

# CONCORD UNIVERSITY BOARD OF GOVERNORS

**Policy Number: CU-HR-007**

## **Classified Staff Workforce Reduction**

### **GENERAL**

The 2017 West Virginia legislature enacted, and the Governor signed, HB 2542, which changed the layoff/bumping, and recall rights for fulltime classified staff in institutions of higher education, and rendered the previous policy inoperative.

### **PURPOSE**

**This Workforce Reduction policy has been enacted to** provide administrative guidance regarding workforce reductions involving members of the classified staff.

### **SCOPE**

**This policy is applicable to:** Regular classified employees, of .53 FTE or greater, whose employment extends over at least nine (9) months of a calendar year, and who have completed the probationary period.

Temporary classified, contract workers, non-classified, faculty, and students are not included in the provisions of this policy.

### **POLICY**

**It is the policy of Concord University** to make all decisions concerning reduction in workforce of full-time classified employees both in accordance with provisions of WV Code Chapter 18B-7-3 and the rules set forth herein.

### **PROCEDURE**

#### **Layoff or Reduction in Force**

For layoffs for reasons of lack of funds or work, abolishment of a position, or material changes in duties or organization:

1. The university may layoff the incumbent in the position being eliminated.
2. In the case of elimination of some but not all of the positions of the same job title, consideration shall be given to the following factors to determine whom to layoff: (a) an employee's documented quality of work performance as demonstrated in performance evaluations of records (including, but not limited to, disciplinary records, attendance, and behavior), (b) seniority at Concord, (c) years of service in the current position, and (d) job suitability.

If after considering the factors in the sentence above, the university elects layoff of a “more senior employee”, then the organization may offer the more senior employee a severance package, the value of which shall not exceed the more senior employee’s salary for one year.

3. For the purposes of this policy, seniority is the length of continuous service at Concord University and represents one factor in decision-making regarding layoff. A more senior employee is one with longer service at the university than another employee in the same job title who is also subject to layoff.

### **Benefits**

Employees laid off under this policy will be treated as terminated for purposes not involving misconduct on the part of the employee and will be treated as such under all applicable state and federal rules, laws and regulations.

### **Notice**

A notice of intent to reduce the workforce will be sent to employees as soon as practical after a determination has been made that a reduction is necessary. The employee will be provided a written notice of layoff, which will include the effective date of the layoff and separation paperwork to be completed.

The university will use its best efforts to provide a four-week notice of resignation or to provide pay in lieu of notice.

### **Vacancies**

Although not required by state code, a classified employee subject to layoff will be considered for reassignment to a vacant position within the institutions. A position is designated vacant by the President or designee and includes the time until a formal offer has been made to and accepted by another candidate. A position does not have to have been posted to be considered vacant under this policy.

### **RESPONSIBILITY FOR IMPLEMENTATION**

**It is the responsibility of:** the Chief Human Resources Officer to oversee implementation of a workforce reduction consistent with this policy statement and corresponding state code.

### **AUTHORITY FOR INTERPRETATION**

The final authority for interpretation of this policy rests with: the Chief Human Resources Officer

### **REFERENCE / AUTHORITY**

WV Code 18B-7-3

**APPROVAL**

Revision Approved by the Concord University Board of Governors: September 12, 2017

Revision affirmed by WVHEPC:

Effective Date: September 12, 2017

Replaces Concord University Board Policy No. 007