

Reduction in Force (RIF) Policy

Effective Date: September 2021

Owner	Board of Commissioners (BOC)
Reviewer(s)	Human Resources
Approver(s)	Board of Commissioners (BOC)
Related Policies	Classification Policy Compensation Policy Job Share Policy Leave of Absence Policy Conduct and Performance Policy
Related Standards	N/A
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IS Review Cycle	Every 3 years

1. PURPOSE

To provide procedures for implementing a reduction in work force.

2. SCOPE

This policy applies only to Civil Service Employees and Board of Commissioners' Employees. If you have questions regarding this policy, contact Human Resources.

3. GOVERNING LAWS, REGULATIONS & STANDARDS

Guidance	Section
Official Code of Cobb County - Cobb County Civil Service System Act	Part II; Chapter 22; Article II – Civil Service (Division 1 and Division 2)
And all other applicable laws and regulations	

4. DEFINITIONS

~~A. **Performance Appraisal Average:** Average of the five (5) most recent performance appraisals issued in the past five (5) years immediately prior to the decision for a reduction in force.~~

~~A. B. **Class of Positions/Job Class:** A group of positions which are sufficiently similar as to (1) type of work; (2) level of difficulty and responsibility; and (3) qualifications requirements.~~

~~B. C. **Competitive Groups:** An organizational, budgetary, or geographic part of the Department to which a reduction in force is to apply, such as a particular worksite, budget unit, function or the entire Department. A reduction in force may include multiple competitive areas.~~

C. ~~Demotion:~~ With regards to this policy, a type of reduction in force where an employee is placed in a lower position in order to conserve funds.

C. ~~Furlough:~~ A type of reduction in force in which employees are placed in non-pay status for a period of time in order to conserve funds.

D. ~~Layoff:~~ A type of reduction in force where an employee is separated from employment due to no cause of their own, and is not deemed a disciplinary separation.

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E. Salary Reduction: A type of reduction in force where an employee's salary is lowered to conserve funds. The salary reduction process is outlined in the Compensation Policy.

5. POLICY

A reduction in force (RIF) is the separation from a job, furlough, salary reduction and/or demotion of one (1) or more employees as the result of a shortage of work or funds, a change in organization or operations, or to otherwise support the financial health and viability of the County.

~~In accordance with the Rules of the Civil Service Board, The following procedures shall be controlling in any reduction in force involving the lay-off, furlough or salary reduction/demotion of permanent employees working in departments covered by Civil Service. All RIF plans must be submitted to the Human Resources Director and approved prior to being implemented. All Board of Commissioners' employees will be governed by these procedures.~~

6. PROCEDURES

When it seems necessary by reason of shortage of work, funds or material change in duties or organization to reduce the overall staff of an organization, or to reduce the number of employees in one or more classes of positions, the Department Head should first give attention to the reassignment of duties to enable the organization to work on a reduced basis.

Prior to utilizing the RIF policy, employees who are not giving satisfactory service **meeting performance expectations** should be separated by the appropriate methods, **as outlined in the Progressive Discipline Policy**, or shifted to positions where they can **meet performance expectations** ~~give satisfactory service~~ before it is necessary **for a reduction** ~~to reduce~~ in force. Employees who are separated in a reduction in force should not be made to feel that their work has been unsatisfactory.

A. COMPETITIVE GROUPS

1. Competition shall be among all employees in the department holding positions of a particular class. If the reduction in force is to apply to more than one class, each class shall be treated separately, except that where reductions are to be made in a class of positions which is one of a series of related classes **(e.g., Admin I, Admin II, Admin III, etc.)**, permanent employees who are to be laid off from a higher class in the series, if they are available for positions of a lower class, shall be considered as competing with employees of the lower class; and, if they possess sufficient retention credits to entitle them to positions in that class, shall then be involuntarily demoted to such class of positions.

2. In determining a series of related classes, where a department has established a primary career path involving other classes as a part of the related series, it must include these classes or class series in its definition of a competitive group. Employees who have retained status in another class of positions (e.g., employees serving working test periods following promotions) shall be considered as employees of the class in which they have status if they are to be involved in the reduction in force.

B. TERMINATIONS AT ADMINISTRATIVE DISCRETION

Under the Rules and Standards of the Civil Service Board, because of the type of their appointments, certain employees may be separated at the discretion of the Department Head. All such non-status employees within a particular class, including employees serving a working test period, **or who are out on an extended unpaid leave of absence**, shall be the first to be separated, unless the ~~Director~~ **Department Head** finds that special or exceptional circumstances warrant the retention of particular employees, **in which case justification must be made in writing to Human Resources outlining the need to retain these individuals**. ~~Such employees who have retained status in another class of position (e.g., employees serving working test periods following promotions) shall be considered as employees of the class in which they have status if they are to be involved in the reduction in force.~~

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C. RETENTION CREDITS

- ~~1. Retention credits for the purpose of this section shall be defined as the combination of the years and months of the most recent full-time service and points derived from an average of the five most recent Employee Performance Appraisals, if available. Years and months of service shall be stated as years and hundredths of year.~~
- ~~2. Retention credits derived from the Employee Performance Appraisal average shall be weighted to constitute 40% of the total retention credit allowed the employee. The remaining 60% of the total retention credit shall be derived from the combination of months and years of the most recent full-time service.~~

C.D. SEQUENCE FOR REDUCTION IN FORCE OF PERMANENT EMPLOYEES

- ~~1. Within a competitive area the order of reduction in force of permanent employees in each class shall be: in ascending order of retention credits with the lowest retention credit total being separated first. If two or more employees are tied for position in the order of reduction and one or more, but not all employees so tied for position are to be reached for action, a veteran as defined in the Rules and Standards of the Civil Service Board shall be retained in preference of a non-veteran. If veteran status is equal, the date of entrance on duty shall determine their order, the most recent appointee being laid off or demoted first. If the date of entrance on duty is the same, the order of reduction shall be determined by lot.~~
- ~~2. If an employee has no regular Employee Performance Appraisal covering service in the class in which they hold status, a special Employee Performance Appraisal governing such services shall immediately be prepared in accordance with the general procedure on such reports and shall be treated in the same manner as the regular report.~~

When it becomes necessary to reduce the work force in a given class, employees shall be separated from service in the following order:

- 1. Emergency, temporary, probationary, and part-time employees shall be separated before a status employee in such cases when the status employee is qualified and able to perform the essential duties of the job.**
- 2. Employees will be separated on the basis of their total length of time with Cobb County, minimum acceptable performance on the job, and any other factor that is deemed appropriate. For separation purposes, length of service shall mean the total months of actual employment with Cobb County in any class or Department. In determining the order of separation for employees, the following will be considered:**
 - A. Employees who in the current annual period are rated below satisfactory shall be separated before employees who have achieved a satisfactory or better performance rating.**
 - B. An affected employee's length of service.**
 - C. The extent to which an affected employee meets or exceeds the qualification requirement as stated in that position's class specification.**

D. E. EXCEPTION IN SPECIAL CASES

No employee shall be retained in preference to another employee in the competitive group area and class who is higher in the order of reduction in force, except under the following conditions: ~~If the position of an~~

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~~employee is to be abolished and its duties cannot be satisfactorily performed by an available employee higher in the order of selection after a reasonable training period they may be retained in preference to such employee. In such case, a brief statement of the facts must be made in the report of reduction in force for consideration in connection with post audits and appeals. This provision shall not, however, prevent the retention of such employee if the employees higher in the order are not available for the position for which he is retained.~~ When a Department Head believes that a certain individual is essential to the efficient operation of the Department, because of special skills or abilities, and the Department Head wishes to retain this individual in preference to a person using the order prescribed above, the Department Head shall submit a written request to the Human Resources Director for permission to do so. This request shall set forth in detail the specific skills and abilities possessed by the individual and the reasons why such individual is essential to the effective operation of the Department. With the approval of the Human Resources Director, the individual may be retained.

E. F. REPORT OF REDUCTION IN FORCE REDUCTION IN FORCE PLAN

~~The Department Head shall forward to the Board a report of procedures followed in any reduction in force. The report shall be completed enough to facilitate a post audit and shall be available for inspection by an employee demoted or laid off.~~

1. To implement a reduction in force, the Department Head creates a plan that must be submitted to the Human Resources Director, prior to implementation, when practical. The reduction in force plan shall include the following information:

a. The type of reduction in force (i.e., layoff, furlough, salary reduction, demotion, etc.);

b. The proposed effective date(s);

c. The reason for the RIF (i.e., reorganization, outsourcing, funding, etc.);

d. A definition of the competitive area(s) and list of competing jobs within each competitive area;

e. The total number of employees proposed to be impacted by reduction in force within each competitive job by competitive area;

f. The amount or percentage of reduction if the reduction in force involves salary reduction or demotion; and,

g. The basis used to determine the order of retention if competition is required.

2. The Human Resources Director will review the plan and provide consultation, as appropriate.

3. The Department Head will make available, upon request, a copy of the reduction in force plan for inspection by any employee or former employee who was directly affected by the reduction in force.

F. EMPLOYEE NOTICE

Employees shall be notified in writing by the Department Head at least fourteen (14) calendar days prior to the effective date of the reduction in force. The employee's prior notice of a reduction in force shall be the employee's receipt of a written memorandum from the employee's Department Head. A copy of such a memorandum shall be forwarded to the Human Resources Director at the time the original is given to the employee. No reduction in force shall be effective until reviewed and approved by the Human Resources Director.

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G. PROVISIONS FOR EMPLOYEES AFFECTED BY REDUCTION IN FORCE

1. Employees should be completely informed about the entire reduction-in-force process. Persons who are separated due to a reduction in force shall be given primary consideration when conditions warrant rehiring.

2. Employees being separated shall be paid for all accrued annual leave per the procedures outlined in the Annual Leave Policy.

7. EXCEPTIONS

Exceptions to this policy must be justified and approved in advance by the Board of Commissioners.

8. NON-COMPLIANCE

Violations of this policy may include disciplinary action according to applicable County policies.

REVISION HISTORY

Version ID	Date of Change	Author	Rationale
	12/77		Adopted
	12/91		Revision
v.1.0-2020	11/20	Human Resources	Reformat
v.1.1-2021	9/21	Human Resources	Revision