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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 330

RIN 3206-AH26

Career Transition Assistance for Surplus and Displaced Federal Employees

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing interim regulations to implement the President's memorandum of September 12, 1995, that requires Federal agencies to develop career transition assistance programs to help their employees affected by downsizing obtain other employment. The regulations require agencies to provide transition assistance services and give hiring priority to surplus and displaced employees.

DATES: Interim regulations are effective on December 29, 1995. Agencies will draft and effect their Agency Career Transition Assistance Plan, including provisions to give selection priority to their surplus and displaced employees, as soon as possible, but no later than February 29, 1996, unless an extension is requested and approved by OPM. A new program providing selection priority for displaced employees on an interagency basis—the Interagency Career Transition Assistance Plan—will go into effect on February 29, 1996, at which time the operation of the current OPM Interagency Placement Program will be suspended. These special plans will operate through September 30, 1999, unless further extended because of severe downsizing. Written comments will be considered if received no later than February 27, 1996.

ADDRESSES: Send or deliver written comments to Leonard R. Klein,

Associate Director for Employment, Office of Personnel Management, Room 6F08, 1900 E Street NW., Washington, DC 20415-0001.

FOR FURTHER INFORMATION CONTACT: Diane Bohling or Ed McHugh, 202-606-0960, FAX 202-606-2329.

SUPPLEMENTARY INFORMATION: On September 12, 1995, the President issued a memorandum entitled "Career Transition Assistance for Federal Employees" that directs Federal agencies to establish career transition assistance programs to help their surplus and displaced workers find other jobs as the Federal Government undergoes downsizing and restructuring. As set forth in the memorandum, such programs are to be developed in partnership with labor and management, and follow guidance and regulations provided by the Office of Personnel Management (OPM).

OPM is issuing the following regulations which were developed in cooperation with representatives from the Interagency Advisory Group and employee unions. These regulations provide the framework for implementing the President's directive.

The goal of the Presidential directive is to maximize employment opportunities for displaced workers, both within and outside the Federal Government. Under these regulations, Federal agencies are required to draft and effect Agency Career Transition Assistance Plans as soon as possible, but no later than February 29, 1996 (unless an extension is requested and approved by OPM) to provide career transition services to their surplus and displaced employees, and give special selection priority to these workers. These regulations set minimum standards for these plans, which can be supplemented at the agency's discretion.

Agency plans will have three components: (1) Policies to provide their surplus and displaced employees with career transition services such as skills assessment, resume preparation, counselling and job search assistance; (2) policies and procedures for selecting their own well-qualified surplus or displaced agency employees who apply for agency vacancies in the local commuting area, before any other candidate from within or outside the agency; and (3) operation of the agency's Reemployment Priority List (RPL) under subpart B of 5 CFR 330. These plans

will operate through September 30, 1999, unless further extended because of severe downsizing. Because the Department of Defense already has an effective program in operation to provide selection priority to surplus and displaced employees within the Department—the Priority Placement Program—the requirement described in 2 above does not apply to the Department of Defense. The Department of Defense is subject to the other elements of these regulations, and the Reemployment Priority List under Subpart B of 5 CFR 330, and its employees are eligible for the benefits provided by these programs.

Traditionally, the Federal Government has relied on referrals from centralized inventories as the mechanism to place surplus and displaced workers in jobs in other agencies. Although the program currently used to do this, the OPM Interagency Placement Program, is automated and provides quick and efficient referrals, it has placed very few workers. An OPM review of the system shows that candidates frequently decline job offers that come through the referral process or simply do not respond to job availability inquiries even though they had previously registered for such assistance. Many other displaced workers simply fail to register for the program.

Because of the severe downsizing expected over the next few years, the Presidential memorandum and these implementing regulations take a new approach to helping surplus and displaced workers find other jobs—individual employee empowerment. Workers affected by downsizing are given the tools and resources to seek out other Federal employment and the right to be hired when they apply and are well-qualified. Many experts have suggested that the key to successful career transition is individual initiative. If individual workers have the power to find, apply, and exercise selection priority for specific vacancies in which they themselves are interested, it is believed that this would motivate and reinforce an employee's self interest in finding other employment. The skills, resources, and initiative that employees develop in this process can be used equally to find Federal vacancies or jobs in the private sector. This latter aspect is particularly important since Federal