



# CITY OF NEWPORT NEWS

## PERSONNEL ADMINISTRATIVE MANUAL

EFFECTIVE DATE: 2/1/2009

SECTION <b>503</b>	SUBJECT <b>REDUCTION-IN-FORCE</b>
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### **I. PURPOSE AND SCOPE**

To establish an effective and objective process to use should the City determine that a reduction-in-force is necessary.

Reductions-in-force may be directed by the City Manager or recommended by the department head, subject to the approval of the City Manager. The City Manager has the right and obligation to manage the workforce in the best interest of the City and may require implementation of this policy. See also Section 102, Management Rights.

This policy applies to all City positions, regardless of employment status.

### **II. DEFINITIONS**

**Job Category** – Includes the classification of the position or job title of the position in the budget and any other job titles that may be used to underfill the position.

**Reduction-in-Force** – A management decision to reduce the number of currently filled positions due to circumstances such as financial constraints, loss of funding, a reduction in services, end of a program, or the reorganization/restructuring of operations.

### **III. PROCEDURE**

When there is a reduction in the number of currently filled positions due to circumstances such as financial constraints, loss of funding, a reduction in services, end of a program, or the reorganization/restructuring of operations, the following procedure will be used.

- A. The City Manager or department head will coordinate any reduction-in-force with the Director of Human Resources.
- B. The department head, with the approval of the City Manager, will identify which positions need to be eliminated. In some cases, the duties and functions of remaining positions may be combined or restructured.
- C. When a reduction-in-force will eliminate some but not all positions in a particular job category within a department, division, or organizational unit, determination of employees to be retained will be made by the department head and the Director of Human Resources based on a comparison of the employees' knowledge, skills, and abilities as they relate to the on-going needs of the organization. The employees' past performance and conduct may also be

AMENDS/SUPERSEDES SECTION 5031-2, DATED 3/1/90	REFERENCES	APPROVAL 
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considered. Continuous service date or job seniority will be considered only when determinations cannot be made on the basis of other factors. All comparisons shall be made on a non-discriminatory basis. Any decisions that result in the displacement or termination of employees shall be documented and provided to the Department of Human Resources.

- D. Employees who are being displaced or terminated will be given as much notice as possible, but no less than 30 days advance, written notice.
- E. During a reduction-in-force, the Director of Human Resources may suspend normal recruiting procedures as necessary and, in coordination with the appropriate department head, may reassign or place affected employees in vacant remaining City positions for which they qualify, using an established placement process.
- F. A person who is employed for a limited period of time, or on a part-time, temporary, or substitute basis may be terminated upon completion of the project or work period. Such termination does not necessarily fall under this policy. However, whenever possible, employees who are scheduled to be terminated under these circumstances should be given as much notice as possible.

#### **IV. EMPLOYEE STATUS, BENEFITS AND COMPENSATION**

- A. The Department of Human Resources will provide each employee being displaced with information explaining his/her benefits and status.
- B. Regular full-time employees whose employment is to be terminated shall be placed on a one month unpaid leave of absence from the date the position is eliminated. An unpaid leave of absence will allow the employee to continue any insurance benefits in effect for an additional month by paying only the employee portion of the insurance premium, should the employee desire to continue coverage.
- C. Employees may not use accrued paid personal leave (PPL) or compensatory leave time following the date the position is eliminated, or use PPL or any other type of leave to extend their term of employment. If the employee is eligible to retire, the current policies in effect for applying PPL and paid medical leave (PML) towards service credit for retirement purposes shall apply.
- D. Employees who are subject to a reduction-in-force do not possess grievance rights except where such reduction-in-force affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance. (See Section 1101, Grievance Procedure.)

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- E. The Department of Human Resources will provide job placement assistance for a period of up to 12 months to each employee being displaced or terminated. This assistance will include reviewing the employee's application, counseling the employee regarding appropriate job opportunities, and ensuring current job vacancy information is available to the employee. Although there is no guarantee of reemployment in these situations, the Department of Human Resources will provide reasonable assistance to the employee in applying for employment within the City organization.

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