

June 5, 2006

## MEMORANDUM

To: IRS Chapter Presidents

Re: L&E RIF Notice

**SUMMARY: NTEU has received formal, official notice of a RIF for all Learning and Education (L&E) functions throughout the Internal Revenue Service.**

NTEU recently received official written notice that the IRS intends to enforce a Reduction-in-Force (RIF), which has a projected off-roll date of May 24, 2007.

As many of you may recall, when we renegotiated the National Agreement at mid-term, substantive changes were made to Article 19, "Reduction in Force and Mitigation Strategies." These changes were brought about because of a joint recognition that certain actions and procedures would likely occur in any given reduction-in-force and could be reduced to writing in the agreement, rather than requiring the parties to engage in lengthy bargaining over the same types of issues, over and over. As a result, Article 19 contains significant and minute details related to exactly how the process must be conducted and what obligations the parties have.

We have entered the 30-day notice period envisioned in §3 of Article 19, which requires that the employer provide us with the "applicable competitive areas, approximate numbers, types, geographic locations of the positions affected, and the anticipated effective date. Further, they are required to provide projections, including an analysis of the number of employees that will likely be separated. These documents are attached to this memorandum.

In addition, they are required to inform us as to whether there are any employees in the competitive area undergoing this RIF who have ratings of record under other than a five summary level system and, if so, to propose a conversion formula. Records validation (see §7) and employee briefings are required. They have 60 days to complete this records validation and must then conduct a RIF simulation, identifying those likely to be downgraded or separated.

The identified employees will be classified as "directly impacted employees" and they will be entitled to the mitigation strategies set out in Article 19. These include:

- Reassignment Preference Notices (RPN's), providing priority selection for vacant positions at the same or lower grades, Service-wide (i.e., both inside and outside the employee's commuting area) for which they are qualified; however, moving expenses will not be authorized;

- VSIP and VERA, once approved by OPM
- Job Swaps (see §5, C)
- Outplacement Services
- Job Sharing and Part-Time Opportunities
- Career Transition Assistance and Interagency Career Transition Assistance (CTAP and ICTAP) – see Article 51, §7
- Grade and Pay Retention – If an employee decides to participate in the Service’s IRSPPP (Priority Placement Program), displaced or surplus employees selected for a position no more than three grades below their current grade will receive grade and pay retention.
- Outplacement Services; and
- EAP – Employee Assistance Program assistance will be provided including counseling and related services.

If an employee is notified that he or she is an “impacted employee,” the employee has the right to review the Employer’s retention records to ensure that records accurately reflect their relevant information. See Article 19, §7.

I will be appointing a team to participate in the bargaining that will occur on this initiative June 28, 29, and 30<sup>th</sup>. This is the first time the parties have used Article 19 on a Service-wide basis and there are numerous concepts and procedures in those provisions that will come into play. We will do everything in our power to ensure that bargaining unit members receive all the benefits and protections we have won through hard bargaining. Questions or concerns should be sent to our NTEU National Negotiator, Katherine Tijerina at [Katherine.tijerina@nteu.org](mailto:Katherine.tijerina@nteu.org).

Colleen M. Kelley  
National President

Attachment