

JAMES A. RHODES STATE COLLEGE  
HUMAN RESOURCES POLICY STATEMENT

This policy and/or procedure provides operating principles for Human Resources issues at James A. Rhodes State College. It supersedes any prior policy covering the specific subject. This policy and/or procedure may be suspended, modified or cancelled as determined by the College. This policy and/or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.

This policy and/or procedure is provided on-line for the convenience of access for College employees. The original policy will be the governing copy and is on file in Human Resources.

(Specific Policy Follows on Next Page)

Applies to: Faculty, and Administrative, Professional and Technical Staff

A. Policy Guidelines

1. It is the College's intent to provide stable employment for all regular faculty, administrative, professional, and technical staff employees. However, these employees may be subject to reductions in work force based on a justifiable lack of work, declining enrollment, institutional income factors, legislative action, termination of funding for a grant funded project, or any combination of these or other factors. The College, working within these policies and guidelines may be required to curtail or delete certain programs at the same time that other programs are being retained, expanded, or added, depending upon the legitimate educational requirements of the College.
2. When a reduction in work force is required, the highest priority will be given to programs and services which are most necessary in meeting the educational needs of the students and the community. This prioritization process will be consistent with the established priorities and objectives of the College.
3. A reduction in the work force implies a responsibility on the part of the College to rehire/re-employ, or reinstate, a faculty or staff member if suitable work becomes available.
4. All reductions in work force which are necessitated as a result of the factors enumerated herein shall be subject to review by the Office of Human Resources, which provides policy guidance and coordination for faculty/staff reduction plans.

Note: The term "staff member" in this policy will mean any faculty, administrative, professional or technical staff employee.

B. Attrition

As soon as it becomes apparent to a vice president or an administrative officer that there is likely to be a reduction of staff or faculty personnel, he/she shall immediately notify Human Resources. The vice president/administrator officer and Human Resources shall estimate the number of reductions that can be accommodated by voluntary retirements, resignations, leaves and other forms of attrition.

C. Review of Temporary and Part-Time Employment

Prior to reducing the number of regular, full-time staff members, administrators will review their current use of temporary and part-time staff members. Whenever possible, workloads should be rearranged to enable the College to retain its regular, full-time staff. Temporary and part-time staff members should be terminated prior to regular full-time staff being terminated.

D. Optional Transfer/Termination

If a similar position is available for a staff member who is losing his/her position, the College may transfer rather than terminate the staff member. If the appropriate vice president determines that a reasonable opportunity exists, a staff member shall be given the opportunity to retrain himself/herself to meet the qualifications required to move into areas where vacancies do or may exist. The College will have fulfilled its reinstatement or rehire obligation to any individual who declines an offer to be transferred to a similar position within the College and is subsequently terminated.

E. Leave of Absence; Layoff During Leave

1. A leave of absence will not be granted in lieu of an abolishment of position and termination of a

faculty/staff member.

2. Staff members who are on vacation, sick leave, medical leave of absence, military leave or any other leave of absence may be laid off as any other employee and retain only the reinstatement and re-employment rights of any other laid off employee.

F. Determination of Employee(s) to be Laid-Off

When staff and/or faculty reductions cannot be satisfied by the above methods and the work assignment and/or competency of staff or faculty is relatively equal, the following will prevail in deciding which staff or faculty member(s) will be reduced. First, faculty rank within a curricular program area affected will govern; that is, all Lecturers will be reduced first; then all Instructors; then all Assistant Professors, and so forth. Second, seniority in a curricular, service or support program area(s) affected will be used in deciding which staff or faculty member will be reduced. The most recently employed or assigned staff or faculty member will be the first reduced and additional reductions shall proceed in that order.

G. Notice

A period of notice, in writing, of not less than thirty (30) calendar days must be given by the appropriate administrator to the regular full time staff member to be terminated. This action will be coordinated by the Director of Human Resources.

H. General

1. The term "service" as used in these procedures means uninterrupted employment with the College beginning with the latest date of appointment and including any period of absence authorized by the College. A regular staff member whose position is eliminated and who is subsequently rehired, or reinstated by the College maintains his/her original appointment date for purposes of benefits eligibility.
2. During the period of layoff, the benefits of vacation, sick leave, group health insurance and retirement are affected as follows:
  - a) **Vacation**  
When a staff member is laid off and a specific return-to-work date has been established, his/her accrued vacation need not be paid out at time of the layoff. In instances of job abolishment where no return to work is anticipated, accrued vacation will be paid out at the time of layoff.
  - b) **Sick Leave**  
A staff member retains any accrued sick leave but does not accrue sick leave during any period in which he/she is not on the College payroll.
  - c) **Group Health Insurance Plans**  
Coverage in the College group health plans may continue for up to eighteen (18) months if the employee agrees to pay the monthly premiums. (Cobra)
  - d) **Retirement Contributions**  
Contributions to the retirement plans (STRS and PERS) are discontinued as of the effective date of the individuals termination. An individual may withdraw his/her contributions after his/her termination in accordance with the specific retirement plan's guidelines for refund of contributions.
  - e) **Unemployment Compensation**  
Employees affected by a reduction in work force may be eligible for unemployment

compensation.

- f) All other benefits are terminated when the staff member is not on the College payroll.

I. Rehire/Re-employment and Reinstatement

1. Rehire or re-employment entitles the affected staff member to accept any position for which he/she is qualified.
2. Reinstatement entitles the affected staff member to assume his/her former position or to assume an equivalent position.
3. The reinstatement procedures do not require a staff member repeating in reverse order any interim positions to which he/she may have been transferred prior to position abolishment or termination. The reinstatement procedure refers to the original position held by the staff member at the time he/she received the first notice of position abolishment and termination.
4. Regular full-time staff members who have been terminated because of a reduction in force shall be offered re-employment to any temporary, part-time, full-time, or adjunct faculty positions for which they are qualified, before temporary or part-time staff members are re-employed or any new staff members are hired. Failure of a staff member who has been terminated to accept an offer of re-employment or reinstatement to a regular, full-time position for which he/she is qualified, shall make him/her ineligible for further consideration of rehiring or reinstatement.
5. Staff members who were terminated under this procedure will be rehired or reinstated to positions in the reverse order in which they were terminated, provided positions for which they are qualified are available. This provision is applicable provided that staff members eligible for reinstatement or rehire possess basically equal qualifications for the available position(s). Otherwise, the staff member with the best qualifications will be rehired or reinstated. When a staff member has not been reinstated nor re-employed after one year from the date of his/her termination, the College will have completed its obligation for reinstatement or rehire.
6. Staff members who are terminated under this procedure will be eligible to apply for any positions through the College's position posting procedure as internal staff members for twelve months from the effective date of termination.
7. All staff members terminated by reason of a reduction in force must keep the Human Resources Department informed of their current mailing address and telephone number in order to be eligible for rehire or reinstatement as specified in this policy.
8. Human Resources will be responsible for monitoring these procedures to assure that full and proper consideration is given to laid-off staff members rehire and reinstatement eligibility status.