

Procedure

Procedure # 3.02.26

Effective Date 12/21/94

<p><i>(Impact Area - Dept Name)</i></p> <p>Employees</p>	<p><i>(General Subject Area)</i></p> <p>Conditions of Employment</p>	<p><i>(Specific Subject Area)</i></p> <p>Staff Reduction Due to Financial Exigency</p>
	<p>Author:</p> <p>Joe Cheesman</p>	<p>Supersedes Procedure #</p> <p>New</p>
<p>Relates to Policy #</p> <p>3.02.26</p>	<p>Impact - Budgetary or Other Employment of NIC Employees</p>	
<p>Legal Citation (if any):</p>		
<p><i>North Idaho College</i></p>		

Procedure Narrative

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PROGRAM/SERVICES REDUCTION:

Once a college-wide plan has been determined by the president and President's Cabinet to reduce funds, any recommendation to reduce programs and or services will be made by the vice president responsible for that which is being reduced. The vice president will consult with appropriate assistant vice presidents, directors and division chairs and constituent groups before making recommendations to the president. Criteria used for making such decisions such as low enrollments, programs with high costs and relatively low enrollments or programs or services not essential to maintaining the mission and objectives of the college shall be included in the recommendation. After reviewing the vice president's recommendation, the president will consult with the College Senate before a recommendation is made to the board of trustees for a final decision.

Before a reduction in force occurs, alternatives, including, but not limited to the following will be considered:

1. Voluntary action including retirement, early retirement, resignation, extended sabbatical leave or leave without pay, severance pay, or voluntary movement from full-time to part-time status.

2. Across-the-board pay cuts.
3. Not filling existing faculty and staff vacancies or vacancies resulting from resignation, retirement or death.
4. Reduction of benefits
5. Restrictions in student enrollment

STAFF REDUCTIONS:

A reduction in staff may occur across the institution, by sub-unit within the college, by employee, or by any combination thereof. It is recognized that any layoff may be a severe economic and personal loss to an employee. Therefore, the college will give notice in writing to employees who are affected at least 30 days prior to the time of layoff. The notice will include: the effective date of the layoff, the reason for the layoff, the opportunity for appeal and the employee's reinstatement rights.

Recommendations for layoff will be made by vice presidents to the president after consultation with appropriate assistant vice presidents, directors and division chairs, and constituent groups. Criteria that may be considered when making recommendations for layoff are tenure, length of service, special talents necessary for continued maintenance of programs and services, assurance of affirmative action, and quality of work. The president will consult with the College Senate before a recommendation for layoffs is made to the board of trustees for a final decision. Employees affected by the layoff will be given written notice that will be sent by certified mail with return receipt requested. The date of the hand-delivery or the posting of the registered letter will constitute the beginning of the notice period.

REASSIGNMENT:

The college will make a good faith effort to reassign any employee recommended for layoff to an existing vacant position within the college for which the employee is qualified.

APPEALS:

All full-time employees who are recommended for layoff are entitled to a prompt appeals hearing if they request it in writing to the director of human resources within 15 calendar days of the receipt of the notice of layoff. A hearing body composed of no more than eight people determined by the College Senate and a designee from the president's office will be established to hear the appeal and make a recommendation to the president. The following timeline shall be followed to process the appeal:

1. The appeal should be written and filed with the director of human resources within 15 calendar days of receipt of the notice of layoff.
2. The director of human resources will arrange a meeting between the person filing the appeal and the appointed hearing body in not less than 30 calendar days after receipt of the notice of appeal.

3. The person filing the appeal shall submit in writing to the hearing body any documentation, data or other information which is thought necessary to support the appeal.
4. Within 30 calendar days of the hearing, a written decision of the hearing body shall be sent to the president for a final decision.

Unless otherwise required by law or state regulation, the appeal procedure continued herein shall not delay the effective date of the layoff.

REINSTATEMENT RIGHTS:

In cases of layoff of an employee occupying a general fund (including vocational technology) full-time position, the position concerned may not be filled by replacement within a period of two years from the effective date of the layoff unless the employee has been offered a return to employment in that position and has not accepted the offer within 15 calendar days after the offer has been extended. (The date of the offer shall be established by the date of a certified letter containing the offer.) If an offer of reinstatement is not accepted, the employee's name may be deleted from the reinstatement list, and if so deleted, the board has no further obligation to the laid off employee. An employee who is reinstated will resume the status held at the time of layoff, be credited with any sick leave accrued as of the date of layoff and be paid a salary commensurate with the salary progression on the salary schedule at the time such employee is reinstated.