



NEW HANOVER COUNTY HEALTH DEPARTMENT Policies and Procedures



Subject:	Reduction in Force
Date of Origin:	05/27/2003
Date Revised:	
Policy Number:	GS-ADM-044

PURPOSE AND SCOPE:

The purpose of this policy is to establish guidelines for a reduction in force among New Hanover County Health Department (NHCHD) employees. The scope of this policy applies to all members of the NHCHD workforce.

CHANGE SUMMARY:

Original document.

POLICY/PROCEDURE:

Excerpt from New Hanover County Personnel Policy-Reduction in Force

*****Sec. 3. Reduction in Force***

"For reasons of curtailment of work or lack of funds, the County Manager (or in the case of the following departments: Sheriff, Register of Deed, Social Services, or Public Health, the respective department head) may separate employees. In determining the employees to be retained, consideration shall be given to the relative quality of each employee's performance as documented by current performance appraisals, organizational needs and seniority. No regular employee shall be separated while there are temporary, emergency, intermittent, trainee or probationary employees serving in the same class in the department unless the regular employee is not willing to transfer to the position held by the temporary, emergency, intermittent, trainee or probationary employee.

An employee in a regular or regular-probationary position who is separated in accordance with these provisions may retain his/her sick leave balance and personal leave accrual rate upon separation for one year from the date of separation. If suitable employment becomes available during this period, the employee may be reinstated at the request of the department head.

Only employees in the Department of Social Services or Health Department may appeal a decision made in accordance with this policy. Appeals from these departments must conform to the provisions contained in the State Personnel Act."

**Further Developed Reduction-In-Force Policy
for the New Hanover County Health Department
Based on Guidelines From Office of State Personnel**

Introduction

This policy establishes guidelines for the administration of a reduction-in-force in which regular (state refers to as permanent) employees are separated due to curtailment of work, lack of funds, reorganization, or other significant changes in duties or organization.

Authority

The Personnel Manual for Local Government Employees Subject to the State Personnel Act authorizes the implementation of this policy and states the essential elements required of the agency in planning and executing a reduction-in-force. The policy is copied below from the manual. It is followed by agency guidelines for implementation. The policy states the following:

Reduction-In-Force

“For reasons of curtailment of work, reorganization, or lack of funds, the appointing authority may separate employees. Retention of employees in classes affected shall be based on systematic consideration of type of appointment, length of service, and relative efficiency. No regular employee shall be separated while there are emergency, intermittent, temporary, probationary, or trainee employees in their first six months of the trainee progression serving in the same or related class, unless the regular employee does not have the knowledge and skills required to perform the work of the alternate position within a reasonable period of orientation and training given any new employee. A regular employee who was separated by reduction-in-force may be reinstated at any time in the future that suitable employment becomes available. The employer may choose to offer employment with a probationary appointment and experience standard for the class to which he is being appointed.”

Policy

A regular employee of New Hanover County Health Department who is terminated in accordance with the provisions of this policy and who has a satisfactory employment record will be considered for any vacant position for which he/she meets job specific qualifications as stated in the job announcement. Copies of such job announcements will be forwarded to qualified individuals at the address provided by the individual for a period of 12 months after the effective date of the termination.

A regular employee who is separated due to reduction-in-force shall have the right to appeal that action.

Guidelines

I. Determining the Scope of the Reduction and the Layoff Unit

Funding restrictions, reorganization, consolidation or abolishment of functions or organizational units, curtailment of work or activities, or other reasons may result in the need to abolish a position(s) or to so substantially redesign a position that the incumbent would not reasonably be considered a candidate for the new position because he/she lacks specific position qualifications requirements. When this happens, the agency director shall examine the organizational and program scope of operations of the agency and designate a "layoff unit." The director will then determine the necessary reallocation, reassignment (transfer), and/or abolishment of positions. In considering the above, the following factors are among those that may be considered in this determination:

- Client Service requirements
- Legal mandates for programs
- Impact on overall program objectives
- Possible redistribution of available resources
- Organization Structure
- Funding sources and budget guidelines
- Composition of the work force
- Economy and efficiency in service

Once the above factors have been considered the director shall prepare a reduction-in-force plan for board review that includes the layoff unit(s) and the positions to be abolished. The layoff unit designated for the purpose of handling any necessary separation of employees may be the entire agency, any division, or any organizational, geographic or program sub-unit of the agency. It may also include a staff specialty within a division or program unit. The layoff unit need not coincide with the program, function, or activity that is the source of the need for a reduction-in-force. Layoff unit designations allow management to distribute staff resources according to service priorities of the agency.

All planning efforts dealing with the abolishment of position(s) shall reflect a review process identifying the reasons for and the results of the specific organizational program and /or position changes.

II. Employee Coverage and Exemptions

The reduction-in-force policy covers all regular employees as defined below:

For purposes of this policy, the term regular employee means a person who has satisfactorily completed a prescribed probationary period of at least 6 months duration in a regular position and has been officially granted regular status in the agency or who entered agency employment with regular status, or who has satisfactorily completed an officially designated trainee period.

III. Establishing a Plan and Procedure for Employee Separation

The necessary separation of employees in the layoff unit(s) shall be determined based on the systematic consideration of the type of employment, length of service and relative efficiency of the employees. The following factors shall apply in determining and scheduling employees for separation.

- A. The type of appointment shall be the first determinant. No regular employee in an affected classification shall be separated while there are emergency, intermittent, temporary, probationary, or trainee employees working in the same classification in the agency.
- B. Separation of non-regular employees shall be made in the following order:
 - 1. Emergency, intermittent, and temporary employees. For this purpose, the three categories will be treated as one group.
 - 2. Probationary and trainee employees in their first 6 months of trainee progression. For this purpose, the two categories will be treated as one group.

Non-regular employees shall be given written notice of separation as soon as possible in advance of the scheduled separation.

- C. Separation of regular employees from positions in the affected classifications in the layoff unit shall be made after systematic consideration of length service and relative efficiency.

For the purposes of this policy, service standing shall be determined by length of continuous service (paid Employment) with the New Hanover County Health Department only. Service with other agencies will not be a part of this computation.

- D. Performance evaluations and warnings received in accordance with the provisions of the agency's disciplinary action policy will be included in consideration of relative efficiency.
- E. Nothing in this policy shall be interpreted as assigning to an employee the right to displace or "bump" a regular employee from a position in order to create a vacancy.

IV. Notice Requirements

After the necessary reduction-in-force decisions have been made through application of the above criteria, the director shall give formal written notice to all regular employees scheduled for separation. The notice shall be given as soon as practical. The director shall review with the employee the reasons for the action and discuss mutual rights and responsibilities under the reduction-in-force policy.

V. Appeal Rights

A regular employee, as defined in this policy, who is separated due to a reduction in force, shall have the right to appeal the separation in accordance with the New Hanover County Health Department Appeal Process

OTHER INFORMATION: N/A

REFERENCES: N/A

CHANGE HISTORY:

Version	Date	Comments
A	05/27/03	Original Document
B		