Response to Questions on the FY 2010 County Lines of Business & Schools Program Review Processes Public Process - Fall 2008

Request By: Public

Question: Explain the County policy on Reductions in Force (RIFs)

Response: The following response was prepared by the Department of Human Resources and was last updated in August 2008.

SUMMARY OF REDUCTION IN FORCE (RIF) PROCEDURE
(Section 9.4 of Fairfax County Personnel Regulations)

- County Executive invokes Reduction-In-Force procedure.
- Agency heads declare classes and number of positions to be abolished.
- All probationary employees in the designated classes in the department must be separated first.
- The Human Resources Director is authorized to suspend the filling of any vacant position to maximize the placement opportunities for employees displaced by the RIF.
- Seniority is based on total length of continuous paid merit County/Schools service. Year-for-year deduction is made for below satisfactory performance evaluations received within three years prior to RIF.

Continuous service: County/Schools service prior to a break in service of less than one year is counted. Service prior to normal or early retirement from a County retirement system is not counted.

SUMMARY TRANSFER/BUMPING SEQUENCE

RIF Process Begins

Employees in designated classes within the department are ranked according to seniority. Least senior employee(s) in the designated class(es) is (are) subject to RIF procedure as outlined below.

Merit employees shall be given 30 days advance notice of reduction-in-force.

RIF Placement Begins

Step 1 Placement (County-wide) in vacant positions in employee's active class.

Transfer is mandatory. If not accepted, employee is terminated and forfeits severance pay and reemployment rights.

Active class is defined as the class to which employee is assigned when RIF is implemented.

Step 2 Placement (County-wide) in vacant positions at same pay grade but in different class. This includes placement in secondary job classes at the same pay grade.

If transfer is not accepted, employee moves to next step but waives right to placement in class where position was offered. Employee also waives reemployment rights and severance pay entitlement.

Secondary class is defined as a class equal to or lower in grade than the employee's active class to which he/she has previously been assigned for at least one year, as well as lower classes in the class series. Secondary class also includes lower classes in the employee's current active class series.

Step 3 Displace probationary employees County-wide in current active class.

Transfer is mandatory. If not accepted, employee is terminated and forfeits severance pay and reemployment rights. Probationary employees so displaced are terminated with 30 days notice.

Step 4 Placement in vacancies in secondary and other appropriate classes County-wide which are at lower grade.

If placement is not accepted, employee moves to next step but waives right to bump in class where placement was offered. Employee also waives reemployment rights and severance pay entitlement.

Step 5 Displace probationary employees County-wide in secondary classes.
If placement is not accepted, employee moves to next step but waives right to bump in class(es) where position was offered. Employee also waives reemployment rights and severance pay entitlement.

Step 6 Bump employee with lower seniority ranking in secondary class <u>within department</u>.

If demotion is not accepted, employee moves to next step. Employee waives reemployment rights and severance pay entitlement.

Department is defined as all offices, divisions, and other work units which are under the control of a single appointing authority.

Employee may not bump in any class where he/she has rejected an opportunity in Step 3, 5 and 6. Employees must accept first available displacement or bumping opportunity. Opportunities will be offered in grade level order, beginning with highest grade level opportunity.

An employee who is demoted under RIF provisions retains his/her rate of pay until he/she qualifies for another position in the former pay grade or in a pay grade with a higher range of pay. If the employee's rate of pay is above the maximum pay rate for the lower pay grade he/she shall not be entitled to an increase in salary until his/her salary falls below the maximum rate offer for the lower pay grade.

Step 7 Employee is laid off and name is placed on appropriate reemployment lists.

Severance pay is granted as follows if employee has not forfeited at earlier step.

YEARS OF SERVICE	WEEKS OF SEVERANCE PAY
2 to 5	3 weeks pay
6 to 10	4 weeks pay
11 to 15	5 weeks pay
16 or more	6 weeks pay

RECALL PROCEDURE

- Employees who are demoted or laid off under RIF procedures shall have their names placed on the reemployment list for their active class. At the employee's request, his/her name will also be placed on reemployment lists for secondary classes.

- Names remain on the lists for two years from date of lay off or demotion or until employee is offered and rejects a reemployment opportunity in his/her active class, whichever comes first.

- Such employees shall be accorded first opportunity for reemployment in the active class. They shall receive priority certification in secondary classes but not guaranteed placement.

- If an employee rejects a reemployment opportunity in a secondary class, his/her name will remain on the reemployment list for the active class.

- If an employee accepts reemployment in an exempt limited term or exempt part-time position, his/her name will remain on the reemployment lists.