



## **GDQA-R - SUPPORT STAFF REDUCTION IN FORCE**

### **PURPOSE**

These procedures are established to accomplish the following objectives:

1. Maintain the district's ability to function effectively.
2. Ensure that remaining employees are assigned work for which they are qualified. The employee's ability to perform the job is essential to the district's objectives, and all the provisions of these procedures require that the affected employees have the ability, skills, and training to do the jobs for which they are eligible under these reduction in force procedures.
3. Give first priority to continued employment to the most senior employees.
4. Avoid any form of discrimination in transfers, layoffs, and recalls.

### **DEFINITIONS**

1. "Qualifications": Knowledge, skills, abilities, training, education, experience, and performance required to perform assigned duties of a position satisfactorily.
2. "Hire Date": The most recent date hired as a regular employee. (See "Seniority.")
3. "Job Category": The grouping of positions identified in the current classification key.
4. "Regular Employee": An employee hired for an indefinite period. This excludes temporary, contract service, and substitute employees.
5. "Seniority": The number of years of uninterrupted employment with Poudre School District R-1 (including employment in contract certificated positions). Time worked in temporary, contract service, and substitute positions is not considered in determining seniority. Employment in temporary, contract service, or substitute positions is considered an interruption in service. Unpaid leaves of absence do not count toward seniority.

Employees taking a leave of absence retain their previous seniority status.

6. "Seniority Tie Breakers": The criteria to be used in the event two or more persons have the same seniority. The district will proceed down the following list until the tie is broken:
  - a. Total number of days of employment minus days of unpaid leaves of absence
  - b. Days of employment plus days of previous employment in the district while on temporary, contract service, or substitute status
  - c. Program need based on supervisory discretion
7. "Pay Grade": Minimum-to-maximum range salaries paid for any given position. Positions are classified according to responsibilities and appear on the current classification key.

#### GENERAL PROCEDURES

1. The district will determine the positions to be eliminated.
2. The classified personnel specialist will prepare a seniority list ranking employees by date of hire within each job category. Categories are defined by the current classification key.
3. Following the termination of all appropriate substitute and temporary employees, necessary layoffs will proceed according to the seniority list with least senior employees laid off first.
4. A Reduction in Force (RIF) Placement Group will be established to make job placements in accordance with these procedures. This group will be made up of the president of the Association of Classified Employees (ACE), the director of schools, and the executive director of business operations who will chair the group.

At least two representatives appointed by the ACE executive board will be members of the group, not as part of the placement process but to monitor the process to ensure compliance with these procedures.

Input may be acquired from appropriate supervisors/principals regarding qualifications for placement.

5. District officials may meet with representatives of ACE as needed to discuss problems or needed changes in these procedures.
6. Department heads will consider reduced hours and job sharing as alternatives to layoffs, but this action must be voluntary on the part of the employees concerned.

7. Employees on leaves of absence will be subject to the provisions of these procedures. The period of time an employee is on a leave of absence will not be counted for seniority unless it is a paid leave of absence. Time lost due to leaves of absence will be considered in establishing years of service for purposes of layoff and seniority lists.

## PLACEMENT SEQUENCE

1. Prior to layoff, any employee whose job is being eliminated will be eligible to be placed in a position held by a less senior person in the same job category, provided the employee who exercises this right is qualified for the job. Qualifications will be determined by the RIF Placement Group based on job description, education, training, and experience.

Job placement will proceed as follows:

- a. Hours per day, days per year, and gross annual salary will be considered in determining placement. All placements implemented through these procedures will be lateral or downward in pay grade, hours per day, days per year, or gross annual salary. Placements will be to positions of equal or reduced hours per day, days per year, or gross annual salary. Placements may not result in an increase in pay grade, hours per day, days per year, or gross annual salary.
  - b. Placement will be made within the same pay grade if possible. The RIF Placement Group will search within the highest level pay grade in the appropriate category for the employee with the least seniority. If the employee is qualified as determined by the RIF Placement Group, the job placement will be made.
  - c. If the employee is not qualified to replace the least senior employee in the highest pay grade, the RIF Replacement Group will continue to search within the pay grade until a position is found for which the employee can qualify from the standpoint of seniority and qualifications. The search will progress from the least senior to most senior employee within the pay grade.
  - d. When no job for which the employee is qualified can be found within the same pay grade as that of the employee, the search will continue at successively lower pay grades beginning with the least senior employee until a job can be found. If no job exists in any pay grade in the category, the employee will be laid off and placed on the recall list.
2. Any employee who is displaced from a job by these procedures will be placed in the same manner as outlined in the "Placement Sequence" section below.

3. If an employee refuses a lateral placement, it will be considered as a voluntary resignation. If an employee refuses a downward placement, the employee will be laid off and placed on the recall list. However, an employee who has been offered a job with less hours per day or months per year than his former position may decline the placement without penalty and be considered for other jobs which may become available.
4. Due to the administrative difficulties involved, voluntary job-switching among employees will not be allowed during a formally established reduction in force period. However when the period has ended, voluntary job-switching within work center or departments may be considered.
5. Transfers resulting from a reduction in force may occur only within "families" of jobs to be reduced or comparable positions. An exception would be an affected employee who has significant Poudre R-1 experience in more than one "family." Placements outside of job "families" may be made by the RIF Placement Group in comparable positions. Comparable positions will be determined by the group based on the job description and qualifications required for the position. Supervisory input will be considered in determining comparable positions across "families."
6. An employee who is placed in his current pay grade will have no salary reduction. An employee who is placed in a lower pay grade will maintain his step at the lower pay grade; e.g., if an employee who is a K-6 is placed in the "J" pay grade, that person's new grade and step will be J-6 resulting in a reduction in salary.

## LAYOFF PROCEDURE

1. Employees to be laid off will be given a minimum of 30 calendar days' written notice. The notification will include a statement regarding why the layoff was necessary and an explanation of recall procedures. When applicable, the district will follow the federal guidelines of the Worker Adjustment and Retraining Act for notification of layoffs.
2. Employees identified for layoff will be required to use their vacation, floating holidays, and personal days prior to the layoff date. Those who have earned but not used accrued leave time at the time of layoff will be paid for those days in accordance with procedures outlined in the "Classified Employees Handbook."
3. Layoffs may be appealed through the classified employees' grievance procedure. For purposes of a reduction in force, the grievance procedures will be modified to allow the process to begin at Level III of the procedures. For purposes of a reduction in force, the RIF Placement Group will assume the role of the department head in the grievance procedure.

4. The Poudre R-1 human resources department will provide career development services to laid-off employees.

## RECALL PROCEDURE

1. Recalls will be made in the order of highest seniority first within each job "family." An employee may not be returned to a higher pay grade than the one formerly held except in unusual circumstances. Exceptions must be approved by human resources.
2. If an employee available by virtue of seniority is not qualified in the discretion of the district for jobs available in a recall, the recall will be extended to the next senior employee who is qualified in the discretion of the RIF Placement Group. If in the discretion of the RIF Placement Group there are no qualified employees among those laid off, the group may fill any recall position from sources other than former district employees.
3. Each laid-off employee will have recall rights for two years from date of notice.
4. Recall notices will be mailed to the employee's most recent address on record with a return receipt requested. The employee's recall rights will end for that position if the employee does not respond within 10 calendar days of mailing the notice. It is the responsibility of persons on the recall list to provide the district with current information regarding addresses and phone numbers.
5. Employees who are recalled to a position which is at the same pay grade as the one formerly held will be paid at their former step. (For example, an employee who was a K-6 at the time of the reduction in force who is recalled to a K-level job will be placed at the grade and step K-6.) An employee who is recalled to a position with a lower pay grade than formerly held will receive a step placement which honors his former step. (For example, an employee who was a K-6 at the time of the reduction in force and who is recalled to a J-level job will receive a salary placement J-6.)
6. Recalled employees will have their sick leave balance reinstated at the time of recall.
7. Employees who either through the placement or recall process have been placed in positions in which they are not satisfied may notify human resources that they are interested in assuming their former positions if they should open. Human resources may consider these requests when and if the former positions become available.

8. An employee on the recall list who has been offered a position in a lower pay grade than his former position or a job with reduced hours per day, days per year, or gross annual salary may decline the offer and maintain his position on the recall list.
9. Laid-off employees who have significant Poudre R-1 experience in more than one job category may be recalled into any of those job categories if they are qualified.

#### MAINTENANCE OF SENIORITY AND BENEFITS

1. Employees recalled within six months of layoff will accrue district seniority for the period laid off. However that amount of time will not be counted for Public Employees' Retirement Association credit.
2. Employees recalled more than six months after being laid off will accrue no seniority for the layoff period. Employees who are recalled within two years of layoff will retain their previously earned seniority with the district.
3. Employees who are laid off in accordance with these procedures will have the right to maintain their health, dental, and life insurance benefits for the period they remain on recall status, not to exceed 24 months. The full cost of all health, dental, and life insurance premiums must be paid by the employee while on recall status.

Approved: August 1988

Revised to conform with practice: May 22, 1995

#### CROSS REF.:

GBK, Staff Concerns/Complaints/Grievances

#### CONTRACT REF.:

Employee Agreement, Guideline Ar010--Classified Employees RIF Procedure