

## Examples of Reduction in Force Negotiable Topics

- Bumping/Retreat Rights
  - First consideration on any reassignment, bumping right or separation during a reduction in force shall be based on skill requirements and total length of service as a non-appropriated fund employee. [\*AFGE, AFL-CIO, Local 987\*](#), 8 FLRA 667.
- Competitive Area
  - Agency to bargain concerning competitive areas to be used in the event of a reduction in force. [\*AFGE\*](#), 11 FLRA 261
  - Requiring that the reduction in force competitive area be the Washington Metropolitan Area. [\*AFGE, Local 32, AFL-CIO\*](#), 33 FLRA 335
  - Defining a competitive area within the agency for purposes of reduction in force. [\*NTEU\*](#), 33 FLRA 400
  - Establishing, for purposes of a reduction in force, an activity-wide competitive area for each local activity within the bargaining unit. [\*AFGE, Council of Marine Corps Local \(C-240\)\*](#), 35 FLRA 1023
  - Providing that for specified offices, including the Office of the Inspector General, the competitive area for purposes of reduction in force will be the local commuting area. [\*AFGE, National Council of HUD Locals\*](#), 39 FLRA 396
  - Requiring the agency to suspend the filling of bargaining unit vacancies in the competitive area of employees who would be affected by a reduction in force from the date of the initial reduction in force notice to employees to the effective date of the reduction in force. [\*United Power Trades Organization\*](#), 44 FLRA 1145
- Competitive Levels
  - Agency to establish competitive levels and re-employment priority lists in accordance with the FPM and agency regulations. [\*AFGE, Council of Meat Grading Locals, AFL-CIO\*](#), 22 FLRA 388
  - Release of employees from a competitive level under a reduction in force to be in the inverse order of retention standing. [\*NTEU\*](#), 31 FLRA 566
  - Determining the order in which unit employees are listed on retention registers for release in a RIF. [\*ACT, Montana Air Chapter No. 29\*](#), 56 FLRA 674
  - Retention preference shall be determined first by the type of appointment ranked in the following descending order (permanent, indefinite, permanent-conditional, and indefinite-conditional). CREA, 25 FLRA 306
- Filling Positions
  - Management to use vacancies to the maximum extent possible to place employees who would otherwise be separated in a reduction in force. [\*AFGE, AFL-CIO, International Council of Marshals Service Locals\*](#), 15 FLRA 333
  - Prohibiting the agency from filling vacancies from any source other than employees who would otherwise be separated because of the reduction in force. [\*International Plate Printers, Die Stampers and Engravers Union of North America, AFL-CIO, Local 2\*](#), 25 FLRA 113

- Establishing a reemployment priority list of employees separated because of a reduction in force from that the agency would offer appropriate positions which it had decided to fill before seeking other applicants. [\*CREA\*](#), 25 FLRA 306
- Agency to restrict reassignments and competitive promotions within the bargaining unit to those actions necessary for the essential functioning of the agency and which gives unit employees preference when positions are filled. [\*NTEU\*](#), 25 FLRA 1041
- Agency to reassign or transfer employees targeted for a reduction in force to available vacancies prior to separating them. [\*NFFE, Local 797\*](#), 29 FLRA 333
- The reassignment of bargaining unit employees prior to the agency issuing a reduction in force notice. [\*NAGE, Local R4-45\*](#), 54 FLRA 218
- Hiring Freeze
  - Agency to eliminate outside recruitment efforts in the event of a reduction in force. [\*International Plate Printers, Die Stampers and Engravers Union of North America, AFL-CIO, Local 2\*](#), 25 FLRA 113
  - Minimum notice period to employees who would be separated or downgraded by a reduction in force prior to implementation of the action. [\*AFGE, Local No. 12\*](#), 25 FLRA 98
- Performance
  - Establishing a range of points to be used in rating employee performance for the purpose of reduction in force actions. [\*ACT, Pennsylvania State Council\*](#), 3 FLRA 50
- Stays
  - Agency to delay implementing a reduction in force until any agency allegation of non-negotiability based on agency rule or regulation is resolved by the Federal Labor Relations Authority. [\*NTEU\*](#), 11 FLRA 254
  - Staying a reduction in force pending an appeal by an employee to Merit Systems Protection Board claiming a questionable or otherwise prohibited personnel practice or action. [\*NFFE, Local 1900\*](#), 15 FLRA 465
- Requesting Information
  - Agency to conduct a cost-benefit study before conducting a reduction in force to determine whether it would be more cost effective to furlough or retrain employees. [\*AFGE, AFL-CIO\*](#), 21 FLRA 354
  - Agency to provide the union with information concerning the cost of a reduction in force including administrative costs, severance pay, and pay retention. [\*NTEU\*](#), 22 FLRA 131