

H. COUNCILL TRENHOLM STATE COMMUNITY COLLEGE
1225 Air Base Blvd.
Montgomery, AL 36108

REDUCTION IN FORCE GUIDELINES

I. Purpose and Scope

To provide Trenholm State Community College with a systematic and equitable procedures for reducing the number of full-time employees during situations where such reduction is made necessary by extraordinary circumstances such as, but not limited to, lack of sufficient funds; a decline in enrollment in a given course, program, or discipline to the extent that continuation of the course, program, or discipline, is, or will likely become, impractical or economically unreasonable; or a change in academic mission, or administrative or ministerial function, of such a nature as to necessitate significant organizational changes. The procedures developed pursuant to state board policy 624.01 shall only be used when circumstances justify the implementation of the procedures.

Reduction-in-Force (RIF) for the purpose of this policy means a reduction in the total number of full-time equivalent employees at a respective college made necessary by extraordinary circumstances such as, but not limited to, a lack of sufficient funds; declining enrollment in a given course or program to the extent that further offering of the course or program is, or will likely become, impractical or economically unreasonable; or a change in academic mission, or administrative or ministerial function, of such a nature as to necessitate significant organizational changes. Not every release of an employee shall be considered a “reduction-in-force.” An isolated employee termination or non-renewal, particularly if done for just cause or as a result of a lack of satisfactory performance, shall not be considered a reduction-in-force for the purposes of this policy. Reduction decisions will be made without regard for the employee’s race, color, sex, religion, national origin, age, or any other unlawful reason.

II. Management Decisions

- A. The college shall identify each of its employees in terms of each employee’s job description (to include minimum qualifications) and organizational unit and shall make this information available to each employee.
- B. The college shall identify each organizational unit and each employee to be affected by the reduction-in-force to the Chancellor and the manner in which unit and employee shall be affected.
- C. If the President determines that a full-time non-probationary employee who is not the senior person in a given job classification or occupational area possesses a certain license, certification, or job skill, the loss of which would be severely detrimental to the operation

of TrenholmTech, the President may request review and approval by the Chancellor of an exception to the general guidelines relating to the release of full-time personnel on continuing service status. (This exception shall not be available for part-time, temporary, or probationary employees.)

III. Execution of Reduction in Force

The State Board of Education, at the request of the President and upon the recommendation of the Chancellor, shall determine when it is necessary for Trenholm State Community College to execute the guidelines for reduction-in-force. Upon the formal approval by the State Board of Education of the execution of a reduction-in-force action, the President shall, as soon as possible, notify all employees affected by the reduction-in-force.

IV. Sequence of Reduction in Force

- A. Temporary and/or part-time employee(s) performing the same duties as non-temporary full-time personnel shall be released prior to the release of any of the non-temporary full-time employee(s) or probationary employee(s).
- B. Any probationary employee(s) performing the same duties as a respective non-probationary employee(s) shall be released prior to the release of the non-probationary employee(s).

V. Implementation of the Reduction in Force

- A. The college shall determine the following items prior to developing the reduction in force plan:
 - 1. What the reason (s) for the reduction in force;
 - 2. What area (s) of the college are to be impacted by the reduction in force;
 - 3. How many positions are to be eliminated
- B. In the event of an approved reduction-in-force, affecting a full-time, non-probationary employee, the following factors shall be taken into consideration:
 - 1. The requirements of any applicable court order or consent decree;
 - 2. Seniority at TrenholmTech in the respective job classification taking into consideration minimum qualifications for the respective position;
 - 3. Seniority at TrenholmTech in the respective organizational unit; and
 - 4. Seniority in general at TrenholmTech.
- C. The TrenholmTech Human Resources department shall provide to the released employee(s) the following assistance:
 - 1. COBRA Insurance information;
 - 2. TRS account information;

3. Information and assistance regarding employment opportunities at other two-year institutions, the Department of Postsecondary Education, and other affiliated agencies and organizations via the Alabama Community College System Employment Opportunities site: <http://www.accs.cc>

VI. Recall and Reinstatement

The following guidelines shall apply for recall and retraining of full-time non-probationary employees:

- A. A full-time non-probationary employee terminated pursuant to this policy shall have recall rights to the position from which he/she was terminated for one (1) calendar year from the effective date of his/her termination. If the terminated employee refuses an offer of employment pursuant to this policy, his/her rights of recall are forfeited.
- B. If a comparable position becomes available within one (1) calendar year from the effective date of a full-time non-probationary employee's termination he/she may request placement in the position with a retraining probationary period of six (6) months .
- C. Should the employee accept a job offer which receives benefits, he or she is entitled to the restoration of employee benefits. These benefits include the employee's accumulated sick leave, and an option of buying back all, some, or none of the annual leave at the rate at which it was paid out at the time of the separation from the college.
- D. Reverse order of termination applies to all recalls and/or retraining. The college will notify the employee in writing of the job offer and recall rights. If the employee does not accept the job offer within ten (ten) days, the employee's recall rights are waived.
- E. Temporary employees, non-state funded employees, regular employees scheduled less than 20 hours per week, and probationary employees may be separated without following this policy and are not eligible for recall.

VII. Implication of Fair Dismissal

In the event of a termination of employment to which the Students First Act of 2011 procedures apply, there will be strict adherence to the prescribed procedures.