

	<u>P - §36.0</u>	<u>Policy Name:</u> Reduction in Force	<u>Approved Date:</u> January 22, 2025
	<u>Prepared By:</u> Human Resources	<u>Adopted Date:</u> August 7, 1996	
	<u>Amended Date:</u> March 3, 2010		

A. PURPOSE

To establish guidelines how staffing reductions will be handled in a fair, consistent, and legally compliant manner.

B. SCOPE

This policy applies to all regular full-time and part-time employees of the County, unless otherwise stated in a collective bargaining agreement or employment contract.

C. DEFINITIONS

Affected Employee - Any employee whose position is eliminated or whose employment is terminated as a result of a Reduction in Force.

Job Family – A series of related positions, grouped by function, that require similar skills, knowledge and have similar responsibilities.

Reduction in Force (RIF)– The permanent elimination of one or more positions due to a fiscal, operational, or service necessity.

Reduction in Force Notification – A notice given to an affected employee that advises the employee that their position is being eliminated.

Regular employee – Permanent full-time or part-time employee who is no longer working in a probationary status.

D. ROLES AND RESPONSIBILITIES

County Executive – the County Executive has final decision-making authority for implementing a reduction in force that results in the RIF of a regular employee. Authority to eliminate vacant

positions may be delegated to the Executive Leadership Team and Director of Human Resources jointly.

Department Head - responsible for identifying opportunities to improve efficiency and service, while eliminating underutilized resources. Department Heads are responsible for collaborating with Human Resources and their portfolio lead to determine the highest and best use of personnel resources in their department. Department Heads will assist with the coordination of the RIF process, as required.

Human Resources – responsible for assessing criteria for determining positions and associated employees identified for staff reductions, facilitating internal placement processes, administering any severance payouts, assisting departments with employee communications, and ensuring compliance with Federal and State laws.

E. POLICY

- The County is committed to handling all reductions in force with fairness, transparency, and respect for affected employees. Every effort will be made to avoid separating staff from employment, including considering attrition, reassignments, and voluntary separation before implementing a RIF. This policy will be implemented in accordance with all applicable federal, state, and local laws, including but not limited to:
 - Title VII of the Civil Rights Act of 1964
 - Americans with Disabilities Act (ADA)
 - Age Discrimination in Employment Act (ADEA)
- Department of Social Services employees will follow the State's (DHRM) Lay Off Policy 1.30.
- A reduction in force is not a disciplinary action and cannot be used as a form of discipline or for performance management.
- Proposed position elimination must be reviewed by Director of Human Resources prior to final approval. The Director of Human Resources may consult with the Executive Leadership Team during the review process.
- A Reduction in Force is a re-structuring of a department or work group and therefore is not subject to the County's grievance procedures. Please see the County's grievance policy, P-§ 34.
- Affected employees may be offered a severance package at the time of implementation, as authorized by the County Executive.

- An employee who is in a leave status (e.g., family and medical leave, military leave, leave without pay, workers' compensation, short/long term disability) is considered an active employee for the purpose of this policy. If the position occupied by any such employee is not identified for a reduction in force, the position may not be used as a placement option for other employees affected by the reduction in force.
- An employee in a temporary acting assignment must be identified by their non-acting classification for the purposes of this policy.

F. PROCEDURE

The following procedures will be followed when a reduction in force becomes necessary for the elimination of any full-time or part-time regular employees of the County.

1. Employee Notification

- The affected employee(s) will be notified in writing, by Human Resources, at least 60 calendar days prior to the effective date that the position is eliminated. The notice will include the reason for the layoff, the effective date, and any transition support available.
- Affected employee(s) will be notified of their anticipated separation pay and impact to benefits, by Human Resources, within 5 business days of receiving the Reduction in Force notification.
- A member of the Human Resources Department will meet with the affected employee(s) to conduct a review of knowledge, skills, abilities, and interests to assist in identifying potential alternative position placements. When possible, the County will work with affected employee(s) however, placement into an alternative position is not guaranteed.

2. Reduction Criteria and Process

- Alternative placement, freezing of vacant positions, early retirement package options, and other viable solutions will be considered prior to implementing a Reduction in Force.
- When more than one employee occupies a position that is being eliminated but not all of the employees in that position are being considered for RIF, the following factors will be reviewed to determine which employee(s) will be affected:
 - Prior performance
 - Training and experience
 - Transferrable skills
- Position seniority will be considered as a final factor and only when all other factors are substantially equal.

3. Reassignment

- A member of the Human Resources Department will meet with employees in positions identified to be eliminated to determine their skills, experience, education, training and interests in order to identify other positions in the County for which they may qualify, or for which retraining is feasible.
- In lieu of being separated from employment, full-time employees may be considered for vacant positions provided they hold appropriate qualifications or have had previous successful experience in the particular position. An employee reassigned to a position in a lower pay grade pursuant to this policy will be bound by the provisions of policy §P- 17 Classification and Compensation and §P- 18 Pay Administration.

4. Separation Benefits

Regular employees will receive the following separation benefits to assist them in their transition from County employment. Payment will be issued only if they have not been placed in another vacant position prior to the elimination of their current position. If an employee receiving separation benefits is rehired by the County, they will be under no obligation to repay those funds.

- a. **Separation Pay.** Pay will be calculated at the employee's regular rate of pay at the time of the reduction-in-force, based on the length of service and the schedule provided below. "Length of service" shall mean years of continuous service, including any approved leave of absence, as a regular employee in the employee's current position and in any prior position within the same job family. Separation pay is in addition to final payment for all hours worked and payment for accrued annual leave and compensatory time.

Length of Service:	Separation Pay Period:
Full- time: Less than two years	Two weeks of pay
Full- time: Two years and above	One week of pay for every full year of service, up to a maximum of 12 weeks
All regular part-time	One week of pay for every full year of service, up to a maximum of 6 weeks

- b. **Continued Insurance Contributions.** The County contribution for medical and dental insurance coverage will continue through the end of the second month after the separation date. Upon completion of this separation period, the employee may elect to continue coverage under COBRA provisions.

c. The County reserves the right to enhance the separation pay and insurance coverage provisions in a given severance package with approval from the Board of Supervisors.

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