

Section: SEPARATION
Subject: Reduction in Force (RIF) - Faculty
Number: HR 3816

I. Institutional Regulations

- A. If it becomes necessary to reduce the number of Regular faculty or their work hours, the College shall conduct a reduction in force (RIF) in accordance with any applicable federal and state laws and regulations and the following guidelines. A RIF due to the elimination of special funds shall be conducted in the same manner as any other RIF.
1. The College shall designate the program(s), disciplines and/or job titles where an employee reduction in force is necessary. The College shall first accomplish such reduction by not replacing employees in the designated programs who voluntarily resign or who retire.
 2. In the event reduction in staff within the designated programs, disciplines and/or job titles cannot be completed through resignation or retirement, the College agrees to notify the Association in advance of reduction in force at which time the Association may make its views and recommendations known concerning implementation of employee reduction in force.
 3. The College will determine the employees, within designated program(s), disciplines and/or job titles, to be laid off based upon a) competency as determined by the Evaluation Procedure, b) fulfillment of the requirements of the Quality Faculty Plan, and c) seniority. Seniority shall be the controlling factor in the layoff within the designated program(s) after the College has judged "a" and "b" to be equal.
- In unusual circumstances where the reduction entails combining of programs, the College will also consider educational training, teaching and work experience along with satisfactory fulfillment of the requirements of the Quality Faculty Plan.
- B. A RIF shall require the approval of the President and, if it will affect employees with continuing contracts, it shall require the approval of the Board of Directors.
- C. A RIF of an employee with a continuing contract shall be effective at the end of the employee's contract year. A RIF of other employees may occur at any time, following the required period of notice.

II. Procedures

- A. Faculty Employees With Continuing Contracts
1. Written notice of recommended termination or reduction in hours due to RIF, to be presented at the Board meeting held on or before May 15, shall be delivered to affected employees, or sent by certified mail to be received no later than April 30.
 2. An affected probationary or nonprobationary employee may request a private hearing before the Board of Directors within 5 calendar days of receipt of the notice. Hearings shall be conducted in accordance with Chapter 279 of the Code of Iowa.
 3. If a hearing is not requested, the Board of Directors shall vote on the recommended RIF actions at a meeting held on or before May 31. If approved, written notice of the RIF shall be mailed to the affected employees following the Board meeting.
 4. An affected nonprobationary employee may appeal the Board's determination to an adjudicator in accordance with Chapter 279 of the Code of Iowa, and either party may appeal the adjudicator's decision to district court.
- B. If an opportunity to be heard is not requested, or if the RIF is upheld by the appropriate authorities following the opportunity to be heard, Human Resources shall initiate a Separation of Employment form.

C. Return to Employment Following a RIF

1. Re-employment

- a. If an employee is rehired, the hire shall be considered a re-employment.
- b. If re-employed, the employee's layoff shall not constitute a break in service for purposes of the original hiring date, which shall not be changed. However, the seniority date shall change.
- c. If re-employed, unused Sick Leave available at the time of the RIF shall be restored.
- d. Pay on re-employment shall be as recommended by the supervisor and as approved by the Vice President, or other direct report to the President, and Human Resources.

APPROVED:



Executive Director, Human Resources

Date: July 11, 2017