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<b>POLICY</b>	Approval: President's Cabinet		
Title <b>REDUCTION IN FORCE</b>			

**1. PURPOSE AND SCOPE**

The purpose of the policy is to define the process for reduction-in-force and recall.

**2. POLICY**

It is the policy of the College to employ a reduction-in-force due to, but not limited to, lack of funds, elimination, or reduction of funding from outside agencies, lack of work, or the dissolution or reorganization of departments or programs.

**3. DEFINITIONS**

**3.1 Reduction-in-Force (RIF):** Elimination of a position resulting in a separation from employment; is not a disciplinary action.

**3.2 Recall:** Rehiring an employee for the position from which the individual was released for a period of six months.

**3.3 Continuous Service:** Verifiable time worked with no break of more than 90 days.

**3.4 Eligible Employee:** All employees who qualify for the College's full benefits package.

**4. REFERENCES**

- Ogden-Weber Technical College Employee Leave policy (#520.10)
- Ogden-Weber Technical College Employee Complaints and Grievances policy (#520.14)
- Ogden-Weber Technical College Employee Non-discrimination policy (#520.38)
- Ogden-Weber Technical College Retirement Programs and Benefits policy (#520.56)

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## 1. Reduction in Force

- 1.1 Human Resources staff shall coordinate with all levels of management to determine which employee(s) shall be affected in accordance with this policy and shall ensure that all consideration and actions are made without regard to any protected class as defined in the College's "Employee Non-discrimination" policy (#520.38).
- 1.2 When a RIF becomes necessary, individual performance, qualifications, and/or length of service may be considered. Qualifications can include current certifications, licensures, education, training, and related experience. A salaried employee whose position is terminated due to a RIF shall be given written notification of RIF.
- 1.3 Employees can apply for other open jobs for which they are qualified.
- 1.4 An employee identified for RIF can opt to retire if eligible. Employees shall notify their immediate supervisor and Human Resources of their decision to retire within two calendar weeks of receiving their RIF notification. RIF employees who opt to retire are eligible for retirement benefits but not severance or payment in lieu of notice.
- 1.5 Employees who voluntarily separate, e.g., accept employment elsewhere or resign, prior to receiving written notification of RIF are not eligible for severance pay or payment in lieu of notice.

## 2. Reinstatement/Recall of RIF Employee

- 2.1 An eligible employee who has more than six months of continuous service has recall rights for the position from which the individual was released for a period of six months.
- 2.2 An eligible employee with less than six months of continuous service has no recall rights.
- 2.3 Individuals with recall rights must inform the College of a change of address so that the College may notify the individuals by certified mail when work is

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available. If the individuals do not inform the College of their intention to return to work within 10 calendar days after notice is received, the individuals' names shall be deleted from the priority recall list.

- 2.4 An individual with recall rights shall be recalled if the position from which the individual was released becomes available within six months.
- 2.5 The Human Resources Department shall maintain a priority recall list of all employees with recall rights. All recall considerations and actions shall be taken without discrimination against any protected classes as defined in the College's "Employee Non-discrimination" policy (#520.38).
- 2.6 An individual who is recalled shall be reinstated without loss of benefits based on longevity of employment.

### 3. Appeals

Employees separated due to a RIF may appeal to the division vice president for an administrative review. Employees must submit notice of appeal within 10 calendar days after the receipt of written notification of termination.

### 4. Outside-Funded Positions

Employees whose salaries are funded from sources outside of the College are employed for the term of their funded appointments/contracts only. During the term of their employment, they are covered by the same policies and possess the same benefits as other College employees with the exception of the right to advanced notice of termination or other termination benefits at the conclusion of their funded appointments/contracts.

### 5. Severance Pay

- 5.1 The College, when possible, shall give the employee affected by the action a minimum of 30 calendar days' written notice provided they are in an exempt status. Non-exempt employees shall be given as much written notice as possible but no less than 15 calendar days.

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**5.2** Employees who voluntarily separate, e.g., accept employment elsewhere, retire, or resign, prior to receiving written notification of RIF are not eligible for severance pay.

**5.3** On the last day of work, an employee affected by a reduction-in-force shall receive the following pay:

5.3.1 **Salaried exempt/non-exempt employees:** One week's pay for every full year of employment at the College to a maximum of 16 weeks (a year is based on the employee's salaried hire date).

5.3.2 **Hourly/Temporary employees:** Not eligible for severance pay.

**5.4 Severance pay shall be based on two factors:**

5.4.1 The employee's current base weekly wage or salary (overtime and any bonus compensation shall not be considered).

5.4.2 The employee's length of continuous service as a salaried employee with the College.

**5.5** Severance pay shall be conditioned upon the employee signing a release of claims against the College in a form acceptable to the College and complying with all College policies and procedures for terminated employees.

## **6. Payment in Lieu of Notice**

**6.1** Employees who are placed in RIF status and do not receive advance notice of termination shall be provided with a financial payment (also known as "payment in lieu of notice") and shall not report to work thereafter.

**6.2** Payment in lieu of notice shall be paid out based upon the working days within the notice period in addition to accrued salary, wages, and unused vacation time.