

**U.S. Merit Systems Protection Board  
Information Sheet  
Reductions in Force**

**Purpose**

The purpose of this information sheet is to provide general information. It does not represent an official statement or advisory opinion issued or approved by the Board and is not intended to provide legal advice or to be cited as legal authority. Instead, it is intended only to help the public become familiar with the Board and its procedures. In all instances, statutes, regulations, and case law control with respect to the matters discussed generally here.

**What is a Reduction in Force (RIF)?**

A RIF is an administrative procedure by which government agencies eliminate jobs and account for individuals who occupied abolished positions. In conducting a RIF, agencies are responsible for following the procedures in 5 C.F.R., Part 351. *See* 5 C.F.R. § 351.204. For more information about RIFs and RIF procedures, go to the Office of Personnel Management (OPM) web page on RIFs: <https://www.opm.gov/policy-data-oversight/workforce-restructuring/reductions-in-force/>

**Do individuals affected by a RIF have a right to appeal to the Board?**

An individual may appeal the following RIF actions: furlough for more than 30 days, separation, or demotion. [5 C.F.R. § 351.901](#). For purposes of the RIF regulations, individuals serving a probationary period have appeal rights to the Board. *See* 5 C.F.R. §§ [351.202\(a\)](#), [351.203](#), [351.501\(a\)](#), (b)(2). For career or career candidate appointees in the Foreign Service, RIF appeal rights to the Board are pursuant to [22 U.S.C. § 4010a](#).

An appeal must be filed no later than 30 days after the effective date of the RIF action, or 30 days after the date of the appellant's receipt of the agency's RIF-related decision, whichever is later. *See* [5 C.F.R. § 1201.22\(b\)](#) (time of filing).

There are many outcomes of a RIF that the Board does not have authority to review. For example, the Board generally does not have jurisdiction over reassignments (unless they involve a demotion, i.e., reduce the individual's grade or pay), voluntary demotions, details, position classifications, or nonselections for positions.

**What other non-MSPB review rights does an employee subject to a RIF have?**

An employee affected by a RIF action may have the right to file an Equal Employment Opportunity (EEO) complaint with their agency's EEO office, a grievance, or a request for corrective action with the Office of Special Counsel. The type of complaint or appeal that is filed first may constitute an "election of remedy" that may limit or preclude other review options. See [5 C.F.R. § 1201.3\(c\)\(2\)](#) (choice of procedure).

**Who can be contacted with questions about MSPB procedures?**

- (1) The Regional Office in which the appeal will be filed or is pending.
- (2) The Office of the Clerk of the Board at (202) 653-7200 or [mspb@mspb.gov](mailto:mspb@mspb.gov).
- (3) The Board's website at [www.mspb.gov](http://www.mspb.gov).
- (4) The individual's own attorney or non-attorney representative.