

## SALT LAKE COUNTY HUMAN RESOURCES POLICY &amp; PROCEDURE

## REDUCTION-IN-FORCE SEPARATIONS

## REFERENCE

Utah Code Annotated 17-33, County Personnel Management Act.  
Human Resources Policy & Procedure: General Definitions

## PURPOSE

To provide a uniform and equitable procedure for processing a Reduction-in-Force to ensure fair treatment of affected merit employees.

## PROCEDURE

- 1.0 Reduction in Force (RIF)
  - 1.1 Reduction-in-force required by inadequate funds, change of work load, lack of work, cost control, material changes in duties or organization or other measures determined by the County to be necessary or advantageous shall be governed by retention rosters to be established by the Human Resources Division Director. Under such circumstances:
    - 1.1.1 Administrators shall designate the classification(s) to be eliminated and the reasons therefore, subject to review by the Human Resources Division Director. In keeping with the County Affirmative Action Program the elected office, department, or division, when designating job classification(s) to be eliminated, shall consider the composition of its work force in order to preserve equal employment opportunity.
    - 1.1.2 Temporary, Provisional and Probationary workers in the affected classification(s) shall be separated before any merit employees.
    - 1.1.3 Retention points for each merit employee shall be computed, as required, allowing approximately fifty (50%) percent weight for his or her proficiency on all regular performance evaluations, and fifth month probationary evaluations, received in the last five years with the lowest year's evaluation score dropped, and approximately fifty (50%) percent weight for his or her seniority in County government. Merit employees shall be separated in order of their retention points.
    - 1.1.4 Only those performance evaluations dated prior to the date of the formal declaration of the RIF shall be considered in the formula for retention points.
    - 1.1.5 Performance evaluations due after the formal declaration of the RIF shall be completed as scheduled but shall **not** be included in the retention point formula. Employees who have not had a performance evaluation in the six month period immediately preceding the formal declaration of RIF shall be given the option of having an evaluation completed for that period. If a merit employee chooses to have such a performance evaluation completed, it shall be included in the retention point formula.
    - 1.1.6 All merit employees being considered in a RIF, who may have been on an approved leave of absence, must have at least one performance

evaluation.

1.1.7 All merit employees who have bumped or been terminated as a result of a reduction-in-force shall be placed on a reappointment register for a period of six (6) months from the date of separation. While the employee is on the reappointment register he or she will be considered for any openings in the County for which he or she qualifies.

2.0 If an opening in the same classification occurs in the Elected Office or Department from which an individual was RIF'd, the individual must be rehired if the opening is at or below his or her termination grade level. For positions in a different classification at any grade level or position in the same classification at a higher level, the procedures contained in the Reduction-in-Force Reappointment Register/Certification Policy and Procedure shall be followed.

3.0 Operating procedure for calculating retention points for employees affected by a reduction-in-force shall be as follows:

3.1 Retention points shall be calculated for each merit employee, as required, in the classification(s) involved in the reduction by using the employee's County service date (excluding service time previously transferred from a comparable merit jurisdiction, including the Deputy Sheriff's Merit System and Fire Civil Service System) and all performance evaluations received during the five (5) year period (excluding the lowest year's performance evaluation) preceding the date of the reduction action. Each year's regular performance evaluation shall be averaged to count as one year. The cut-off date for inclusion of performance evaluations shall be the day before the formal declaration of RIF unless otherwise determined by the Human Resources Division Director. The mean and standard deviation used shall be as calculated on an office-wide basis in an Elected Office and on a Division-wide basis in a Department during the most recent performance evaluation period.

Each merit employee's performance evaluation points shall be converted to a standard score by the following formula:

$$\text{PE points} - \text{mean points of employee of Elected Office or Division} = \text{Z score}$$

Standard deviation of the Elected Office or Division

The above formula converts the PE points into standard deviation units of Z scores. The Z scores shall be multiplied by a constant of 5. A constant of 85 shall be added to the resulting figure to make the final range of scores approximately 70-100.

$$Z (5) + 85 = \text{Performance Evaluation Standard Score}$$

Performance evaluation points shall be calculated for each merit employee according to the specifications of the Employee Performance Evaluation form. In the event more than one type of performance evaluation was used during the preceding five years, Performance Evaluation Standard Scores shall be calculated for each type of form used. The resulting scores shall be then averaged to determine the merit employee's overall Performance Evaluation

Standard Score.

- 3.2 County service shall be converted to standard scores to be equivalent to the performance evaluation points, i.e. to the same unit of measurement. All merit employees in categories involved in the RIF shall have their County service time totaled in terms of months to the nearest fraction of a month, e.g. 4 years and 15 days equals 48.5 months. County service time shall include Military Service subject to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301-4333 and any other County employment required by State or Federal law to be included in the service time computation. After County service time has been totaled for each affected employee, the mean and standard deviation shall be calculated on an office-wide basis in an Elected Office and on a Division-wide basis in a Department. Each merit employee's County service time shall be converted to a standard score by the following formula:

Months of mean number employee - of months for service Elected Office or Division = Z score

Standard deviation of the Elected Office or Division

The above formula converts months of County service into standard deviation units. The Z scores shall be multiplied by a constant of 5. A constant of 85 shall be added to the resulting figure.

$$Z (5) + 85 = \text{Performance Evaluation Standard Score}$$

- 3.3 The two standard scores, one for performance evaluations and one for County service, as described above shall then be added together and divided by 2. The result will be the merit employee's retention points.
- 3.4 Merit employees in each designated classification(s) shall be rank ordered, from high to low, on the basis of his or her retention points. The merit employee(s) with the lowest retention points shall be allowed to bump in accordance with paragraph 5.0 of this policy or they shall be terminated.
- 3.4.1 No merit employee may be terminated as a result of a reduction-in-force unless the employee is provided written notice by the Administrator or designee, including the reasons for the RIF, and is scheduled for a pre-termination meeting.
- 3.4.2 The pre-termination meeting shall be conducted by a member of the Human Resources Division staff and the Administrator or designee. The pre-termination meeting may be conducted as either a group or individual meeting depending on the number of affected employees. The purpose of the pre-termination meeting is to permit the employee to contest the reasons for the reduction-in-force.
- 3.4.3 Appropriate written documentation shall be prepared and retained in the employee's personnel file (official) maintained in the Salt Lake County Human Resources Division Office.
- 4.0 The intent of bumping is to protect merit employees who have been promoted or who have transferred to take advantage of career development opportunities and have subsequently been reduced-in-force. Bumping provides them the opportunity to return to a previously encumbered, allocated classification within their current Elected

Office/Division or to a previously encumbered allocated position within their Department,

in which they performed in a satisfactory manner. Bumping is permitted across Division lines within Departments, but is not permitted across Elected Office or Department lines. However, bumping across Division lines will only be permitted after exhausting all (within) Division/options and then shall be limited to one bump into the merit employee's most recent previously encumbered position. Bumping shall be required under one or more of the following circumstances:

- 4.1 The RIF'd employee formerly encumbered an allocated classification within their current Elected Office or Departmental Division, the classification still exists, and the grade is equal to or less than the employee's current classification.
  - 4.2 The RIF'd employee formerly encumbered an allocated classification within another division of their current department, the classification still exists, and the grade is equal to or less than the employee's current classification.
  - 4.3 The RIF'd employee formerly encumbered an allocated classification and that classification has changed in title, grade, job code and or EEO-4 category. The employee may bump into that position if the essential duties of the position are still contained in the reclassified and/or reallocated position AND the grade is equal to or less than the employee's current classification.
  - 4.4 The RIF'd employee formerly, or currently encumbered a level in an approved career ladder. The employee will be allowed to bump down to the lowest grade of the career ladder. Previous incumbency in the lower levels of the career ladder is not required.
  - 4.5 Bumping, as described in the circumstances above, is permitted when all of the following conditions have been met:
    - 4.5.1 The RIF'd employee received "Meets Expectations" or above on the last two regular performance evaluations he or she received in the previously encumbered classification or position he or she is bumping into. In the event that an employee did not receive a performance evaluation in the previously encumbered classification or position he or she is bumping into, the employee will be assumed to have performed in a satisfactory manner unless there is some documentation in the employee's personnel file (official) to indicate otherwise.
    - 4.5.2 The RIF'd employee meets the current minimum qualifications for the previously encumbered classification or position he or she is bumping into.
    - 4.5.3 The RIF'd employee has higher retention points than at least one other incumbent in the classification or position he or she is bumping into.
- 5.0 The employee who exercises his or her bumping option shall be reassigned or transferred to the new classification, without a break in service, and shall have his or her pay level established by the Administrator, subject to the approval of the Human Resources Division Director.

APPROVED AND PASSED THIS 15<sup>TH</sup> DAY OF JULY, 2008