



REDUCTION IN FORCE

Currently, centers are experiencing funding shortages through state budget reductions and loss of federal grants. When funding resources and/or the level of service demands require a reduction/realignment in the work force, either permanently or temporarily, the Executive Director, at the direction of the Board of Trustees, is responsible for using a combination of attrition, reassignment of existing staff, and terminations to meet the necessary reductions. These strategies should be addressed in the Center Reduction in Force Plan (Plan).

The Plan should have several components. First, a description of the business necessity for a reduction in force (RIF), such as funding cuts or restructuring of the center. Business necessity should always be the driver in a reduction in force. Second, what steps the center has or will take to avoid a RIF. Next, how will the positions slated for elimination be chosen? Remember to phrase any reduction in terms of reducing positions, not people. Fourth, what will the center do to help the affected employees?

Decisions to eliminate positions will be made in accordance with objective, business-related rationale. All affected employees will be notified as soon in advance as possible.

In order to reduce the impact of actual reduction in staff, the following methods may be used to avoid job loss for current employees:

1. Attrition – utilize vacant positions for purposes of reclassification or reduction.
2. Posting of all positions “in-house-only” initially in order to give employees opportunities in other units.
3. Hiring of temporary employees to complete one-time jobs.
4. If services are being outsourced, work with an outsourcing agency to place center employees.

The two types of reduction in force may be handled as follows:

1. Elimination of a functional unit within the center.
 - a. Post all vacant center positions for these employees only for a period of time.
 - b. If more than one affected employee applies for the same position, decide the criteria for filling the positions. Suggested criteria are:
 - 1) Necessary skills, training and/or education to meet the minimum requirements for the position;
 - 2) Disciplinary action (from a written reprimand) in their personnel file for the last 12 months;
 - 3) Recent evaluation cumulative score; and
 - 4) Longevity.

2. Elimination of individual positions.
 - a. The affected employee may be given first option for any open position in the center for which the employee qualifies for a period of time to be determined by the Executive Director.
 - b. In the event more than one employee whose position is being eliminated applies for the same position, the criteria under 1(b) above will apply.

If any employee facing a reduction in force fails to apply for an open position within a specified time after posting, the position may be opened to other internal and external applicants.

Mass layoffs (50 or more) may trigger WARN Act (Worker Adjustment and Retraining Notification Act) notice. The Texas Workforce Commission has excellent material on the provisions of the Act as well as resources for affected employees.

Link: <https://www.twc.texas.gov/data-reports/warn-notice>