



## **Guidance for Veterans Facing Federal Government Layoffs**

The Veterans of Foreign Wars of the U.S. (VFW) is committed to supporting veterans affected by federal government layoffs. If you are a veteran impacted by a Reduction in Force (RIF), you may have special rights under Veterans' Preference that can help protect your employment and provide priority for reemployment. Many of these rights depend on whether the employee was in a permanent status or a probationary status. We are aware that some employees may not have been properly classified, so it is important to understand your rights. A starting point for determining how you are classified is your SF-50.

Below is some information and links that you may find helpful in understanding your next steps.

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### **1. Veterans' Preference in Layoffs (RIF)**

Federal agencies determine layoffs based on four factors:

- Tenure (career vs. career-conditional employees)
- Veterans' Preference status (5-point or 10-point preference)
- Years of service (including military time)
- Performance ratings (average of last three ratings)

Retention Standing – Who Gets Laid Off First?

- Veterans with 10-point preference (disabled veterans) have the highest retention standing, meaning they are less likely to be laid off before non-veterans.

Bumping & Retreat Rights

- Veterans may have rights to bump lower-standing employees or retreat into a previously held position. You must request these options from your agency's HR.
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### **2. Reemployment Priority After a Layoff**

Preference eligible veterans have special hiring advantages after a layoff:

- Reemployment Priority List (RPL): Laid-off veterans have priority for rehire in the same agency.
- Interagency Career Transition Assistance Plan (ICTAP): Allows preference-eligible veterans to apply for federal jobs before external candidates.

- Veterans' Preference for New Jobs: Continue using your 5-point or 10-point preference for federal hiring.

Next Steps:

- Update your USAJOBS profile and set alerts for veterans' hiring paths.
  - Apply to federal jobs with preference eligibility through [USAJOBS - The Federal Government's official employment site](#)
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### 3. Appealing a Layoff Decision

If you believe your Veterans' Preference was ignored, you can:

- File a complaint with the Merit Systems Protection Board (MSPB).
  - Request reconsideration through your agency's HR department.
  - Contact the U.S. Department of Labor's Veterans Employment and Training Service (VETS) for assistance in navigating your rights. A good starting point for veterans seeking to better understand their veterans' preference and VEOA rights may be the Department's eLaws Advisor at <https://webapps.dol.gov/elaws/vetspref.htm>.
  - A recently updated information sheet from the MSPB may be helpful and particularly relevant now: [Information Sheet - Probationary Terminations](#)
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### 4. Documents Needed for Layoff and Reemployment

Having the correct documents is essential for accessing benefits and reemployment opportunities. Ensure you have:

- SF-50 (Notification of Personnel Action): Confirms your employment status, preference eligibility, and separation date.
- DD-214 (Certificate of Release or Discharge from Active Duty): Verifies your military service for veterans' preference.
- Most Recent Performance Appraisals: Used in retention rankings and may be required for new applications.
- Résumé: Ensure it is updated with federal experience and preference eligibility details.
- Veterans' Preference Letter (if applicable): From the VA, confirming service-connected disability status.
- Reemployment Priority List (RPL) Registration Form: If eligible, submit this to HR to be considered for reemployment.
- Unemployment Benefits Documentation: If applying for UCFE (Unemployment Compensation for Federal Employees).

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## 5. Additional Resources & Assistance

- State Bar Associations: Many state bar associations offer free or low-cost legal services for veterans.
- Legal Aid Organizations: Legal Services Corporation is an independent nonprofit established to provide financial support for civil legal aid to certain Americans. To see if you qualify visit: <https://www.lsc.gov/grants/our-grantees>
- Union Representation (if applicable): If you are part of a federal employee union, they may offer legal assistance in RIF disputes.
- Veterans, servicemembers, and their employers with questions should not hesitate to reach out to VETS for assistance through a monitored email box at VETS Compliance Assistance: [VETSCompliance@dol.gov](mailto:VETSCompliance@dol.gov)
- For assistance in pursuing a benefits available through the Department of Veterans Affairs, contact the VFW National Veterans Service (NVS) or visit [www.vfw.org](http://www.vfw.org).

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### Disclaimer

This document is intended for informational purposes only and does not constitute legal advice. The Veterans of Foreign Wars (VFW) provides general guidance based on publicly available information. Veterans should consult a qualified attorney, federal employment specialist, or their agency's HR department for advice regarding their specific circumstances. Additionally, eligibility for certain programs and legal rights may vary based on individual circumstances and government policies. The VFW is not responsible for any actions taken based on the information provided in this document.