

**3341-5-43 Reduction in Workforce for Classified Employees**

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|----------------------|-------------------------------|
| Applicability        | All University units          |
| Responsible Unit     | Office of Human Resources     |
| Policy Administrator | Chief Human Resources Officer |

**(A) Policy Statement and Purpose**

The University seeks to provide stable employment; however, conditions may arise when a reduction in workforce may occur. This policy is meant to assure that a reduction in workforce is administered without prejudice, equitable to employees, and minimizes disruption to employees and the University business operations.

**(B) Policy Scope**

This policy applies to classified staff employees of Bowling Green State University.

**(C) Policy Definitions**

For purposes of this policy, each of the following functional areas of the Bowling Green campus is a “work unit”: Academic & Student Affairs; Advancement; Athletics; Enrollment Services; Finance & Administration; and other areas that report to the President. The Firelands campus is a single “work unit.”

**(D) Reasons for a Reduction in Workforce**

In most instances, a reduction in workforce will occur by general layoff or layoff due to abolishment of positions. A general layoff by classification may occur due to lack of work or lack of funds. A layoff due to the permanent abolishment of one or more specific positions may occur due to reorganization for efficient operations, reasons of economy, lack of work, or more than one of these reasons.

The reduction of an appointment from 1.0 FTE (or 40-hours per week) to 0.80 FTE (or 32-hours per week) or greater must be approved by the Chief Human Resources Officer and is not considered a layoff or abolishment.

Unsatisfactory performance is not a reason for a reduction in workforce. Performance problems should be addressed through performance management and corrective action.

(E) Policy

(1) Request and Approval Process

If a senior administrator in charge of a work unit determines that a reduction in workforce is necessary, they shall complete and submit a statement of rationale to the Chief Human Resources Officer at least forty-five days before the proposed date for implementing the reduction. The statement must explicitly describe the reasons for the proposed action.

The Chief Human Resources Officer will review the statement and may discuss it with the senior administrator and/or request additional information. No reduction in workforce may be implemented without the prior written approval of the Chief Human Resources Officer.

(2) Layoff Notice

The Chief Human Resources Officer shall notify each employee to be laid off, in writing, at least fourteen (14) calendar days (if hand delivered) or at least seventeen (17) calendar days (if by certified mail) before the effective date of the layoff.

This notice requirement applies to general layoffs by classification, layoffs due to abolishment of position, and layoffs due to displacement.

(3) Displacement

Classified employees (excluding those holding temporary or intermittent positions) may have displacement rights, commonly known as “bumping,” under specific circumstances.

Displacement generally means that a qualified classified employee whose position is abolished may fill a vacancy within their same classification or

displace the employee with the fewest retention points in the same classification and work unit of the position being abolished.

Because displacement is extremely disruptive, employees whose positions are abolished are strongly encouraged to begin an internal job search as soon as they receive official notification of the abolishment.

Within 30 days of the date of the official notification of abolishment, the affected employee will either be assigned to a vacancy, exercise displacement rights, or be laid off in accordance with this policy.

(a) If a vacancy for which the employee is eligible exists within the same classification on the same campus, then placement will occur within 30 days of the date of the official notification of the abolishment. To be eligible, the employee must be able to perform the required duties of the job into which they would be placed. If they cannot perform the required functions, as determined by the Office of Human Resources, they will not have displacement rights and will be laid off.

(b) If no vacancy exists within the classification, then displacement to a position within the same classification and work unit, if available, will occur no later than 30 days from the date of the official notification of the abolishment. The affected employee must be able to perform the required duties of the job into which they would be placed. If they cannot perform the required functions of the position, as determined by the Office of Human Resources, they will not have displacement rights and will be laid off.

(c) If no vacancy or position exists within the same classification and work unit for which the employee has displacement rights, the employee will be laid off.

(d) An employee who is placed into a vacancy will be required to serve a 120-day probationary period. Should the employee fail to successfully complete the probationary period, they will be provided with a fourteen (14) calendar day notice and then laid off. Any employee failing a probationary period will not be placed on the recall list.

(e) Displaced employees shall be paid according to the end of probation rate assigned to the job into which they will move.

(f) A full-time employee may displace a part-time employee if such a position exists within the same classification and work unit and there is no full-time position available. A part-time employee may not displace a full-time employee.

(g) Separation of employment will occur within two weeks of the date of official notification, if an employee who is able to perform the required duties of the job declines placement into a vacancy; or declines to displace into a position of the same classification and status. Both displacement and reinstatement rights will cease immediately.

(F) Retention Points

(1) Calculation

The calculation of retention points is based on continuous service. Each newly hired full-time and part-time classified employee will receive 100 points as the base retention points.

Thereafter, each full-time classified employee will earn one (1) retention point for each bi-weekly pay period of continuous service. A full-time classified employee may be full-time permanent, full-time seasonal, full-time interim, or full-time temporary employee. For those classified employees who are full-time seasonal, interim, or temporary, a retention point will be given only for those pay periods in which the employee was scheduled to work. An employee in a full-time position at any time during a pay period will be considered full-time for the entire pay period.

Retention points for continuous service other than full-time service will be calculated based on one-half (0.50) of a point for each bi-weekly pay period of continuous service.

(2) Application

Retention points generally determines the order of layoff by classification; the identification of employees subject to displacement, and the order of reinstatement.

In the event two or more employees have identical retention points as calculated by this rule, the tie shall be broken by utilizing the following methods, in the following order. First, the employee having the most recent date of continuous service from which no break in service has occurred shall

be laid off or displaced first. Second, the appointing authority will determine the employee to be laid off or displaced first.

(G) Reinstatement

Employees who are laid off have reinstatement rights for a period of one calendar year from the date the employee was first laid off or displaced from their classification. Recall lists will be maintained by the Office of Human Resources specific to campus, classification, employment status (part-time or full-time), and retention points. When a vacancy arises, it will be offered to individuals on the recall list in the order of those with the most retention points to the least retention points. Full-time employees who displace into a part time position will be placed on the appropriate recall list.

Reinstatement is contingent upon the employee being able to perform the required functions of the position.

(H) Exceptions to Displacement and Reinstatement Rights

If an employee chooses to take severance, displacement and reinstatement rights cease. If an employee declines placement into a vacancy or declines to displace into a position to which they are entitled, displacement and reinstatement rights cease.

An employee who did not receive a satisfactory or higher performance rating on the most recent performance review or who has received a suspension within the past twelve months will not have displacement or reinstatement rights

(I) Effect on Benefit Programs

(1) Vacation time

Employees who have completed at least 2,081 hours of service to the University are eligible to receive payment for accrued and unused vacation time, up to the maximum number of hours at the time of layoff/termination, or they may transfer the funds into a 403(b) or Ohio Deferred Compensation Account.

(2) Sick leave

There is no payment for sick leave at the time of layoff or termination. Sick leave balances are kept for 10 years and may be transferred to any State of Ohio institution within that timeframe.

(3) Personal leave

Personal leave time is not paid out. If the employee is not recalled within the calendar year in which the layoff occurred, the balance is eliminated.

(4) Insurance

Insurance benefits will be continued until the end of month in which the layoff or termination date occurs. COBRA benefits will be made available after the layoff termination date.

(5) Retirement contributions

Contributions to retirement plans are discontinued at the time of layoff/termination. Employees are advised to consult their retirement plans for specific information.

(6) Unemployment compensation

Employees who are laid off or terminated as a result of a reduction in workforce may be eligible for unemployment compensation. Guidelines are governed and administered by the Ohio Department of Job and Family Services.

(J) Appeal

An employee may appeal a layoff or displacement that is a result of a layoff to the State Personnel Board of Review within ten calendar days after receipt of the layoff notice or within ten calendar days after the date the employee is displaced.

Equity Impact Statement: The policy has been assessed for adverse differential impact on members of one or more protected groups.

Registered Date: September 16, 2021