

## **Restructuring Information Handbook Module 6**

### **Reemployment Priority List**

#### **Unit G, Detailed Index to Module 6 (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** in addition to the two index units, while other Modules have two or more Units.

For subjects with mandatory statutory or regulatory requirements, **Unit A (Mandatory Requirements)** provides the user with a crash course on the subject in Section 1, 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.

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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 G.

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2	NOTICE-REEMPLOYMENT PRIORITY LIST	REQUIREMENT TO NOTIFY EMPLOYEES ELIGIBLE FOR RPL	AGENCY MUST ADVISE EMPLOYEE OF RIGHT TO APPEAL RPL ACTIONS TO MSPB	6-A-2-3	A
2			RPL INFORMATION MAY BE CONTAINED IN ATTACHMENT TO RIF NOTICE	6-A-2-3	A
2			WHEN EMPLOYEE RECEIVES RIF SEPARATION NOTICE	6-A-2-3	A
17	QUALIFICATIONS FOR SELECTION FROM RPL	EXCEPTION TO QUALIFICATIONS- AGENCY RESPONSIBILITY	AGENCY APPLIES EXCEPTION CONSISTENTLY AND EQUITABLY	6-A-17-2-(a)	A
17			AGENCY MAY NOT WAIVE MINIMUM EDUCATIONAL STANDARD FOR POSITION	6-A-17-2-(d)	A
17			AGENCY MAY NOT WAIVE RPL ORDER OF SELECTION	6-A-17-3	A

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17			EMPLOYEE MEETS MINIMUM EDUCATIONAL STANDARD FOR POSITION	6-A-17-2-(b)	A
17		OPTION-EXCEPTION TO RPL QUALIFICATIONS	AGENCY OPTION TO ADOPT ALTERNATIVE RPL QUALIFICATIONS STANDARD	6-A-17-2	A
17		QUALIFICATIONS STANDARD FOR RPL	AGENCY-ESTABLISHED SELECTIVE PLACEMENT FACTOR(S)	6-A-17-1-(b)	A B
17			ANY OTHER REQUIREMENT FOR APPOINTMENT TO THE COMPETITIVE SERVICE	6-A-17-1-(e)	A B
17			MINIMUM EDUCATIONAL REQUIREMENT	6-A-17-1-(a)	A B
17			OPM-APPROVED SPECIAL QUALIFYING CONDITION	6-A-17-1-(d)	A B
17			OPM-ESTABLISHED REQUIREMENTS FOR POSITION	6-A-17-1-(a)	A
17			PHYSICAL QUALIFICATIONS WITH REASONABLE ACCOMMODATION	6-A-17-1-(c)	A B
2	REQUIREMENT TO ESTABLISH REEMPLOYMENT PRIORITY LIST	ACTION COVERED BY RPL REGULATIONS	RECOVERY FROM COMPENSABLE INJURY AFTER MORE THAN 1 YEAR	6-A-2-1-(b)	A B
2			SEPARATION BY RIF	6-A-2-1-(a)	A B
2		COVERAGE OF OPM'S RPL REGULATIONS	EACH AGENCY WITH COMPETITIVE SERVICE EMPLOYEES	6-A-2-1-(c)	A B

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2			POSTAL SERVICE NON-PREFERENCE ELIGIBLES NOT COVERED BY REGULATIONS	6-A-2-1-(c)	A
2		COVERAGE OF OPM'S RPL REGULATIONS-EXCEPTION	AGENCY IMPLEMENTS ITS OWN ALTERNATIVE PLACEMENT PROGRAM	6-A-2-2-(a)	A
2			AGENCY OBTAINS OPM APPROVAL FOR ITS ALTERNATIVE PLACEMENT PROGRAM	6-A-2-2-(b)	A
2		COVERAGE OF OPM'S RPL REGULATIONS-MODIFIED	POSTAL SERVICE PREFERENCE ELIGIBLES COVERED BY RPL REGULATIONS	6-A-2-1-(c)	A B
1		PURPOSE OF RPL	DISPLACED EMPLOYEES HAVE SELECTION PRIORITY OVER OUTSIDE HIRES	6-A-1-2	A
18	RPL ALTERNATIVE PLACEMENT PROGRAM	OPM APPROVAL REQUIRED	OPM ADDRESS TO SUBMIT REQUEST	6-A-18-2	A B
18		OPTION	AGENCY MAY ESTABLISH ITS OWN PLACEMENT PROGRAM AS ALTERNATIVE TO RPL	6-A-18-1	A
18		REQUIREMENTS	MUST MEET RPL REQUIREMENTS INCLUDING VETERANS' PREFERENCE	6-A-18-1-(a)	A
18			RPL REGULATIONS IN 5 CFR 330-B DO NOT APPLY WHEN IMPLEMENTED	6-A-18-1-(b)	A
12	RPL RESTRICTIONS ON FILLING POSITIONS	COVERAGE OF RPL-APPOINTMENTS COVERED	DIRECT-HIRE AUTHORITY	6-A-12-7-(a)	A

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12	COVERAGE OF RPL-EXCEPTION BECAUSE OF FINAL HIRING COMMITMENT	NO RPL RIGHT TO COMMITTED POSITION BASED ON SUBSEQUENT REGISTRATION 6-A-12-5	A
12	COVERAGE OF RPL-EXCEPTION BECAUSE OF INTERNAL PLACEMENT ACTION	DEMOTION 6-A-12-9-(a)	A B
12		DETAIL 6-A-12-9-(a)	A B
12		EXTENSION OF TEMPORARY APPOINTMENT TO MAXIMUM AUTHORIZED BY OPM 6-A-12-9-(d)	A B
12		EXTENSION OF TEMPORARY APPOINTMENT TO MAXIMUM UNDER APPOINTMENT 6-A-12-9-(d)	A B
12		PROMOTION 6-A-12-9-(a)	A B
12		REAPPOINTMENT TO 1 YEAR OR LESS TEMPORARY WITH NO BREAK IN SERVICE 6-A-12-9-(c)	A B
12		REASSIGNMENT 6-A-12-9-(a)	A B
12	COVERAGE OF RPL-EXCEPTION BECAUSE OF NEW APPOINTMENT	INDIVIDUAL APPOINTED IS A QUALIFIED 10-POINT PREFERENCE ELIGIBLE 6-A-12-6	A
12	COVERAGE OF RPL-EXCEPTION BECAUSE OF NONCOMPETITIVE CONVERSION	APPOINTMENT FOR 30% DISABLED VETERANS 6-A-12-9-(b)	A B
12		PRESIDENTIAL MANAGEMENT INTERN APPOINTMENT 6-A-12-9-(b)	A B

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12 RPL RESTRICTIONS ON FILLING POSITIONS	COVERAGE OF RPL-EXCEPTION BECAUSE OF NONCOMPETITIVE CONVERSION	SCHEDULE A APPOINTMENT FOR DISABLED EMPLOYEES	6-A-12-9-(b) A B
12		SCHEDULE B APPOINTMENT FOR STUDENT EDUCATIONAL EMPLOYMENT PROGRAM	6-A-12-9-(b) A B
12		TAPER APPOINTMENT	6-A-12-9-(b) A B
12		VETERANS READJUSTMENT APPOINTMENT	6-A-12-9-(b) A B
12	COVERAGE OF RPL-EXCEPTION BECAUSE OF SPECIAL APPOINTMENT ACTION	30-DAYS SPECIAL NEEDS TEMPORARY APPOINTMENT	6-A-12-10-(a) A
12		700 HOUR TEMPORARY APPOINTMENT OF SEVERELY DISTURBED INDIVIDUAL	6-A-12-10-(b) A
12	COVERAGE OF RPL-EXCEPTION BECAUSE OF TRANSFER OR REINSTATEMENT	EXERCISING OTHER REGULATORY REEMPLOYMENT RIGHTS	6-A-12-8-(c) A
12		EXERCISING OTHER STATUTORY REEMPLOYMENT RIGHTS	6-A-12-8-(c) A
12		EXERCISING RESTORATION RIGHTS BASED ON OWCP RECOVERY WITHIN 1 YEAR	6-A-12-8-(b) A
12		EXERCISING RESTORATION RIGHTS BASED ON SERVICE IN ARMED FORCES	6-A-12-8-(b) A
12		PREFERENCE ELIGIBLE	6-A-12-8-(a) A

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12		COVERAGE OF RPL-GRADES COVERED	GRADE LEVEL OF FILLED POSITION	6-A-12-3	A	
12			MULTIPLE PERFORMANCE LEVELS NOT CONSIDERED WHEN FILLED AT ONE GRADE	6-A-12-3	A	
12		COVERAGE OF RPL-POSITIONS COVERED	OTHER NONSTATUS APPOINTMENTS	6-A-12-2	A	B
12			PERMANENT	6-A-12-2	A	B
12			TEMPORARY	6-A-12-2	A	B
12			TERM	6-A-12-2	A	B
12		COVERAGE OF RPL-PRIVATE SECTOR TEMPORARIES	AGENCY MUST CLEAR RPL BEFORE EMPLOYING PRIVATE SECTOR TEMPORARIES	6-A-12-4	A	
16	RPL SELECTIONS-EXCEPTIONS	BASIS FOR EXCEPTION-RESTRICTION	NO USE OF EXCEPTION ON BASIS OF COMPARING CANDIDATES' QUALIFICATIONS	6-A-16-4	A	
16		BASIS FOR EXCEPTION-UNDUE INTERRUPTION WOULD RESULT BY APPOINTING	EMPLOYEE WITH HIGHER STANDING ON RPL	6-A-16-1-(b)	A	
16		NOTICE-DOCUMENTING RPL EXCEPTIONS	AGENCY MUST NOTIFY EMPLOYEE OF REASONS FOR EXCEPTION	6-A-16-5-(a)	A	B
16			AGENCY MUST NOTIFY EMPLOYEE OF RIGHT TO FILE RPL APPEAL WITH MSPB	6-A-16-5-(b)	A	B

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16		OPTION-WHEN USING RPL EXCEPTION WITH RETENTION STANDING ORDER	APPOINT INDIVIDUAL NOT ON RPL	6-A-16-3-(a)	A
16			APPOINT INDIVIDUAL WITH LOWER RPL RETENTION STANDING	6-A-16-3-(b)	A
16	RPL SELECTIONS-EXCEPTIONS TO RPL SELECTION PROCEDURES	BASIS FOR EXCEPTION-UNDUE INTERRUPTION WOULD RESULT BY APPOINTING	EMPLOYEE ON RPL	6-A-16-1-(a)	A
13	RPL SELECTIONS-GENERAL	TWO RPL SELECTION PROCEDURES	AGENCY MUST DESIGNATE RPL SELECTION ORDER IN WRITING	6-A-13-3	A
13			MANAGEMENT RIGHT TO SELECT EITHER ORDER	6-A-13-2	A
13			ONLY ONE SELECTION ORDER APPLIES TO A SINGLE RPL	6-A-13-2	A
13			RATING AND RANKING ORDER	6-A-13-1-(b)	A
13			RETENTION STANDING ORDER	6-A-13-1-(a)	A
13		TWO RPL SELECTION PROCEDURES- AGENCY OPTION	CHANGE RPL SELECTION PROCEDURE FOR A LOCAL COMMUTING AREA	6-A-13-5-(a)	A
13			CHANGE RPL SELECTION PROCEDURE FOR TWO OR MORE LOCAL COMMUTING AREAS	6-A-13-5-(a)	A
13			IMPLEMENT DIFFERENT RPL SELECTION PROCEDURES IN DIFFERENT ACTIVITIES	6-A-13-4-(b)	A
13			IMPLEMENT SAME RPL SELECTION PROCEDURE AGENCYWIDE	6-A-13-4-(a)	A

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13			AGENCY MAY NOT WAIVE RPL ORDER OF SELECTION	6-A-13-5-(b)	A
13			ONLY ONE SELECTION ORDER APPLIES TO A SINGLE RPL	6-A-13-5	A
15	RPL SELECTIONS-RATING AND RANKING ORDER	PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-BEHIND 10 POINT VETS	5 POINTS PREFERENCE ELIGIBLES	6-A-15-4-(b)-(2)	A
15		PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-BEHIND 10% VETS	10 POINTS PREFERENCE ELIGIBLES	6-A-15-4-(b)-(1)	A
15		PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-BEHIND 5 POINT VETS	NONPREFERENCE ELIGIBLES	6-A-15-4-(b)-(3)	A
15		PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-EXCEPTION	GS-10 OR HIGHER PROFESSIONAL POSITIONS	6-A-15-4-(a)	A
15		PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-FINAL SELECTION	FINAL SELECTION AMONG THREE HIGHEST RATED CANDIDATES	6-A-15-5-(c)	A
15		PROCEDURE-RANKING ORDER OF NUMERICAL SCORES-LISTED FIRST	10 POINT COMPENSABLE PREFERENCE ELIGIBLES	6-A-15-4-(a)	A
15		PROCEDURE-RATING EMPLOYEES	CONSIDERS EXPERIENCE AND EDUCATION	6-A-15-2	A
15		PROCEDURE-RATING EMPLOYEES USING JOB-RELATED EVALUATION PROCEDURES	DISTINGUISHES DIFFERENCES IN EMPLOYEES' QUALIFICATIONS	6-A-15-2-(a)	A
15			PROCEDURES ARE APPLIED FAIRLY AND CONSISTENTLY	6-A-15-2-(b)	A

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15	RPL SELECTIONS-RATING AND RANKING ORDER	PROCEDURE-RATING EMPLOYEES USING NUMERICAL SCORES	AGENCY ADDS 10 POINTS TO SCORE OF DERIVATIVE PREFERENCE ELIGIBLE	6-A-15-3-(b)	A
15			AGENCY ADDS 10 POINTS TO SCORE OF DISABLED PREFERENCE ELIGIBLE	6-A-15-3-(b)	A
15			AGENCY ADDS 5 POINTS TO SCORE OF PREFERENCE ELIGIBLE	6-A-15-3-(a)	A
15			EACH QUALIFIED EMPLOYEE HAS SCORE FROM 70 TO 100	6-A-15-3	A
14	RPL SELECTIONS-RETENTION STANDING ORDER	PROCEDURE	USES RIF TENURE GROUP AND SUBGROUP RETENTION STANDING	6-A-14-2	A
14		PROCEDURE-SELECTION ORDER FROM RPL	SERVICE DATE IS NOT USED	6-A-14-5	A
14		PROCEDURE-SELECTION ORDER FROM RPL-OPTION	SERVICE DATE IS USED	6-A-14-5	A
14		PROCEDURE-SELECTION ORDER FROM RPL-TENURE GROUP ORDER	QUALIFIED EMPLOYEES IN HIGHEST TENURE GROUP BEFORE LOWER GROUP	6-A-14-3	A
14		PROCEDURE-SELECTION ORDER FROM RPL-TENURE SUBGROUP ORDER	QUALIFIED EMPLOYEES IN HIGHEST TENURE SUBGROUP BEFORE LOWER SUBGROUP	6-A-14-4	A
14		PROCEDURE-SELECTION PRIORITY FROM RPL	NO SPECIFIC RPL PRIORITY FOR EMPLOYEE'S FORMER POSITION	6-A-14-6	A
3	TERMINOLOGY-RPL	DEFINITION	AGENCY	6-A-3-1	A
3			LOCAL COMMUTING AREA	6-A-3-2-(a)	A B
3		EXPLANATION-AGENCY	EXECUTIVE DEPARTMENT AS DEFINED IN 5 U.S.C. 105	6-A-3-1	A

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3			INDEPENDENT ESTABLISHMENT AS DEFINED IN 5 U.S.C. 105	6-A-3-1	A
3		EXPLANATION-LOCAL COMMUTING AREA	NO MILEAGE STANDARD FOR LOCAL COMMUTING AREA	6-A-3-2-(b)	A B
3			REFERENCE TO 3-A-7-8	6-A-3-2-(a)	A
16		UNDUE INTERRUPTION	DEFINITION	6-A-16-2	A B