

## REDUCTIONS IN FORCE

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### **SUMMARY**

A reduction in force is the elimination of a regular staff position due to lack of work, shortage of funds, grant expiration, departmental reorganization, outsourcing, or other business reasons.

### **REDUCTION IN FORCE POLICY**

All terminations of employment resulting from a reduction in force will be reviewed

Human Resources representative to ensure compliance with University policies and procedures, and with federal and state laws and regulations.

Regular staff members may have their employment terminated as a result of a reduction in force, subject to the following provisions:

The department head will identify the position or positions to be eliminated by job classifications. The department head will then identify staff members working within the department in the same or similar job classifications, and apply the following criteria to determine which staff member(s)' employment will be terminated.

**Type of employment** – Regular staff will be retained over temporary staff.

**Relative performance** – Reduction in force often results in fewer staff members to perform the same work tasks; therefore, in the interest of efficiency, the better performers will be retained.

**Length of service** – Total length of service with the University will be considered in determining which staff members are to have their employment terminated. Years of service may become a differentiating factor in the process of selecting which staff members will have their employment terminated, particularly in instances where other retention criteria are equivalent.

A regular staff member whose position has been eliminated due to a reduction in force should be referred to Human Resources for consideration of open positions for which the individual is qualified.

A staff member whose employment is terminated as a result of a reduction in force and who thereafter is rehired within six months into the same position will be reinstated with the individual's original date of hire and will have any pre-termination service considered for purposes of waiting periods for eligibility for benefits. Unused paid time off (PTO) is paid out at the time of termination of employment. Rehired staff members will not accrue PTO during the period between termination of employment and rehire.

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### **SEVERANCE PAY**

Staff members whose employment will be terminated due to a reduction in force will be given advanced written notice, when possible, or severance pay in lieu of notice. The amount of severance pay will be determined by the University in its discretion and will be paid after the employee signs an appropriate severance release agreement.

Staff members are not eligible for severance pay if the effective date of their termination of employment occurs within the introductory period of employment, if the staff member's employment is terminated for cause, if the termination of employment is voluntary on the part of the staff member, or if the staff member is offered an equivalent position within the University or with a successor entity.

### **GENERAL**

This Reduction in Force policy is intended to constitute an employee welfare benefit plan within the meaning of Section 3(1) of the Employee Retirement Income Security Act of 1974, as amended (ERISA). The University reserves the right to amend or terminate this policy at any time. In addition, the University, in its role as plan administrator, has the duty to administer the policy according to its terms, as well as the discretion to interpret the terms of the policy. Staff members who have questions about the terms of the policy, or believe that they are entitled to benefits under the policy that have not been provided, should contact Human Resources.