

REDUCTION-IN-FORCE PROCEDURE

Related Board of Trustees Policy: BP2.25

Approval: May 2012

Revision:

The decision for separation of employment due to a reduction-in-force shall be in accordance with the College's equal employment opportunity obligations and other standards and Board policies. The overall decision will be based on the following factors:

Needs of the College

- The President in consultation with the Executive Leadership Team will determine:
 - The specific needs of the college which justify a reduction-in-force.
 - The number of positions which must be eliminated to meet the established needs of the College.
 - The feasibility of eliminating entire programs or parts of programs.
 - The identification of positions to be eliminated and whether any personnel can be transferred to other units.
 - The number or estimated number of employees to be affected by the reduction-in-force.

Employee Performance

- Once the decision is made to eliminate positions and possible affected employee(s) have been identified, the following criteria will further assist the President and ELT:
 - Job performance based on the most recent performance appraisal.
 - Service in other positions and ability to fill other positions.
 - Any recent disciplinary or corrective action plans in personnel file.
 - Special recognition or other meritorious events in employee's personnel file.
 - Length of state service, with higher priority given to service at the College.

Recommendation

- The unit vice president and direct supervisor of each affected employee will be asked to use the nominal group technique to rank the employees based on the above criteria on a scale of 1(lowest) to 5(highest).
 - Possible affected employees with the highest ranking will be placed at the bottom of the list for reduction-in-force consideration.
- The President and ELT will use the group rankings, in addition to taking into consideration the best interests of the College, and will recommend employees to be separated due to a reduction-in-force.

Procedures for Separation

- The College will notify the affected contractual employee(s) at least 30 days prior to the effective date of separation.
- Employees will be notified by Human Resources of any benefit obligations on behalf of the College due to the separation.
 - Affected employees will qualify for unemployment compensation benefits administered through the local Employment Security Commission.
 - Insurance Continuation Disclaimer:
 - In the past the College has provided continued non-contributory coverage under the North Carolina State Health Plan for 12 months to eligible college employees whose contracts were not renewed due to reduction in force. This practice has been overruled by opinions issued by the General Counsel for the North Carolina Community College System and the Department of Justice. The College will therefore, comply with these opinions of counsel to the end that the College will not pay for continued healthcare benefits to College employees whose contracts were not renewed due to a reduction in force after July 1, 2011.
 - Wages and Payment for Annual Leave:
 - A lump sum payment for accrued but unused annual leave, including bonus leave, will be made at the time of separation.
 - Payment for annual leave shall be made on the regular payroll, following the last month of employment.
 - Sick Leave
 - Employees separated due to reduction-in-force shall be informed that their sick leave will be reinstated if employed in any state agency within five years.

Reemployment

- Employees separated due to reduction-in-force, will have priority in recall for reemployment opportunities within the same job category or classification for two (2) years from the effective date of separation.
- If there is more than one affected employee in a job category, priority for recall will be based on the date of the employee's separation.
 - The employee last separated from employment has the first priority for recall.

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