

Department of Homeland Security
DHS Directives System
Directive Number: 250-07
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Reduction-In-Force

I. Purpose

This Directive establishes the Department of Homeland Security's (DHS or Department) policy, responsibilities, and requirements regarding Reduction-In-Force (RIF).

II. Scope

- A. This Directive applies to all DHS Components, unless exempted by statutory or federal regulatory authority, or as otherwise indicated herein.
- B. Employees and actions expressly excluded from the procedures set forth in this Directive are:
 - 1. Those listed in Section 351.202(b-c), of title 5 of the Code of Federal Regulations (CFR) (RIF procedures for career Senior Executive Service (SES) employees are covered in 5 CFR Part 359 Subpart F);
 - 2. Reemployed annuitants (an annuitant serves at the determination of the appointing officer and may be separated at any time at the discretion of the appointing officer); or
 - 3. DHS employees performing uniformed service are not subject to a RIF conducted during their absence, in accordance with the Office of Personnel Management's (OPM) [VetGuide](#).

III. Authorities

- A. Public Law (P.L.) 78-359, Section 12, the Veterans' Preference Act of 1944, as amended
- B. Title 5, United States Code (U.S.C.), Chapter 35, Retention Preference, Voluntary Separation Incentive Payments, Restoration and Reemployment
- C. 38 U.S.C. §§ 4301-4333, Uniformed Services Employment and Reemployment Rights Act

- D. 5 Code of Federal Regulations (CFR), Part 302, Subpart C, Priority Reemployment List (PRL)
- E. 5 CFR, Part 330, Subparts B, F & G, Reemployment Priority List (RPL), Agency and Interagency Career Transition Plans (CTAP & ICTAP)
- F. 5 CFR, Part 351, Reduction-In-Force
- G. 5 CFR, Part 930.210, Administrative Law Judge Program, Reduction in Force

IV. Responsibilities

- A. **DHS Chief Human Capital Officer (CHCO):**
 - 1. Ensures DHS Components comply with this Directive, the associated DHS Reduction-In-Force Instruction 250-07-001, any DHS, OPM, and Office of Management and Budget (OMB) policies, procedures, and guidance, and all applicable federal laws and regulations.
 - 2. Develops Department-wide RIF policy that ensures the implementation of fair and consistent RIF processes.
- B. **Component Heads** comply with this Directive, the associated DHS Reduction-In-Force Instruction 250-07-001, any DHS, OPM, and OMB policies, procedures, guidance, and collective bargaining agreements, and all applicable federal laws and regulations. Component Heads consult with General Counsel before making determinations under section V for attorney positions in their legal offices.
- C. **Executive Director, Headquarters Human Resources Management and Services (HRMS)** assumes the responsibilities listed under the Component Heads section for all Support Components with the exception of the National Protection and Programs Directorate (NPPD), the Office of Inspector General (OIG), and the Federal Law Enforcement Training Center (FLETC). In carrying out this responsibility for the Support Components, the Director of HRMS will get prior approval from the Support Component Head for all determinations made under section V.
- D. **Heads of NPPD, OIG, and FLETC** assume the responsibilities listed under the Component Heads section for their respective Support Component.

V. Policy and Requirements

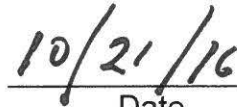
- A. DHS is strongly committed to minimizing the adverse impact of a RIF on DHS employees and ensuring that every effort is made to place impacted employees within DHS. DHS is also committed to providing transparency throughout the process and ensuring compliance with all applicable federal laws and regulations in the administration of a RIF.
- B. To avoid a RIF, Components have the right to reassign an employee to a vacant position within their Component at the same grade or pay without regard to employee rights under RIF in accordance with 5 CFR §§ 335.102 and 302.102(a).
- C. Components determine if a position can be abolished, if a RIF is necessary, and when the RIF occurs. Components establish a retention register to determine the order in which employees are reached for a RIF action and determine the retention standing of each of its competing employees on the basis of tenure, veterans' preference, total creditable service, and performance, as specified by 5 CFR Part 351 Subparts D and E.
- D. Components determine whether their excepted service employees are provided assignment (i.e., bump and retreat) rights to other excepted positions under the same appointment authority consistent with the requirements in 5 CFR § 351.705(3).
- E. A separate competitive area is established for each Inspector General Activity covered by the Inspector General Act of 1978, P.L. 95-452, as amended, in accordance with 5 CFR § 351.402(d).
- F. Each Component develops written RIF procedures that comply with the requirements in 5 CFR Part 351, this Directive, the associated DHS Reduction-In-Force Instruction 250-07-001, any applicable DHS, OPM, and OMB policies, procedures, guidance, and collective bargaining agreements, and all applicable federal laws and regulations, prior to implementing a RIF and/or engaging in RIF activities.
- G. Each Component ensures its RIF procedures are uniformly and consistently applied before separating or demoting an employee, in accordance with 5 CFR § 351.201(c).
- H. Component RIF procedures are not used to separate or demote employees for any reason other than those set forth in federal law and regulation, i.e., RIF is not a substitute for performance or conduct based actions covered by Title 5, U.S.C., Chapters 43 and 75, respectively.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of the Chief Human Capital Officer.



Russell C. Deyo
Under Secretary for Management



Date