

104TH CONGRESS
1ST SESSION

S. 1486

To direct the Office of Personnel Management to establish placement programs for Federal employees affected by reduction in force actions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 1995

Mr. LAUTENBERG (for himself, Mr. ROBB, Mr. SARBANES, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To direct the Office of Personnel Management to establish placement programs for Federal employees affected by reduction in force actions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PLACEMENT PROGRAMS FOR FEDERAL EM-**
4 **PLOYEES AFFECTED BY REDUCTION IN**
5 **FORCE ACTIONS.**

6 (a) SHORT TITLE.—This Act may be cited as the
7 “Public Servant Priority Placement Act of 1995”.

1 (b) IN GENERAL.—Subchapter I of chapter 33 of title
2 5, United States Code, is amended by adding at the end
3 thereof the following new section:

4 **“§ 3329b. Placement programs for Federal employees**
5 **affected by reduction in force actions**

6 “(a) For purposes of this section the term “agency”
7 means an “Executive agency” as defined under section
8 105, except such term shall not include the General Ac-
9 counting Office.

10 “(b) No later than 180 days after the date of the
11 enactment of this section, the Director of the Office of
12 Personnel Management shall establish a Government-wide
13 program and each agency shall establish an agency pro-
14 gram to facilitate employment placement for Federal em-
15 ployees who—

16 “(1) are scheduled to be separated from service
17 under a reduction in force under—

18 “(A) regulations prescribed under section
19 3502; or

20 “(B) procedures established under section
21 3595; or

22 “(2) are separated from service under such a
23 reduction in force.

24 “(c) Each agency placement program established
25 under subsection (b) shall provide a system to require the

1 offer of a vacant position in an agency to an employee
2 of such agency affected by a reduction in force action, if—

3 “(1) the position cannot be filled within the
4 agency;

5 “(2) the employee to whom the offer is made is
6 qualified for the offered position;

7 “(3)(A) the classification of the offered position
8 is equal to or no more than one grade below the
9 classification of the employee’s present or last held
10 position; or

11 “(B)(i) the basic rate of pay of the offered posi-
12 tion is equal to the basic rate of pay of the employ-
13 ee’s present or last held position; or

14 “(ii) sections 5362 and 5363 apply to the basic
15 rate of pay of the employee in the offered position;
16 and

17 “(4) the geographic location of the offered posi-
18 tion is within the commuting area of—

19 “(A) the residence of the employee; or

20 “(B) the location of the employee’s present
21 or last held position.

22 “(d) The Government-wide placement program estab-
23 lished under subsection (b) shall—

24 “(1) coordinate with programs established by
25 agencies for the placement of agency employees af-

1 affected by a reduction in force action within such
2 agency; and

3 “(2) provide a system to require the offer of a
4 vacant position in an agency to an employee of an-
5 other agency affected by a reduction in force action,
6 if—

7 “(A) the vacant position cannot be filled
8 through the placement program or otherwise be
9 filled from within the agency in which the posi-
10 tion is located;

11 “(B) the employee to whom the offer is
12 made is well qualified for the offered position;

13 “(C)(i) the classification of the offered po-
14 sition is equal to the classification of the em-
15 ployee’s present or last held position; or

16 “(ii) the basic rate of pay of the offered
17 position is equal to the basic rate of pay of the
18 employee’s present or last held position; and

19 “(D) the geographic location of the offered
20 position is within the commuting area of—

21 “(i) the residence of the employee; or

22 “(ii) the location of the employee’s
23 present or last held position.

24 “(e)(1) The agency placement program established
25 under this section shall not affect any priority placement

1 program of the Department of Defense that is in operation
 2 on the date of the enactment of this section.

3 “(2) The interagency placement program established
 4 under this section shall not affect the priority of placement
 5 of any employee under the agency placement program of
 6 such employee’s employing agency.”.

7 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) The section heading for the second section 3329 (relat-
 9 ing to Government-wide list of vacant positions) is amend-
 10 ed to read as follows:

11 **“§ 3329a. Government-wide list of vacant positions”.**

12 (2) The table of sections for chapter 33 of title 5,
 13 United States Code, is amended by striking out the item
 14 relating to the second section 3329 (relating to Govern-
 15 ment-wide list of vacant positions) and inserting in lieu
 16 thereof the following:

“3329a. Government-wide list of vacant positions.

“3329b. Placement programs for Federal employees affected by reduction in
 force actions.”.

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