduction in force notice, or a Certification of Expected Separation, is entered on the List only for the "**Local Commuting Area**" where the employee's former position was located.

**B**      [See paragraph **6-B-10-6** for additional guidance.]

- ①**      • See paragraph **6-A-10-8** below for additional guidance on

the local commuting area for overseas or Alaska.

- (a) The Reemployment Priority List covers all components of the agency in a local commuting area. (5 CFR 330.202(a)(1))
- ① • See paragraph **6-A-3-2** for guidance on the definition of "Agency" for purposes of the Reemployment Priority List.
  - ① • Paragraph **6-A-8-3** notes that an employee registering for the Reemployment Priority List may limit coverage only to specified components within the local commuting area. (5 CFR 330.202(a)(1))
- (b) There is no authority for the agency to register an employee, who is eligible because of reduction in force separation, on a Reemployment Priority List in a different local commuting area, except as covered in paragraph **6-A-10-7** below when a transfer of function takes place, and in paragraph **6-A-10-8** below for positions in Alaska or overseas. (5 CFR 330.206(a)(3))
- ① • Paragraph **6-A-3-2** defines "**Local Commuting Area.**"
- (c) Through its own internal placement program, an agency may also offer priority placement in a different local commuting area (or areas) to employees eligible for the Reemployment Priority List, provided that:
- (1) The agency has first met its obligation under the "**Career Transition Assistance Plan**" (**CTAP**) to place surplus and displaced employees in the different competitive area; (5 CFR 330.606(b), and
    - Restructuring Information Handbook Module 7 covers the "**Career Transition Assistance Plan.**"
  - (2) The agency has first met its obligation to provide Reemployment Priority List rights to employees eligible for the List in the different competitive area. (5 CFR 330.206(a)(3).

---

**6-A-10-7**

**Local Commuting Area-After a Transfer of Function**

An employee who is separated by reduction in force after a transfer of function is entered on the Reemployment Priority List for the local commuting area of the gaining competitive area that conducted the reduction in force. (5 CFR 330.203(g))

- There is no authority for the agency to register an employee on a Reemployment Priority List covering the local commuting area of the losing competitive area.
- 

### **6-A-10-8**

### **Local Commuting Area-Alaska and Overseas Positions**



An employee eligible for the Reemployment Priority List on the basis of a specific reduction in force notice, or a Certification of Expected Separation, from a position in Alaska or overseas is also entered on the List only for the local commuting area where the employee's former position was located, except as covered in subparagraphs **6-A-10-8-(a)** and **-(b)** below. (5 CFR 330.206(a)(4))

- (a) An employee who leaves a local commuting area in Alaska or overseas that is covered by the employee's specific reduction in force notice, or Certification of Expected Separation, may submit a written request for registration on the Reemployment Priority List applicable to:
- (1) The local commuting area where the employee worked immediately before the Alaskan or overseas service; (5 CFR 330.206(a)(4)(i)), or
  - (2) Another non-Alaskan local commuting area within the United States that is mutually acceptable to the agency and the employee. (5 CFR 330.206(a)(4)(i))
- (b) An employee serving under an agency's specific program for rotating certain employees between the United States and overseas may register for the Reemployment Priority List in one other local commuting area in the United States that is acceptable to both the agency and the employee if the employee's total overseas service would exceed the maximum allowed under the agency's program. (5 CFR 330.206(a)(4)(ii))
- This option is available if the employee's total service or residence immediately preceding the reduction in force

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notice, or Certification of Expected Separation, when added to projected additional overseas service or residence would exceed the agency's total allowable overseas service or residence. (5 CFR 330.206(a)(4)(ii))

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## Section 11, Employee Consideration Based on Injury Compensation

---

**Introduction** This section covers the mandatory selection consideration that an agency provides to an employee eligible for the Reemployment Priority List because of a compensable injury.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Consideration for Same Position	6-A-11-1
Consideration of Local Commuting Area	6-A-11-2
Consideration of Additional Local Commuting Areas	6-A-11-3
Other Options in an Expanded Search for a Position	6-A-11-4
Employee Interest in a Position in the Former Location	6-A-11-5

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-11-2	6-B-11-2
6-A-11-3	6-B-11-3

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 11, Employee Consideration Based on Injury Compensation**

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### **6-A-11-1      Consideration for Same Position**

A former employee who is eligible for the agency's Reemployment Priority List on the basis of a compensable injury is placed on the List for the employee's former position, or an equivalent position (a position with the same representative rate as the employee's former position). (5 CFR 330.206(b)(1))

(a) The former employee is also eligible for priority to higher-graded positions held before a prior reduction in force demotion. (5 CFR 330.206(b)(1))

①      • See paragraph **6-A-10-4** for additional guidance.

(b) The former employee is also eligible for priority to positions filled under a different work schedule than the position held at the time of separation from the service. (5 CFR 330.206(b)(1))

①      • See paragraph **6-A-10-5** for additional guidance.

---

### **6-A-11-2      Consideration of Local Commuting Area**

An employee eligible for the Reemployment Priority List on the basis of a compensable injury is entered on the List for the "**Local Commuting Area**" where the employee's former position was located. (5 CFR 330.206(b)(1))

**B**      [See paragraph **6-B-11-2** for additional guidance.]

①      • Paragraph **6-A-3-2** defines "**Local Commuting Area**." (5 CFR 351.203)

---

### **6-A-11-3      Consideration of Additional Local Commuting Areas**

An employee who is eligible for the Reemployment Priority List on the basis of a compensable injury, but who the agency is unable to reinstate in a position in the employee's former local commuting area, is entitled to priority consideration for an equivalent position elsewhere in the agency

at the time, and in a manner, as the agency determines will provide the individual with maximum opportunities for consideration. (5 CFR 330.206(b)(1))

**B** [See paragraph **6-B-11-3** for additional guidance.]

- The expanded search for a position may, at the agency's option, include registering the former employee on the Reemployment Priority List for one or more additional local commuting areas. (5 CFR 330.206(b)(1))
- 

**6-A-11-4**      **Other Options in an Expanded Search for a Position**

The expanded search for a position may also include:

- (a) Registering the former employee in a placement program administered by the agency; or
  - (b) Referring the former employee for consideration by other locations within the agency.
- 

**6-A-11-5**      **Employee Interest in a Position in the Former Location**

A former employee who is eligible for the Reemployment Priority List based on a compensable injury may decline expanded consideration for positions in other locations, even though the agency is unable to reinstate the employee to his or her former (or an equivalent) position in the former local commuting area. (5 CFR 330.206(b)(1))

- Instead, the former employee may request consideration for another position in the local commuting
-

## Section 12, Restrictions on Filling Positions

---

**Introduction** This section covers the mandatory restrictions that apply to the filling of vacant positions with external candidates when an agency has one or more employees registered on its Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
General Coverage of the RPL	6-A-12-1
Permanent and Nonpermanent Competitive Service Positions	6-A-12-2
Grade Level	6-A-12-3
Private Sector Temporaries	6-A-12-4
Later RPL Registrants After Agency Commits a Position	6-A-12-5
New Appointment	6-A-12-6
Delegated Hiring Authority	6-A-12-7
Transfer or Reinstatement	6-A-12-8
Internal Placement Action	6-A-12-9
Special Appointment Action	6-A-12-10
Exception to the Regular Order of Selection	6-A-12-11

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-12-1	6-B-12-1
6-A-12-2	6-B-12-2
6-A-12-9-(a)	6-B-12-9-(a)

**B** This symbol highlights where you can find additional material in Unit 6-B.

**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

## **Section 12, Restrictions on Filling Positions**

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### **6-A-12-1      General Coverage of the RPL**

The agency must refer to its applicable Reemployment Priority List before filling a competitive service position with an individual who is not presently employed by the agency. (5 CFR 330.205(a))

**B**      [See paragraph **6-B-12-1** for additional guidance.]

- ①**      •      Paragraphs **6-A-12-5** through **6-A-12-10** cover several exceptions to the general rule on coverage of the Reemployment Priority List.
- 

### **6-A-12-2      Permanent and Nonpermanent Competitive Service Positions**

The Reemployment Priority List includes competitive service vacancies filled by permanent, term, temporary, or other nonstatus appointment. (5 CFR 330.205(a))

**B**      [See paragraph **6-B-12-2** for additional guidance.]

---

### **6-A-12-3      Grade Level**

The agency must only clear the Reemployment Priority List at the grade level of the filled position, regardless of the position's full performance level. (5 CFR 330.205(d))

- If the agency advertises a position at multiple grade levels, the agency must clear the Reemployment Priority List only at the grade level of the filled position. (5 CFR 330.205(d))
- 

### **6-A-12-4      Private Sector Temporaries**

The Reemployment Priority List also covers the use of private sector temporaries under authority of Subpart 5 CFR 300-E. (5 CFR 300.503(b))

### **6-A-12-5      Later RPL Registrants After Agency Commits a Position**

After the agency has cleared the Reemployment Priority List and made a final hiring commitment to an individual who is not registered on the List, the subsequent registration of another employee on the List does not block the agency's commitment to hire the employee from outside the agency. (5 CFR 330.205(e))

---

**6-A-12-6**      **New Appointment**

The agency may not make a final employment commitment to an individual who is not listed on the Reemployment Priority List, and fill a permanent or temporary competitive service position by a new appointment, unless the individual appointed is a qualified 10-point veterans' preference eligible. (5 CFR 330.205(b)(1))

---

**6-A-12-7**      **Delegated Hiring Authority**

The Reemployment Priority List also covers a competitive service position filled by an appointment under:

- (a) A direct-hire authority; (5 CFR 330.205(g)), or
    - This restriction includes the "**Outstanding Scholar**" program.
  - (b) An examining authority delegated by OPM. (5 CFR 330.205(g))
- 

**6-A-12-8**      **Transfer or Reinstatement**

The agency may not make a final employment commitment to an individual who is not registered on the Reemployment Priority List, and fill a competitive service position by transfer or reinstatement, unless the individual is:

- (a) A preference eligible; (5 CFR 330.205(b)(2))
- (b) Exercising restoration rights based on service in the Armed Forces, or recovery within 1 year from a compensable injury or disability; (5 CFR 330.205(b)(2)), or

- Part 5 CFR 353 covers restoration rights from military service or a compensable injury.
- (c) Exercising other statutory or regulatory reemployment rights. (5 CFR 330.205(b)(2))
- 

**6-A-12-9**

**Internal Placement Action**

Subject to the requirements of the Career Transition Assistance Plan for first filling vacancies with surplus or displaced employees, an agency may fill a vacant competitive service position without regard to the Reemployment Priority List when the agency offers the vacancy to a current, qualified employee as:

- (a) A detail or a position change; (5 CFR 330.205(c)(2)(i)), or
- These actions include promotion, demotion, and reassignment.

**B**

[See subparagraph **6-B-12-9-(a)** for additional guidance.]

**①**

- Section **7-A-14** of Restructuring Information Handbook Module 7 ("**Career Transition Assistance Plan**") covers the order of selection for filling vacancies from within the agency with eligible surplus or displaced employees. (5 CFR 330.606(a))
- (b) The conversion to a competitive appointment of an employee serving under an appointment with eligibility for noncompetitive conversion; (5 CFR 330.205(c)(2)(ii)), or
- These actions include the conversion of an employee serving under a Veterans Readjustment Appointment, under an appointment for 30 percent disabled veterans, under a Schedule A appointment for disabled employees, under a Presidential Management Intern appointment, under a Schedule B appointment for cooperative education students, or under a TAPER appointment.
- (c) A reappointment by temporary appointment of 1 year or less, without a break in service, to the same position currently held by an employee serving under a temporary appointment of 1 year or

less; (5 CFR 330.205(c)(2)(iii)), or

- (d) The extension of an employee's temporary appointment to the maximum time period authorized by the appointment authority, or as authorized by OPM. (5 CFR 330.205(c)(2)(iv))
- 

**6-A-12-10**

**Special Appointment Action**

An agency may fill a vacant competitive service position without regard to the Reemployment Priority List when the agency offers the vacancy by a:

- (a) 30-day special needs temporary appointment; (5 CFR 330.205(c)(3)), or
- (b) 700-hour temporary appointment of a severely disturbed or mentally restored individual. (5 CFR 330.205(c)(3))
- 

**6-A-12-11**

**Exception to the Regular Order of Selection**

An agency may fill a vacant competitive service position without regard to the Reemployment Priority List when the agency makes an exception to the regular order of selection from the List. (5 CFR 330.207(d))



- See Section **6-A-16** for additional guidance on exceptions to the Reemployment Priority List.
-

## Section 13, RPL Selections-General

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**Introduction** This section covers the agency's general right to use one of two selection procedures in establishing a Reemployment Priority List for its displaced present and former employees.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Choice of Two Selection Procedures	6-A-13-1
Agency Right to Designate Selection Procedure	6-A-13-2
Selection Procedure Must Be in Writing	6-A-13-3
Options in Setting Selection Procedure	6-A-13-4
Options in Modifying Selection Procedure	6-A-13-5

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 13, RPL Selections-General**

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### **6-A-13-1      Choice of Two Selection Procedures**

**Choice of Two Selection Procedures.** An agency has two methods for selecting employees from its Reemployment Priority List: (5 CFR 330.207(a))

(a)    **“Retention Standing Order”**; (5 CFR 330.207(b)), or

- ①                      •        Section **6-A-14** covers the “Retention Standing Order” selection procedure.

(b)    **“Rating and Ranking Order.”** (5 CFR 330.207(c))

- ①                      •        Section **6-A-15** covers the “Rating and Ranking Order” selection procedure.

---

### **6-A-13-2      Agency Right to Designate Selection Procedure**

The agency must adopt either the "**Retention Standing Order**" procedure, or the "**Rating and Ranking Order**" procedures, to use in operating a single Reemployment Priority List. (5 CFR 330.207(a))

---

### **6-A-13-3      Selection Procedure Must Be in Writing**

The agency must establish its Reemployment Priority List selection procedure in writing. (5 CFR 330.207(a))

---

### **6-A-13-4      Options in Setting Selection Procedure**

In setting its selection procedure from the Reemployment Priority List, the agency may:

- (a)    Adopt the same agencywide procedure from the Reemployment Priority List; (5 CFR 330.207(a)), or
- (b)    Allow components in different local commuting areas to decide which of the two selection procedures is used for the

Reemployment Priority List. (5 CFR 330.207(a))

---

**6-A-13-5**      **Options in Modifying Selection Procedure**

After the agency adopts one of the two selection methods for its Reemployment Priority List in a designated local commuting area, the agency must use that method in filling all positions. (5 CFR 330.207(a))

- (a) The agency may subsequently change the selection procedure from the Reemployment Priority List method that it adopted for a local commuting area. (5 CFR 330.207(a))
  - (b) The agency may not vary the Reemployment Priority List selection procedures by individual vacancy. (5 CFR 330.207(a))
    - This means that the agency may not use alternative selection procedures on the basis of individual vacant positions, appointment considerations, potential pool of candidates, or other similar factors.
-

## Section 14, Selecting Employees-Retention Standing Order Procedure

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**Introduction** This section covers the Retention Standing Order Selection Procedure option for the agency's Reemployment Priority List.

---

**Contents** This section contains the following topics:

<b>Topic</b>	<b>See Paragraph</b>
Retention Standing Order Selection Procedure	6-A-14-1
Ranking Employees by Retention Standing	6-A-14-2
Tenure Group	6-A-14-3
Tenure Subgroup	6-A-14-4
Service Date Is Not Used	6-A-14-5
No Specific Priority for Employee's Former Position	6-A-14-6
Exception to Order of Selection	6-A-14-7

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<b>①</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.
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## **Section 14, Selecting Employees-Retention Standing Order Procedure**

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### **6-A-14-1      Retention Standing Order Selection Procedure**

The first of the two procedures available for agencies to select employees for vacancies to be filled from the Reemployment Priority List uses the reduction in force retention standing of the eligible employees. (5 CFR 330.207(b))

- The other procedure for selecting employees from the Reemployment Priority List is based on the employees' Rating and Ranking Order.
- ①
- See Section **6-A-15** for additional guidance on the “**Rating and Ranking Order**” of selection from the Reemployment Priority List.
- 

### **6-A-14-2      Ranking Employees by Retention Standing**

For each vacancy to be filled using the Reemployment Priority List, the agency places employees (including former employees) in their reduction in force retention group and subgroup order in accordance with OPM's reduction in force regulations. (5 CFR 330.207(b))

- ①
- Section **3-A-12** of Restructuring Information Handbook Module 3 (“**Reduction in Force**”) covers reduction in force tenure groups.
- ①
- Section **3-A-13** of Module 3 covers reduction in force retention subgroups.
- 

### **6-A-14-3      Tenure Group**

In making a selection using the order of retention standing, the agency must select employees in retention tenure group order. (5 CFR 330.207(b))

- This means that the agency must select all qualified employees in tenure Group I before selecting an employee in tenure Group II).

**6-A-14-4**      **Tenure Subgroup**

Within a retention tenure group, the agency must select employees in retention subgroup order. (5 CFR 330.207(b))

- This means that the agency must select all qualified employees in retention subgroup AD before selecting an employee in subgroup A, and all qualified employees in subgroup A before selecting an employee in subgroup B.
- ①
- Section **3-A-13** of Module 3 also covers employees' eligibility for veterans' preference in reduction in force.
- 

**6-A-14-5**      **Service Date Is Not Used**

Within a retention subgroup, the agency may select any individual registered on the Reemployment Priority List without regard to the employees' relative reduction in force service computation dates. (5 CFR 330.207(b))

---

**6-A-14-6**      **No Specific Priority for Employee's Former Position**

Under the Retention Standing Order Selection procedure, an employee has no special priority on the Reemployment Priority List for the employee's actual former position.

---

**6-A-14-7**      **Exception to Order of Selection**

- ①
- If the agency adopts the Retention Standing Order of selecting employees from the Reemployment Priority List, the agency may make an exception to this selection order only in accordance with the provisions covered in Section **6-A-16**. (5 CFR 330.207(d))
-

## Section 15, Selecting Employees-Rating and Ranking Order Procedure

---

**Introduction** This section covers the Rating and Ranking Order Selection Procedure option for the agency's Reemployment Priority List.

---

**Contents** This section contains the following topics:

<b>Topic</b>	<b>See Paragraph</b>
Rating and Ranking Order Selection Procedure	6-A-15-1
Qualifications and Experience	6-A-15-2
Assigning Employees Numerical Scores	6-A-15-3
Ranking Employees by Numerical Score	6-A-15-4
Exception to Order of Selection	6-A-15-5

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<p><b>①</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.</p>
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## **Section 15, Selecting Employees-Rating and Ranking Order Procedure**

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### **6-A-15-1      Rating and Ranking Order Selection Procedure**

The second of the two procedures available for agencies to select employees for vacancies to be filled from the Reemployment Priority List uses the rating and ranking order of the eligible employees. (5 CFR 330.207(c))

- The first procedure for selecting employees from the Reemployment Priority List is based on the employees' Retention Standing Order.
- ①
- See Section **6-A-14** for additional guidance on the “**Retention Standing Order**” of selection from the Reemployment Priority List.
- 

### **6-A-15-2      Qualifications and Experience**

For each vacancy to be filled using the Reemployment Priority List, the agency rates employees (including former employees) according to their experience and education, using job-related evaluation procedures that are:

- (a) Capable of distinguishing differences in the employees' qualifications that the agency measures; (5 CFR 330.207(c)(1)), and
  - (b) Applied in a fair and consistent manner. (5 CFR 330.207(c)(1))
- 

### **6-A-15-3      Assigning Employees Numerical Scores**

- ① Based on the rating of employees' experience and education covered in paragraph **6-A-15-2** above, the agency assigns each qualified employee a score between 70 and 100, and then adds:
- (a) 5 additional points to this score for employees entitled to veterans' preference as a nondisabled veteran under subparagraphs 5 U.S.C. 2108(3)(A) and (B); or, (5 CFR § 330.207(c)(1))

- (b) 10 additional points to this score for employees entitled to veterans' preference under subparagraphs 5 U.S.C. 2108(3)(C) through (G) as a disabled veteran, or based on derivative preference. (5 CFR 330.207(c)(1))



- Section **3-A-13** of Module 3 covers employees' eligibility for veterans' preference in reduction in force.
- 

**6-A-15-4**

**Ranking Employees by Numerical Scores**



After assigning employees a numerical score as covered in paragraph **6-A-15-3**, the agency ranks eligible employees candidates based on their scores in the following order by:

- (a) First, listing in the order of their total rating scores, employees with 10-point veterans' preference eligibility because of a service-connected compensable disability of 10 percent or more, except when the position being filled is a professional position at or above grade GS-9 (or equivalent). (5 CFR 330.207(c)(2))
- (b) Second, listing all other candidates in the order of their total scores: (5 CFR 330.207(c)(2))
- (1) Candidates entitled to 10-point veterans' preference are listed first at each score; (5 CFR 330.207(c)(2))
- (2) Candidates entitled to 5-point veterans' preference are listed second at each score; (5 CFR 330.207(c)(2)), and last,
- (3) Candidates not entitled to veterans' preference are listed at each score. (5 CFR 330.207(c)(2))
- (c) The agency must make its selection for the vacancy from among the three highest rated candidates who are available for the position. (5 CFR 330.207(c)(3))
- 

**6-A-15-5**

**Exception to Order of Selection**

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Restructuring Information Handbook Module 6  
Reemployment Priority List  
Unit A, Required Procedures (August 2003 version)

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- ① If the agency adopts the Rating and Ranking Order of selecting employees from the Reemployment Priority List, the agency may make an exception to the selection order, and pass over an employee eligible for veterans' preference to select an employee who is not eligible for veterans' preference, order only in accordance with Section **6-A-16**. (5 CFR 330.207(c)(3))
-

## Section 16, Exceptions to the Regular Order of Selection from the Reemployment Priority List

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**Introduction** This section covers exceptions to the agency’s regular order of selection priority from the Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Undue Interruption Exception	6-A-16-1
Definition of Undue Interruption	6-A-16-2
Agency Options	6-A-16-3
Limitation on Use of Exceptions	6-A-16-4
Documenting Exceptions	6-A-16-5

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-16-2	6-B-16-2
6-A-16-5-(b)	6-B-16-5-(b)

<p><b>B</b> This symbol highlights where you can find additional material in Unit 6-B.</p>
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<p><b>①</b> This symbol guides you toward more general references on the subject in Module 6 or in other Modules.</p>
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## **Section 16, Exceptions to the Regular Order of Selection from the Reemployment Priority List**

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### **6-A-16-1      Undue Interruption Exception**

- ① An agency may make an exception to either of the two regular orders of selection from the Reemployment Priority List covered in Sections **6-A-13** through **6-A-15** only if the agency finds that the exception is necessary to obtain an employee for duties that cannot be taken over without undue interruption to the agency by an employee who:
- (a) Is on the Reemployment Priority List; (5 CFR 330.207(d)), or
  - (b) Has higher standing on the Reemployment Priority List than another employee on the List who the agency wishes to appoint. (5 CFR 330.207(d))
- 

### **6-A-16-2      Definition of Undue Interruption**

Agencies apply to the Reemployment Priority List the same definition of "**Undue Interruption**" that is used in OPM's reduction in force regulations:

"**Undue Interruption**" means a degree of interruption that would prevent the completion of required work by the employee 90 days after the employee has been placed in a different position in first or second round reduction in force competition. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, a work program would generally not be unduly interrupted even if an employee needed more than 90 calendar days after the reduction in force to perform the optimal quality or quantity of work. The 90-day standard may be extended if placement is made in first or second round reduction in force competition to a low priority program, or to a vacant position." (5 CFR 351.203)

**B** [See paragraph **6-B-16-2** for additional guidance.]

- ①
- Subparagraph **3-A-4-1-(v)** in Restructuring Information Handbook Module 3 ("**Reduction in Force**") covers this

definition of "**Undue Interruption.**"

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**6-A-16-3**      **Agency Options**

When using an exception to the regular order of selection from the Reemployment Priority List, the agency may:

- (a) Appoint an individual who is not on the Reemployment Priority List; (5 CFR 330.207(d))
  - (b) Appoint another employee on the Reemployment Priority List who has lower standing than another employee on the List; (5 CFR 330.207(d)), or
  - (c) Pass over an employee on the Reemployment Priority List who is eligible for veterans' preference in order to select an employee who is not eligible for veterans' preference. (5 CFR 330.207(d))
- 

**6-A-16-4**      **Limitation on Use of Exceptions**

An agency may not make an exception to the regular order of selection from the Reemployment Priority List on the basis that the employee with the higher retention standing on the List is not as well qualified as another candidate for the vacancy. (5 CFR 330.207(d))

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**6-A-16-5**      **Documenting Exceptions**

When an agency makes an exception to the regular order of selection to the Reemployment Priority List, the agency must notify, in writing, each employee on the Reemployment Priority List who is adversely affected by the exception, and cover:

- (a) The reasons for the exception; (5 CFR 330.207(d)), and
- (b) The right of the employee to appeal the exception to the Merit Systems Protection Board. (5 CFR 330.207(d))

**B**      [See subparagraph **6-B-16-5** for additional guidance.]

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## Section 17, Qualifications for Selection

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**Introduction** This section covers qualification for selection priority from the Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
General Standard	6-A-17-1
Exception to Qualifications	6-A-17-2
No Waiver of Selection Order	6-A-17-3

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on this key paragraph in Unit 6-A,	In Unit 6-B see paragraph:
6-A-17-1	6-B-17-1

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**①** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 17, Qualifications for Selection**

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### **6-A-17-1**

#### **General Standard**

- ① An employee registered on the Reemployment Priority List is considered qualified for selection from the List for a vacancy if the employee meets the conditions in subparagraphs **6-A-17-1-(a)** through **6-A-17-1-(e)** below:
- B** [See paragraph **6-B-17-1** for additional guidance.]
- (a) All OPM-established qualification standards and requirements for the position, including any minimum educational requirement; (5 CFR 330.208(a)(1))
  - (b) All selective placement factors established by the agency; (5 CFR 330.208(a)(1))
  - (c) All physical qualifications, with reasonable accommodation where appropriate, to perform the duties of the position; (5 CFR 330.208(a)(2))
  - (d) Any special qualifying condition that OPM has approved for the position; (5 CFR 330.208(a)(3)), and
    - The agency may not consider the employees' sex in determining qualifications without approval by OPM;
  - (e) Any other applicable requirements for appointment to the competitive service. (5 CFR 330.208(a)(4))

### **6-A-17-2**

#### **Exception to Qualifications**

- ① An agency, at its option, may make an exception to the qualifications standard covered in paragraph **6-A-17-1** above, and adopt an alternative qualifications standard for a position if:
- (a) The agency applies the exception consistently and equitably in filling a position; (5 CFR 330.208(b)(1)),
  - (b) The employee meets any minimum educational standard for the

position; (5 CFR 330.208(b)(2)), and

- (c) The agency determines that an employee found qualified under the exception has the capacity, adaptability, and special skills needed to satisfactorily perform the duties and responsibilities of the position; (5 CFR 330.208(b)(2)), and
- (d) The agency does not waive the minimum educational requirement. (5 CFR 330.208(b)(3))

- ①
    - When an employee's qualifications for a position are an issue in a Reemployment Priority List appeal to the Merit Systems Protection Board, the standard covered in subparagraph **6-A-17-1-(a)** applies.
- 

**6-A-17-3**      **No Waiver of Selection Order**

- ① In adopting an alternative qualifications standard covered in paragraph **6-A-17-2** above, an agency may not waive the order of selection for either the Retention Standing order of selection from the Reemployment Priority List, or the Rating and Ranking Order of selection from the List. (5 CFR 330.208(b))
  - ①
    - Section **6-A-14** covers the Reemployment Priority List "**Retention Standing Order of Selection.**"
  - ①
    - Section **6-A-15** covers the Reemployment Priority List "**Rating and Ranking Order of Selection.**"
-

## Section 18, Alternative Individual Agency Placement Programs

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**Introduction** This section covers qualification for selection priority from the Reemployment Priority List.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Agency Option to Establish RPL Alternative	6-A-18-1
OPM Approval Required	6-A-18-2

---

**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on this key paragraph in Unit 6-A,	In Unit 6-B see paragraph:
6-A-18-2	6-B-18-2

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 18, Alternative Individual Agency Placement Programs**

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### **6-A-18-1      Agency Option to Establish RPL Alternative**

At its option, an agency may establish its own placement program as an alternative to the Reemployment Priority List. (5 CFR 330.201(b))

- (a) A placement program established by an agency as an alternative to the Reemployment Priority List still must meet the basic requirements of OPM's regulations on the List (including veterans' preference for eligible candidates). (5 CFR 330.201(b))
  - (b) If the agency implements an alternative placement program, the specific regulatory requirements found in 5 CFR 330 Subpart B covering the Reemployment Priority List are not applicable. (5 CFR 330.201(b))
- 

### **6-A-18-2      OPM Approval Required**

An agency that wishes to establish a placement program as an alternative to the Reemployment Priority List should send the request to:

Associate Director for Employment  
Room 6500  
U.S. Office of Personnel Management  
Washington, DC 20415

- In its request to OPM, the agency should provide complete information on its proposed alternative placement program.

**B** [See paragraph **6-B-18-2** for additional guidance.]

- To expedite consideration of the proposal, the agency may also FAX a copy of the written request to the Staffing and Restructuring Policy Division at 202-606-2329.
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## Section 19, Reemployment Priority List Appeals

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**Introduction** This section covers the right of a displaced employee to file a Reemployment Priority List appeal with the Merit Systems Protection Board.

---

**Contents** This section contains the following topics:

Topic	See Paragraph
Right to Appeal	6-A-19-1
Agency Notice of Appeal Rights	6-A-19-2
Agency Notice of How to Appeal	6-A-19-3

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on these key paragraphs in Unit 6-A,	In Unit 6-B see paragraph:
6-A-19-1	6-B-19-1
6-A-19-1-(c)	6-B-19-1-(c)
6-A-19-3-(b)	6-B-19-3-(b)

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 19, Reemployment Priority List Appeals**

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### **6-A-19-1      Right to Appeal**

An eligible present or former employee may appeal to the Merit Systems Protection Board if the individual believes the agency violated Reemployment Priority List rights by: (5 CFR 330.209)

**B**      [See paragraph **6-B-19-1** for additional guidance.]

- (a)      The employment of another person who otherwise could not have been appointed properly;
- (b)      An exception to the order of selection from the Reemployment Priority List (see Section **6-A-16**); or
- (c)      The denial of the individual's request for reemployment.

**B**      [See subparagraph **6-B-19-1(c)** for additional guidance.]

- ①**      •      The individual's right to appeal a Reemployment Priority List issue also applies where an agency operates an approved alternative placement program allowed under Section **6-A-18-1**. (5 CFR 330.209)

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### **6-A-19-2      Agency Notice of Appeal Rights**

An agency is required to advise eligible employees about the Reemployment Priority List when it issues a specific reduction in force notice of separation. (5 CFR 330.203(b))

- (a)      The notice of employees' rights under the Reemployment Priority List must include information about appeal rights and the appeals process. (5 CFR 330.203(b))
  - (b)      An agency is also required to advise eligible employees about the right to file a Reemployment Priority List appeal when the agency uses an exception to the List in filling a position from outside of the agency. (5 CFR 330.209)
-

**6-A-19-3**      **Agency Notice of How to Appeal**

When an agency issues a decision notice to an employee on a matter appealable to the Merit Systems Protection Board, the agency must provide the employee with the following information:

- (a) Notice of the time limits for appealing to the Board; (5 CFR 1201.21(a))
- (b) Any applicable limits on the employee's right to file an appeal because of a bargaining agreement; (5 CFR 1201.21(a))

**B**      [See subparagraph **6-B-19-3-(b)** for additional guidance.]

- (c) If (b) is applicable, the right of the employee to elect whether to file a reduction in force appeal to the Board based on discrimination in lieu of a grievance; (5 CFR 1201.21(a))
  - (d) Notice of any applicable right of the employee to file a grievance; (5 CFR 1201.21(d))
  - (e) The address of the appropriate Board office where the employee should file the appeal; (5 CFR 1201.21(a))
  - (f) A copy, or access to a copy, of the Board's regulations found in 5 CFR 1201; (5 CFR 1201.21(b)), and
    - Agencies should consult the Board's current regulations found in 5 CFR Part 1201 prior to a reduction in force in order to have necessary information on the appeals process ready for distribution to affected employees.
  - (g) A copy of the appeal form found in 5 CFR 1201-Appendix I of the Board's regulations. (5 CFR 1201.21(c))
    - A copy of the appeal form is also available as Optional Form 283, MSPB.
    - The Merit Systems Protection Board's complete appeals regulations and procedures, including Optional Form 283, are available on the Board's website at [www.mspb.gov](http://www.mspb.gov).
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## Section 20, Corrective Action

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**Introduction** This section covers corrective action remedies that may result from an appeal or discovery of a Reemployment Priority List dispute.

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**Contents** This section contains the following topics:

Topic	See Paragraph
MSPB Finds RPL Error	6-A-20-1
Agency Finds RPL Error	6-A-20-2

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**Additional Information** When appropriate, Restructuring Information Handbook Module 6, Unit B (Guidance) has additional information on material in Unit 6-A.

To find additional information on this key paragraph in Unit 6-A,	In Unit 6-B see paragraph:
6-A-20-1	6-B-20-1

**B** This symbol highlights where you can find additional material in Unit 6-B.

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**i** This symbol guides you toward more general references on the subject in Module 6 or in other Modules.

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## **Section 20, Corrective Action**

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### **6-A-20-1**

#### **MSPB Finds RPL Error**

The Merit Systems Protection Board may order a retroactive remedy if the Board finds that an agency violated the letter or the spirit of OPM's Reemployment Priority List regulations. (5 U.S.C. 1204(a)(2); 5 CFR 330.201(a))

#### **B**

[See paragraph **6-B-20-1** for additional guidance.]

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### **6-A-20-2**

#### **Agency Finds RPL Error**

If an agency finds on its own initiative that it filled a position without regard to the Reemployment Priority List, the agency may find that corrective action is appropriate. (5 CFR 330.201(a))

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