

Salt Lake County Human Resources Policy 2-900: Reduction in Force Separations

Purpose

This policy provides a uniform procedure for processing a Reduction-in-Force and provides for rehiring of employees separated from County service due to reduction-in-force (RIF).

I. Policy

Salt Lake County values its employees and the investment made in its workforce. In the event of a reduction in force, the County will establish a plan identifying the reason for any reduction in force. In order to preserve our skilled workforce, merit employees will be provided re-employment rights. A reduction in force for Sheriff's Office sworn employees are covered under the [Deputy Sheriff's Merit Commission Policy and Procedures](#) (Reduction in Force and Rank and Re-Appointment Registers).

II. Procedures

- A. When initiating a reduction in force, a County Department, Division or Elected Official may designate and request the classifications to be eliminated, subject to review by the Human Resources Director. A reduction in force may be requested based upon inadequate funds, change of work load, lack of work, cost control, or material changes in the duties or organizational structure.
- B. The Human Resource Director will review the plan and certify those positions that will be subject to the reduction in force. Temporary, Provisional and Probationary workers in the affected classifications will be separated before any merit employees. The Human Resources Director will notify the requesting administrator of the approval.
- C. Human Resources will provide written notification to the affected employees that will include:
 1. The reason for the reduction in force
 2. The effective date of plan changes
 3. The employee's rights
 4. The Agency's effort to minimize the reduction and find alternative employment in the county
- D. The Human Resource Director will permit bumping in some cases based upon retention points when determining those employees impacted by a reduction in force (see Section II.G). Bumping provides an employee with the opportunity to return to a previously encumbered, allocated classification within their Elected Office, or Department.
- E. Bumping is permitted across division lines within departments or within elected offices (but is not permitted across elected offices) when:
 1. The RIF'd employee formerly encumbered an allocated classification within their current elected office or department, the classification still exists, and the grade is equal to or less than the employee's current classification; or
 2. The RIF'd employee formerly encumbered an allocated classification and that classification has changed in title, grade, or job code

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- a. 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.
- F. Merit employees in each designated classification(s) will 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, who would otherwise be separated, will be allowed to bump when eligible.
- G. Bumping is permitted when all of the following conditions have been met:
 1. The RIF'd employee meets the current minimum qualifications for the previously encumbered classification or position he or she is bumping into.
 2. 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.
 3. Retention points will be determined by an employee's ability, seniority and merit. Seniority will be based upon the total amount of time working for Salt Lake County without a break in service. County service time will include Military Service subject to [U.S. Code 38.43. 4301-4333](#) Uniformed Services Employment & Re-employment Rights Act, 1994 (USERRA) and any other County employment required by State or Federal law to be included in the service time computation. Partial years will be pro-rated for each full month or partial month that includes at least 15 calendar days. Ability and merit will be determined by an average of the employee's last three, or fewer, completed evaluation scores. If no evaluation has been completed, the employee will receive an average score based upon the possible rating scale.
 4. At the discretion of the requesting department or elected official, additional points may be added to the overall retention score based upon ability. When identifying the reduction in force plan, the department or elected official may designate ability criteria warranting the additional score. When requested, each employee in the designated classification will receive an ability rating of 1-3 based upon objective identified criteria. Ability score may be applied to identifiable skills such as, but not limited to; licensure, certifications, an ability to perform designated duties listed on the official job description which are weighted 25% or greater or an ability to operate specialized equipment or databases.
 5. Final retention points will be created by adding together the service credit score with the averaged evaluation score. In cases where an ability score was utilized, the ability score will add points to the final retention score. In no case will ability add more than 3 points.
 6. The employee who exercises his or her bumping option will be reassigned or transferred to the new classification, without a break in service, and will have his or her pay level established by the administrator, subject to the approval of the Human Resources Division Director.
- H. After a reduction in force, reduced merit employees will submit a County employment application and Human Resource will add them to a reappointment register for a period of six months from the date of separation. All RIF rights will expire after six months.
- I. With the exception of career ladder promotions, all agencies will contact the Human Resources Division prior to completing a personnel action to determine the availability of qualified employees who have been reduced-in-force. The hiring authority will be required to interview all certified employees in an effort to reinstate those who have been reduced in force.

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- J. The Human Resources Division will certify applicants from the reappointment register to positions for which they meet the minimum qualifications and are within the positions the employee indicated on their application.
- K. County departments, divisions and elected offices will make an attempt to reinstate employees who have been reduced in force. The County will reinstate an individual into a current vacancy when the employee was:
 - 1. An incumbent of the classification when they were reduced in force
 - 2. If the employee meets the qualifications for the position and was reduced from that Department or Division and the opening is at or below the individual's termination grade
- L. For all certified RIF'd applicants not hired, the hiring authority will justify in writing to the Human Resources Director the reasons for non-selection.
- M. The hiring authority will set the salary of the reinstated employee as follows:
 - 1. A merit employee who has been reinstated within six months of being reduced-in-force must have pay and benefits restored as follows:
 - a. The employee will be required to serve a merit probation period unless the employee is being hired in the same classification in the same payroll unit from which they were reduced-in-force.
 - b. A reduced-in-force employee may be reinstated at the employee's previous salary at the administrator's discretion.
 - c. The employee's service date will be adjusted to reflect all previous merit employment with Salt Lake County. The adjusted service date will be used for the purpose of determining vacation accrual, service awards and service certificates and for the calculation of Reduction-in-Force retention points.
 - d. The returning employee may apply for health, dental, life, etc. benefits within 30 calendar days upon reinstatement.
 - e. The employee will have his/her sick leave hours restored.
- N. The Human Resources Division will remove the names of employees who have been reduced-in-force from the reappointment register if they decline two interviews or offers of employment, without written justification deemed acceptable by the Human Resources Division Director when the referrals were made in accordance with this policy.
- O. The County Council may provide for a lump sum payment to an employee subject to a reduction-in-force.