

INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET


(modified DI-416)

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FOR FURTHER INFORMATION Office of Human Capital Management		DATE JUL 28 2010

EXPLANATION OF MATERIAL TRANSMITTED:

This policy defines the areas of competition as required by U.S.C. Chapter 35 and 5 CFR 351. This policy supersedes 44 BIAM, 351, 2.1 (Release 44-99, dated 9/3/85) and replaces NPM-HR-3A2, Competitive Areas, dated August 28, 2008 which expired 8/28/09.

To the extent that previous memoranda, manual releases or personnel management notices may contain policies regarding scope of competition in reductions-in-force which are inconsistent with this memorandum, they are superseded by this document.



Grayford Payne
Acting Deputy Assistant Secretary – Indian Affairs (Management)

FILING INSTRUCTIONS:

Remove: None

Insert: 28 IAM 351

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- 1.1 Purpose.** This policy defines the areas of competition within which employees compete for retention under the reduction-in-force regulations. 5 CFR 351 requires each agency to establish competitive areas in which employees compete for retention.
- 1.2 Scope.** This policy applies to the Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), and BIA organizations reporting to officials in the Office of the Assistant Secretary-Indian Affairs (AS-IA). This policy does not apply to AS-IA employees or to the Senior Executive Service. Reduction-in-force procedures for the senior executive service are addressed in 5 CFR 359 and 370 DM 920.
- 1.3 Policy.** A competitive area establishes the boundaries within which employees compete for retention under the reduction-in-force regulations. Employees compete for retention only with other employees in the same competitive areas; they do not compete with employees in another competitive area.

Competitive areas for reduction-in-force purposes are designated below:

- A.** Indian Affairs Headquarters Offices with duty stations in the Washington, DC Commuting Area:

Each of the following organizations will be considered to be a separate competitive area:

1. Bureau of Indian Affairs (except employees in education, law enforcement, and administrative and management support functions)
2. Bureau of Indian Education
3. Office of Justice Services
4. Deputy Assistant Secretary - Management (as described in 130 DM 9)
5. Office of the Chief Information Officer (OCIO) (as described in 130 DM 9)
6. Deputy Assistant Secretary - Policy and Economic Development
7. Office of Facilities Management and Construction (OFMC) (as described in 130 DM 9)

- B.** Unless otherwise specified in writing, the standard competitive area shall be comprised of all Indian Affairs organizations within a commuting area under the same administrative authority (i.e., Region, Agency, etc). Thus, all employees in any one organization identified in 1.3 A. (above) within a commuting area will be in their own competitive area. Two or more organizations identified in 1.3 A. (above) within a commuting area constitute separate competitive areas even though they may share the same physical/geographic location.
- C.** All schools under the Bureau of Indian Education are separate competitive areas even when located in the same commuting area.

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D. In the Office of Justice Services, the Division of Law Enforcement and the Division of Corrections are under separate competitive areas even when located in the same commuting area.

1.4 Authority.

A. 5 U.S.C. Chapter 35

B. 5 CFR Parts 351

1.5 Responsibilities.

A. The Deputy Assistant Secretary – Management is responsible for the overall management and administration of HCM policy for Indian Affairs.

B. The Office of Human Capital Management (OHCM) is responsible for overall policy and direction to bureaus and offices with regard to effective human resources management.

C. Director, BIA and Director BIE are responsible for ensuring that appropriate organizational arrangements, resources, and personnel are available to effectively implement IA programs.