

REDUCTION IN WORKFORCE POLICY

Policy Number 311

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Policy

It is the policy of the County that reductions in workforce and elimination of regular Board approved positions may be necessary from time to time for various business reasons

Comments/Procedures

311 1 GENERAL PROVISIONS

- 1 The provisions conditions and principles of this policy apply exclusively to regular Board approved full and part time positions Employees covered under the Supplemental Workforce Policy Number 309 and certain grant funded positions are exempted from the provisions of this policy
- 2 Reduction in Workforce means the abolishment of Board approved full and/or part time positions due to operational needs re organization lack of work outsourcing of functions shortage of funds or other reasons deemed appropriate by the County A reduction in workforce covered by the provisions of this policy is not intended to be a short term adjustment where positions are re established after they have been abolished or eliminated
- 3 Reductions in workforce and elimination of positions may be necessary as a result of but not limited to shortage or reduction of funds lack of work material changes in job duties or organizational structure contracting/outsourcing of functions loss of funding source abolishment of a position group division or department or other reason within the discretion of the County A reduction in force under the provisions of this policy should result in a net savings to the County or other operational efficiencies
- 4 Analysis and decisions on reduction in workforce will be limited to the affected position group within the Department or Division
- 5 The order of dismissal will be based upon several factors including (in no particular order of consideration or importance)
 - a) Performance for the past three years
 - b) Conduct and corrective actions for the past three years
 - c) Record of unexcused absence or abuse of leave for the past three years
 - d) Elimination of position or position group and
- 6 Supervisors shall present a proposed list of affected employees and corresponding positions with all supporting documentation to a Reduction in Force (RIF) Committee The RIF Committee shall consist of the Director of Human Resources Budget Director a representative from County Administration and the County Attorney (or assigned designees) The Department and/or Division Directors of the affected departments will be consulted as appropriate The Communications Director shall be responsible for the dissemination of appropriate information regarding the RIF process The Committee will provide recommendations on the final list to the County Manager along with documented reasons for the decisions
 - The RIF Committee shall give consideration to the County's diversity goals and Veterans Preference In the event of similar job performance preference in retention may be granted to veterans and under represented individuals within the work unit A decision to eliminate a position held by a qualified veteran must be documented in accordance with Rule 55A 7 015(2) FAC

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- 7 In instances where allegations of discrimination against a category of protected persons are made regarding a reduction in workforce decision the complainant may contact the Office of Equal Opportunity for further review
- 8 Reorganizations of Departments Divisions or Programs are not subject to the provisions of this policy and will be handled on a case by case basis with review by the Department of Human Resources
- 9 The provisions of this policy are guidelines for reductions in workforce only the County reserves the right to alter this policy with or without notice and may choose another process for reduction in workforce at any time with the approval of the Board of County Commissioners

311 2 RETENTION OF EMPLOYEES

- 1 A qualified employee with an acceptable record of work performance may at the discretion of the Department or Division Director be offered a voluntary transfer to vacant position of equal or lesser grade within the same Department or Division
- 2 The Department or Division Director of the vacant position in consultation with and with the concurrence of the Director of Human Resources shall determine the appropriate level of compensation to be offered to employees considering voluntary transfer
- 3 Any employee subject to reduction in workforce may apply for any posted position throughout the County and compete with all other applicants for that position

311 3 STATE & FEDERAL FUNDED POSITIONS

- 1 Persons in positions funded by state or federal grant funds will be subject to reduction in workforce upon the elimination or cutback of such funds No reduction in workforce shall be conducted in conflict with any State or Federal grant regulation prohibiting the layoff of employees
- 2 Persons in positions that are partially funded by state or federal program funds are subject to workforce reduction in accordance with the provisions of this policy

311 4 REHIRE

- 1 Employees may be rehired following a reduction in force if they had an acceptable work record and were not dismissed as a result of a corrective action employment misconduct or similar circumstance
- 2 The ordinary six month probationary period shall be waived for an employee that has been rehired after an involuntary reduction in workforce
- 3 An employee that has been rehired after an involuntary reduction in workforce may be eligible to begin to accrue benefits based on the appropriate BOCC service including continuous service prior to the involuntary separation of employment provided certain conditions are met (see 311 5)

311 5 SERVICE CONTINUATION

- 1 Employees subject to an involuntary reduction in force as a result of shortage or reduction of funds lack of work material changes in job duties or organizational structure contracting/outsourcing of functions loss of funding source abolishment of a position group

Adopted by the Lee County BoCC December 12 2000 (Last Revised May 23 2006)

- division or department or other reason within the discretion of the County shall have their original recent continuous BOCC service credited for purposes where service date is the basis of the benefit if rehired in accordance with 311 5(2)
- 2 The provisions of service continuation shall not cover employees terminated from employment due to performance policy infraction employment misconduct corrective action or similar circumstance [See section 311 1(5)]
 - 3 Employees given special consideration for the reduction in force (e.g. Early Out Program) shall not be credited for prior County service if re-employed at a future date
 - 4 Rehired employees will assume the responsibility to inform Human Resources of prior continuous BOCC service
 - Human Resources will verify and certify the appropriate service credit to be applied
 - A Report of Personnel Action form (RPA) will establish the new service date to be applied
 - The service covered by the adjusted service date shall be considered current and consecutive service for provisions of Lee County Policy
 - Benefits and accruals will begin on the effective date of the RPA based upon the adjusted service date – no retroactive benefits or accruals will be applied

311 6 HEALTH BENEFITS FOR REHIRED EMPLOYEES

- 1 Employees rehired following an involuntary reduction in workforce into a regular full time or part time Board approved position shall be eligible to receive health benefits from the first of the month following the date of rehire or the establishment of the new service date (whichever is later)
- 2 Pre-existing conditions shall follow the rules set forth in the Health Insurance Portability and Accountability Act (HIPAA) and the Lee County BoCC health insurance summary plan documents

311 7 AT WILL NATURE OF EMPLOYMENT

- 1 The provisions of this policy neither alter amend or modify the at will nature of employment of all County employees nor in any way restrict the County's right to terminate any employee at any time for any reason with or without cause as stated in the County's Employment At Will Policy. The County also reserves its right to change the terms and conditions of employment at its will and discretion with or without notice
- 2 Employees have the right to end the employment relationship at any time for any reason with or without cause

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Effective 6/16/20

Alachua County Employee Policy Manual

Layoff

Policy No 84

Effective 06/16/03

Revision No

Review Date xx/xx/xx

OVERVIEW County action regarding lay off procedures is described by this policy

SCOPE This policy applies to all persons employed by the Board of County Commissioners

PROVISIONS

- 1 At the recommendation of the Administrating Official and upon approval of the Board all lay off procedures shall be coordinated and processed by the Human Resources Office
- 2 Lay off is a period of enforced unemployment by the County due to specific circumstances including but not limited to
 - a Budget constraints
 - b Changes in organizational structure
 - c Lack of work
 - d Material changes in a job description or
 - e Any other reasons within the discretion of the Board
- 3 A layoff shall not be implemented in conflict with any State or Federal grant regulation prohibiting the supplanting of employees
 - a County personnel employed with and paid by Federal or State grant funds will be laid off or terminated upon the elimination or cut back of such funds regardless of their length of service
- 4 In the event of a reduction in work force employees in the same classification and department(s) affected shall be laid off in the following order
 - a Temporary employees
 - b Probationary employee and
 - c Permanent employees
- 5 In the event of a lay off employees in the same classification and department(s) with the highest values of the following factors as determined by the department director shall be retained ()

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- a Performance review ratings
 - b Ability to do the work and
 - c Qualifications to do the work
- 6 If these factors are relatively equal the least senior employee by initial hire date in the same classification shall be laid off first
- 7 Veterans Preference shall be considered in accordance with Chapter 295 Florida Statutes and Chapter 55A 7 Florida Administrative Code
- 8 A laid off employee shall be paid for all accrued vacation leave sick leave and compensatory time in accordance with applicable policies
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BREVARD COUNTY
MERIT SYSTEM POLICIES
POLICY XIV

Title SEPARATION FROM COUNTY SERVICE

I OBJECTIVE

To provide consistent criteria for employees separating from County service

II DIRECTIVES

A RESIGNATIONS

An employee wishing to leave County Service in good standing shall provide written notice of resignation to the appropriate supervisor or appointing authority stating the date and reasons for leaving. The resignation should be submitted at least fourteen (14) calendar days prior to the date of leaving. The appointing authority may waive the required fourteen (14) days notice if extenuating circumstances exist. Failure to provide proper notice may be cause for denial of reemployment rights or forfeiture of payment of any unused leave benefits.

B LAYOFFS

When for any reason it becomes necessary to reduce the work force of any department or office the appointing authority shall determine the number and classes of employees to be laid off. In determining order of layoff within a class the appointing authority shall consider past employee performance based upon each employees most recent performance evaluation. Employees shall be laid off without prejudice as layoff is not considered a disciplinary action.

The following factors shall be used in determining the order of layoff

- 1 The appointing authority shall first layoff the individual or individuals with the lowest past employee performance within the selected classification in the department unless an employee is considered an essential employee
- 2 When there are individuals who are subject to being laid off with equal past employee performance in a class the individual with the shortest length of service shall be laid off first. If two or more employees with equal past employee performances have the same length of service the individual with less total County service shall be laid off first
- 3 No Career Service employee shall be laid off while there are emergency temporary or probationary employees serving in the same classification within the jurisdiction of the same appointing authority unless such employees have been designated as essential. If a Career Service employee is scheduled to be laid off the employee shall be offered a demotion to a lower class if a vacancy exists within the office or department and the employee is qualified to fill the position in the lower class

SEPARATION FROM COUNTY SERVICE (continued)

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Career Service employees to be laid off shall be given written notification of such layoff by the appointing authority. Career Service employees receiving less than two (2) weeks notice of layoff shall be entitled to payment in lieu of said notice.

C MEDICAL DISMISSALS

In the event it becomes necessary to terminate the employment of a County Service employee due to physical inability to perform the job such termination shall be deemed a medical dismissal. Medical dismissals shall be without prejudice and the employee shall receive payment of leave benefits if otherwise eligible. Such employees shall be eligible for reemployment as their medical condition permits.

D DISMISSAL OF APPOINTIVE SERVICE EMPLOYEES

Appointive service employees may be dismissed either for cause or for the convenience of the County. Authority to dismiss appointive service shall rest with the appropriate appointing authority except that no Administrative Officer II or above may be terminated by his/her Administrative Officer IV/V (working title department/office director) without the concurrence of the County Manager.

Effective 08/01/96

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BREVARD COUNTY
MERIT SYSTEM PROCEDURES
PROCEDURE XIV

Title SEPARATION FROM COUNTY SERVICE

I PURPOSE AND SCOPE

To implement the Separation From County Service Policy

II DEFINITIONS AND REFERENCES

Merit System Policy XIV Separation From County Service Policy

III LAYOFFS

A In the event the appointing authority determines an individual is an essential employee but said individual has a past employee performance which would make him subject for layoff within this class the appointing authority must submit a written request to the Office of Human Resources Director in order to retain such individual. Such request shall contain a description of the specific skills, knowledges and abilities possessed by the employee and why the individual is an essential employee. Such request must be approved by the County Manager prior to the date another individual in the same class with a better past employee performance is separated from County service as a result of layoff.

B *Employees shall be laid off without prejudice as layoff is not considered a disciplinary action.*

IV RESERVATION OF AUTHORITY

The authority to issue and/or revise this Procedure is reserved to the County Manager

Effective 08/01/96

- A Separation shall be effective as of the date of death
- B The deceased employee will be treated as if s/he had resigned in good standing and all accrued but unused leave balances will be credited to the compensation due at the time of death

2 93 Layoff

- A Layoff or reduction in force is defined as a situation when for any reason such as -- but not limited to -- lack of funds, shortage or work, abolition of positions or organization change, it becomes necessary for the Board of County Commissioners to reduce the workforce in any operating or staff Department, Division or Unit
- B Should the Board of County Commissioners determine that such situation exists, the Board shall direct the County Manager's Office to prepare recommendations regarding the number and categories of employees to be laid off These recommendations shall be reviewed by the County Manager and approved by the Board of County Commissioners
- C The following guidelines shall be utilized when layoff or reduction in force is deemed to be necessary
 - 1 Generally the order of employees to be laid off within each job classification, function and/or operating unit approved for reduction in force is in order of the first to be laid off, as follows
 - a limited term employees
 - b temporary and emergency appointment employees,
 - c regular part-time probationary employees,
 - d regular full-time probationary employees,
 - e regular part-time employees who work less than twenty (20) hours per workweek,
 - f regular part-time employees who work at least twenty (20) hours per workweek
 - g regular full-time employees
 - 2 Veterans' preference rights will be granted in accordance with state law
 - 3 Factors in determining the order of layoff shall include, but not be limited to
 - a the particular department/division group,

- operating unit or other function affected
 - b the job classification(s) involved
 - c essential services provided by particular employees in the classification
 - d each employee s job knowledge quantity/quality of work, dependability work habits, attitude (performance evaluation job fact ratings during County service) and,
 - e length of continuous service within the County in any classification or Department
- D The County will attempt to give employees as much advance notice as possible of any layoffs or reductions in force, and will abide by any or all laws applicable to layoffs and notice provisions
- E All employees who are separated during a layoff will be listed on a reinstatement consideration list in reverse order of release Laid off employees will be given first consideration for County position vacancies and accorded the preference given to internal job applicants for a one (1)- year period (See Section 2 32(G))

2 94 Discharge

- A A discharge is defined as the involuntary separation of an employee from County service as a result of disciplinary action, unacceptable performance rejection of probation misconduct failure to comply with County policies and procedures etc
- B Employees discharged from County service shall not be eligible to receive payment for any unused leave upon termination
- C Discharged employees may not be eligible for re-employment rights to County service

2 95 Financial Obligations to County When outstanding debts have been incurred and remain unpaid by a separating County employee, such as

- A payment due for abuse misuse willful loss or destruction of County property
- B shortages in paid leave accounts which in an unusual circumstances might occur through error when an employee utilizes paid leave beyond his/her accrual and

14 00 LEAVING COUNTY EMPLOYMENT

14 01 LAY OFF

An employee may be laid off when it becomes necessary by reasons of but not limited to Shortage of funds lack of work the abolition of job positions or material changes in job duties or organization structure or for other reasons which are beyond the employer's control. As a guideline every effort will be made to provide employees with a minimum of 30 calendar days notification prior to lay off. No benefits shall be accrued during the period of lay off.

Employees shall be laid off in the following order:

- 1 Temporary employees
- 2 Probationary employees
- 3 Regular employees

Layoffs in each affected position classification shall be made in inverse order giving primary consideration to an employee's performance record and secondary consideration to seniority and service. The same method shall be used when considering employees for re-employment. Any person who is re-employed in a regular classified position within one year of the effective date of lay off shall be reinstated.

- 1 With no loss of seniority for accrual of sick annual leave etc
- 2 At a rate of pay comparable to others in the same job classification with a comparable length of service
- 3 With reinstatement of the sick leave hours not paid at the time of termination
- 4 With immediate life and health insurance coverage

Employees re-employed in a regular classified position within one year of the effective date of lay off will receive a new hiring date even though their accrual date (adjusted to deduct time not worked during actual lay off period) will remain as it was prior to lay off. Such employees will also be subject to serving a trial period (as defined section 5 01 third paragraph). Further such employees will be eligible to use any reinstated sick leave newly accrued vacation leave or PTO which has not been used during the current calendar year immediately upon returning to county employment.

14 02 RESIGNATION

Should it become necessary for you to resign your position with Polk County government we ask that you submit a letter of resignation to your supervisor at least 2 weeks prior to the date of your resignation. Your letter of resignation should indicate the last day of work and your reason for resigning. After notice of termination has been given employees may not use vacation leave sick leave or PTO except for bonafide documented emergencies which must be approved by the Department Director. Employees are expected to work out their notice. Upon mutual

Okaloosa

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An employee who without valid reason fails to report to work for three consecutive workdays without authorized leave shall be separated from the payroll and reported as a compulsory resignation

Section D Reduction in Force (Layoff) Policy

An employee may be laid off when it becomes necessary by reason of but not limited to lack of work shortage of funds abolishment of a position or changes in organizational structure This action does not reflect discredit upon the service of the employee Employees affected by such reductions in force shall receive not less than two (2) weeks written notice of termination of employment if possible

The order of such layoffs shall be based on overall performance record disciplinary record training and experience attendance and length of service with the county When two employees are relatively equal with respect to these factors the less senior employee will be laid off

Laid off regular employees will receive full payment for all accrued annual leave at the employee's current rate of pay up to the maximum limits prescribed in this policy

Regular employees with less than ten years of continuous service with Okaloosa County who are laid off shall receive payment for twenty five percent (25%) of accrued sick leave up to a maximum of 240 hours Regular employees with more than ten years of continuous service with Okaloosa County who are laid off shall receive payment for accrued sick leave in accordance with the schedule stated in this policy

Employees who are laid off may apply for internal vacancies for a period equal to one-half of the employee's service of employment with the county at the time of layoff or one year whichever is less

RECALL

The anniversary date for a laid off employee who is recalled shall be adjusted forward by the number of days that the employee was laid off

For purposes of annual and sick leave accrual rate recalled employees shall retain credit for prior service Recalled employees shall have any accrued annual and sick leave for which the employee did not receive any payment at the time of layoff restored The employee may have all vacation and sick leave restored if the employee repays the full amount of payment received within sixty days following reinstatement

The employee may be paid at a rate comparable to others in the same job classifications with a comparable length of service if the department budget will permit

Recalled employees shall be granted first day coverage in health life and dental insurance