

Information

Reduction In Force RIF

Effective

December 2002

Number

PER 4 16

Applicability

This policy applies to University Staff

Administrative Authority

Vice President for Human Resources

Responsible Unit

Human Resources

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History

Revision Date(s): September 15, 2017; February 1, 2019; September 16, 2020 (minor revisions); January 15, 2021 (minor revision); December 10, 2021 (minor edits); August 24, 2022 (minor edit); October 27, 2022; May 10, 2024; August 21, 2025; April 2, 2026 (minor revision)

Reviewed Date(s): March 9, 2016; September 15, 2017; February 1, 2019

Categories

Statement:

Elimination or reduction in funding, reduced or changed work requirements, or department reorganization may necessitate staff layoff for a permanent reduction-in-force (RIF). All necessary actions shall be taken to ensure that decisions are made based upon careful analysis and that staff members are treated fairly and offered opportunities for reassignment, assistance, and reemployment. The policy outlines the guidelines for making RIF decisions, implementing a RIF and reemploying displaced staff members. It also provides information regarding reemployment assistance and the appeal process.

PROVISIONS

- A. The RIF policy does not apply to temporary, casual and provisional staff members, staff members occupying positions that were advertised as for a specified period of time with no renewal options, or to employees on contract with the university, in which the contract provisions take precedent.
- B. All RIF decisions should include the following elements:
 - 1. Careful analysis to determine which areas, activities, programs, or organizations should be reduced.
 - 2. Identification of the jobs and functions that will need to be performed after the reduction(s).
 - 3. Evaluation of qualifications and abilities of present staff members to perform the jobs remaining.
- C. When a RIF must occur, the department head must eliminate positions occupied by temporary staff members before positions occupied by regular status staff members. Any exceptions to this must be justified by business necessity.

RIF decisions are based on business necessity and should be addressed in the RIF Plan submitted to Human Resources. There is no distinguishing threshold between regular full-time and regular part-time positions that automatically gives priority retention to full-time positions over part-time positions, except business necessity.
- D. In the case of a staff member whose duties are divided between two or more departments, a RIF decision by one department will not obligate the other(s) to increase the position and funding to compensate for the reduction.
- E. When a RIF involves choosing between people, the decision will be based on seniority and performance.
- F. A staff member whose job performance or conduct is not satisfactory will be separated from the university by the appropriate method rather than by a

reduction in force.

- G. Staff members whose employment is to be terminated due to a RIF must be notified in person (could be by video conference) and in writing by a letter as soon as feasible, but not less than 30 calendar days prior to the effective date of the RIF.
 - H. Staff members in RIF status must apply for vacant positions to be considered for reemployment. Staff members in RIF status who meet the minimum requirements for a position will be given priority over all other applicants, meaning all qualifications being equal, one in RIF status will get the position over another who is equally qualified. There is no guarantee that a staff member in RIF status will be awarded another position.
 - I. A staff member in RIF status that refuses a position offer made by the university is deemed to have resigned from employment and forfeits his or her reemployment rights. The university will have fulfilled its reemployment commitment to any individual who declines the offer of such a position.
 - J. RIF'd staff members who are reemployed within 18 months of the effective date of their RIF shall be considered to have continuous service without interruption, resulting in reinstatement of rates of accrual leave and unused sick leave balance at time of RIF.
 - K. Departments are to provide staff members scheduled for RIF with reasonable administrative leave for job interviews.
 - L. Departments must pay an employee for unused vacation leave, up to a maximum of two times the amount that the employee is eligible to accrue, in the final check.
 - M. Department Heads may not require the use of accrued leave within the minimum 30-day notice period.
 - N. Computer loans must be settled at the time of RIF.
 - O. Tuition remission and staff development benefits will not be available to employees who have been RIF'd.
1. Careful analysis to determine which areas, activities, programs, or organizations should be reduced.
 2. Identification of the jobs and functions that will need to be performed after the reduction(s).
 3. Evaluation of qualifications and abilities of present staff members to perform the jobs remaining.

A staff member adversely affected by a RIF may appeal the action through the appeal process only if the staff member believes that the action was based on inconsistent or improper application of the RIF policy (see Section PER 5.04, Appeals). If the appeal results in a decision favorable to the staff member, the staff member will be reinstated with back wages, less the amount of any unemployment compensation received from the Commonwealth of Kentucky Division of Unemployment Insurance (DUI) while the appeal was pending. In such case, the Employee Relations and Compliance office will notify the DUI in writing of the staff member's reinstatement.

***Note Regarding Appeals:** The [Staff Grievance Officer](#) is available to consult with staff members in each step of the appeal process, including the initial formulation of the written notice of appeal. The Staff Grievance Officer may work closely with staff members, departments, and the Human Resources Department to seek equitable resolutions of all appeals. The Staff Grievance Officer may serve as a personal advisor for the employee during an appeal process (if requested by the employee), but may not serve as an advocate on behalf of the employee. [Consistent with proposed Grievance Policy and contingent on RedBook revision.]

Review: The University expressly reserves the right at any time to modify, alter, or amend this policy in whole or in part. The university shall have the unlimited right to amend this policy at any time, retroactively or otherwise, in such respect and to such extent as may be necessary to meet any legal requirement and to the extent necessary to accomplish this purpose. The President or his or her designee is hereby granted authority to issue interpretations and clarify rules under this policy and to coordinate it with or modify other rules of the university as required from time to time for compliance with the law.

Reasoning:

Conditions may arise that necessitate the reduction of the university work force. Abolishment of positions may occur for reasons of budget, lack of work or reorganization.

Definitions:

- A. **Continuous service:** For the purpose of the RIF policy, the total amount of unbroken employment that an employee has accumulated. This includes

authorized leave without pay.

- B. **Job class:** For the purpose of the RIF policy, all jobs within a department with similar job factors and the same pay grade.
- C. **Layoff:** The effective date of the RIF.
- D. **Layoff status:** See RIF status. An employee in RIF status seeking re-employment with the University shall receive preference in hiring among substantially equally qualified candidates.
- E. **Longevity:** The amount of time a staff member has worked at the university based upon continuous service, including time in regular positions held prior to the current position.
- F. **Provisional staff member:** A classified or professional/administrative staff member in the provisional period.
- G. **Provisional period:** A six-month period of employment beginning with the first day of regular employment designed to provide the university with a period to determine whether an employee is suitable for and competent to perform the work for which he or she is hired. Termination from employment may be accomplished without specific reasons and without the right of appeal (unless there is a claim of unlawful discrimination). The employee or the employer may end the employment without notice.
- H. **Qualifying period:** Six-month period of employment used for reviewing the level of performance for classified and professional/administrative employees with regular status who are transferred or promoted to another position.
- I. **Reduction in force (RIF):** The abolition of an occupied position due to an elimination of or reduction in funding, reduced or changed work requirements, or department reorganization.
- J. **RIF plan:** A department head's proposal for eliminating a position including position title, justification for abolishing the position, reallocation of work load if applicable, information regarding the staff member affected by the reduction in force, and the RIF effective date. An employee in RIF status may decline a position at a lower salary grade or a salary that is less than 90% of the employee's pre-RIF salary without forfeiting RIF status.
- K. **RIF status:** A condition lasting for 18 months from the effective date of a RIF in which a staff member whose position is eliminated is entitled to certain rights including preferential treatment in seeking reemployment with the university.
- L. **Regular status staff member:** Classified and professional/administrative staff who have successfully completed the provisional employment period.

M. **Temporary staff member:** A person employed in a position that is established for a limited period of time not to exceed six months.

Responsibilities:

Decisions regarding a RIF within a department are the responsibility of the department head. The Human Resources Department must review the RIF plan including the selection of a staff member for RIF before the RIF is carried out.

Responsible Party: Human Resources Department.