

	<u>P - §36.0</u>	<u>Policy Name:</u> Reduction in Force	<u>Approved Date:</u>
	<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 for ensuring non-discriminatory practices during implementation of a reduction in the workforce that results in position elimination.

B. DEFINITIONS

Former position – Position held by the employee just prior to layoff.

Job Family – A group of related positions, grouped by function, that share similar skills, knowledge, responsibilities, and career path.

Layoff – A temporary or permanent elimination of a position that is unrelated to performance.

Reduction in Force – A reduction in force (RIF) occurs when a position is eliminated with no intention of replacing it and results in a permanent cut in headcount. This can be achieved through attrition, early retirement package offers, or layoffs.

Regular employee – permanent full-time or part-time employee who has successfully completed the initial probationary period as a new hire.

Seniority – The continuous length of time an employee has worked in the job family.

C. ROLES AND RESPONSIBILITIES

County Executive – the County Executive holds decision authority for implementing a reduction in force that results in the layoff 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 underutilization of 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 layoff process, as required.

Human Resources – responsible for assessing on job-related objective criteria for layoffs, facilitating internal placement assessments, administering severance payouts, assisting departments with employee communications, and ensuring compliance with Federal and State laws.

D. POLICY

Occasionally, the County may need to invoke a reduction-in-force to ensure appropriate stewardship of resources. Position eliminations may occur when work functions are cut, reduced, or reassigned to meet organizational needs. These decisions are not made lightly and are conducted in a fair manner, while ensuring that the highest standards of service and efficiency are upheld for the community.

- The reasons for a reduction in force include, but are not limited to, the following: a general downsizing of the total organizational headcount; technological advancements; a change in the organizational structure of the given department due to work redundancies or improved efficiency; the changing service or program needs of the community; budget or economic drivers.
- Department of Social Services employees will follow the State's (DHRM) Lay Off Policy 1.30.
- Reduction in force cannot be used as a form of discipline or for performance management.
- Position elimination must be approved by the Director of Human Resources and the Executive Leadership Team.

The following procedures shall be applied 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

- Affected employees will be notified in writing at least 60 calendar days prior to the effective date that the position is eliminated. The employee(s) will have the opportunity to discuss the notice with the Director of Human Resources/ designee and the respective department head.

- Affected employee(s) will be notified of their anticipated separation pay and impact to benefits within 5 business days of receiving the Reduction in Force notification.
- A Human Resources staff person will meet with employee(s) in the affected positions to conduct an assessment of knowledge, skills, abilities, and interests to begin work in identifying possible alternative position placements.

2. Reduction Criteria and Process

- Alternative placement, freezing of vacant positions, early retirement options, and other viable solutions will be considered prior to implementing a layoff.
- When more than one employee occupies the same position and not all of the positions are being eliminated, the employees' level of training, skill, experience, seniority in the job family, and transferrable skills within the County will be considered in determining which employee(s) will be retained.
- Job performance will only be used as a decision factor when all other determining factors are equal between employees.

3. Reassignment and Recall

- 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. Every reasonable effort will be made to place an affected employee in a vacant position for which they may qualify.
- In lieu of being laid off, full-time employees may be eligible to assume vacant positions within the same or lower pay classifications 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.
- Employees receiving a layoff will be placed on a recall list that will remain effective until the end of the fiscal year. If a position becomes available during that period, and the employee is qualified to fill that position, the employee will be notified in writing and proceed directly to the interview screening. Former employees are not guaranteed to be hired into the vacant position, but will be placed as finalists, at minimum. After the period on the recall list has expired, the former employee may apply or reactivate their application for any vacant position for which they are qualified.

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. Unless otherwise specified, an employee who declines a reassignment to another vacant position prior to the effective date of the reduction shall not be entitled to separation benefits. 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, as a regular employee.

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 for the duration of the separation pay period for laid-off employees who were enrolled in those plans at the time of the reduction. Upon completion of the separation pay period, the employee may elect to continue coverage under COBRA.