

## Georgia State University Reduction in Force Policy

### **I. Policy Statement**

Georgia State University is committed to providing stable employment for its employees; however, it retains the right to determine the appropriate staffing levels to meet the mission of the University. Georgia State University may, in its sole discretion, add positions or change positions when necessary to meet the mission of the University, and it may eliminate positions that are no longer necessary to the mission of the University.

The University may implement a reduction in force (“RIF”) in a particular unit/department or at the University overall for reasons that include, but are not limited to, the following:

- A budget reduction and/or funding changes;
- Programmatic changes that result in the elimination or reduction of services;
- Reorganization that results in a shifting of responsibilities or elimination of certain tasks altogether;
- Business process improvements that change work to such an extent that a position(s) is no longer required; and/or
- Other organization changes that might prompt an adjustment to staffing needs.

In an effort to avoid reducing positions due to budget cuts or funding changes, Georgia State University reserves the right to consider implementing a furlough or other such program to achieve the necessary budget reduction.

Employees are to be terminated through a RIF only after examining other available alternatives. The provisions of this Policy are not to be used to remove an employee if the sole cause is substandard performance, incompetence or misconduct.

If the position(s) eliminated via this Policy are reestablished within one (1) year, the employee(s) displaced should be given an opportunity to apply for the position(s). The impacted unit/department must coordinate with the University’s Vice President of Human Resources<sup>1</sup>, or his/her designee, to ensure this communication occurs.

Additionally, while University employees may not utilize the Staff Grievance Policy concerning RIF decisions, impacted employee(s) shall have the right to appeal a RIF decision to the Board of Regents of the University System of Georgia in accordance with the provisions of the Bylaws of the Board of Regents of the University System of Georgia.

### **II. Eligibility**

This Policy applies to all regular classified University employees who have completed their probationary periods (full-time and part-time employees regularly scheduled to work twenty (20) or more hours each work week).

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<sup>1</sup> This Policy references a newly-created position of “Vice President of Human Resources” at Georgia State University, as indicated in the Phase One Post-Consolidation Structure, found at: <http://consolidation.gsu.edu/files/2015/07/Human-Resources-1.pdf>. Until such time as this position is filled, any reference to a “Vice President of Human Resources” in this Policy shall be read as the President of Georgia State University, or his/her designee.

Temporary employees, employees with time-limited appointments, employees funded through sponsored programs and/or contracts, non-state funded employees, regular employees scheduled less than twenty (20) hours per week, and probationary employees may be separated without following this Policy and are not eligible for re-employment assistance.

### **III. Identification of Employees for a Reduction in Force**

The decision as to which employee(s) must be separated is determined at the unit/department level, subject to the advance approval of the Vice President of Human Resources (or his/her designee), the Dean/Vice President of the impacted unit/department (or his/her designee), and the Provost. Such a decision shall consider the University's financial, supervisory, and AA/EEO goals. To avoid delays in the approval process, the Dean/Vice President of the impacted unit/department head should contact the Vice President of Human Resources (or his/her designee) prior to the anticipated separation of an employee subject to the RIF Policy.

A reduction in force decision requires a thorough evaluation of the need for specific positions and the relative qualifications of employees so the University can provide the highest level of service possible with a smaller work force.

When identifying employees for a reduction in force, University management may consider the following factors. This list is not exhaustive and other factors, which are not listed, may be considered:

- The **position classification(s)** affected (see Section IV for additional considerations);
- The **appointment type** of each employee (see Section V for additional considerations);
- Impact on University **equity**; or
- Only when multiple positions exist within a unit/department with the same classification but only a subset of those positions has been identified for a RIF, the documented **performance** and **job-related knowledge** (e.g., professional certifications, advanced training, advanced technical skills) of employees in affected classification(s) (see Section VI for additional considerations).

### **IV. Position Classification Consideration**

For the purpose of determining which employee(s) will be affected by a reduction in force, comparisons will be made between employees with the same classification titles within the same department.

### **V. Appointment Type Consideration**

Once the relevant job classification for a RIF has been determined, the affected unit/department head shall make a decision as to which employee(s) is (are) designated for the RIF. The type of appointment is the first factor to be considered. Regular employees must be retained over employees with temporary, probationary, and time-limited appointments with the same classifications.

### **VI. Performance Consideration**

The primary component of determining the performance of employees should be the most recent two (2) annual overall Performance Evaluation ratings, unless the employee has been employed for one (1) year or less in which case there would only be one (1) annual performance evaluation available.

Other components of determining performance are:

- An active disciplinary action for either job performance or personal conduct;
- Documented performance difficulties communicated to the employee, but not rising to the level of disciplinary action; or
- Any other documented indicators of performance.

Management is responsible for making the RIF decision using the above factors, and others that may not be listed including reasons not related to performance. A RIF should not be used to remove an employee to avoid adherence to the University's policies and procedures relating to demotions, suspensions, or dismissal.

## **VII. Reduction in Force Process**

1. A unit/department head (or his/her designee) must submit a written request for approval of a proposed RIF as follows: first, to his/her applicable Dean/Vice President (or his/her designee); second, to the Vice President of Human Resources (or his/her designee); and finally to the Provost (or his/her designee). Such request must be approved before any RIF can be implemented. The written request must contain the following information:
  - The reason(s) for the RIF;
  - Anticipated date of separation;
  - Name(s) of the employee(s) subject to the RIF and justification for the selection(s);
  - A listing of all vacant positions in the unit/department that are the same or closely related;
  - Status of recruitment activity for vacant positions that are the same or closely related;
  - What efforts the unit/department has made within the unit/department to avoid the RIF of the selected employee;
  - A brief explanation why action other than a RIF is not possible;
  - Management contact information;
  - Current organizational chart of affected unit/department; and
  - Affirmative action information (i.e. race, gender, age, disability status, veteran's status) for each employee subject to the anticipated RIF.
  
2. After receiving approval from the Dean/Vice President of the affected unit/department, the Vice President of Human Resources, and the Provost, or their respective designees, the unit/department must notify the employee in writing of the RIF. Whenever possible, this letter should give the employee at least ninety (90) days prior notice before the RIF occurs. The letter should contain the following information:
  - The reason for the RIF;
  - The effective date of the RIF;
  - Instructions to contact the Office of Human Resources to obtain information about:
    - Unemployment insurance eligibility; and

- The right of employees to appeal the RIF to the Board of Regents of the University System of Georgia.
- Retirement system membership and benefit continuation options;
- Faculty and Staff Assistance; and
- Opportunities for seeking employment within the University.

The Office of Human Resources may create template RIF Checklists, RIF Request Forms, and RIF Notification Letters for use by units/departments seeking to utilize this Policy.

3. Unless otherwise agreed to by the University, the last day the employee works is the effective date of the RIF. Prior to that time, the unit/department should complete a Personnel Action Form (“PAF”) for submission to Office of Human Resources. A copy of the employee RIF notification letter and the approved RIF request must be attached to the PAF and sent to the Office of Human Resources.
4. In certain approved instances, an employee in a position identified as being subject to a RIF will still be considered an active employee until a future RIF effective date. The unit/department has the option to allow the employee to work from remote locations (e.g., their home or other approved location) from the date of the RIF notification letter, up until the RIF effective date. The unit/department may terminate the employee’s access to University resources immediately following provision of the RIF notification letter. Additionally, employees subject to a RIF may be required by the University to participate in designated outplacement services up through the RIF effective date.
5. An employee separated by a RIF is paid for accumulated vacation leave (as permitted by Board of Regents policy) in the same manner as other separations.
6. On the final day of employment, the employee must complete the University Clearance process and the Office of Human Resources will process all other termination business for the employee. Employees will be required to return all University property in their possession (e.g., phones, computers, laptops, PantherCards, etc.).
7. Questions about this process should be directed to the Office of Human Resources.