



Dinwiddie County
Administration Office

Directive #6.0 – **Reduction in Force**

Approved by: _____

W. Kevin Massengill, County Administrator

Purpose

Pursuant to Section XVII, Item F, of the Dinwiddie County Personnel Manual, the board of Supervisors may initiate a reduction in force due to economic conditions, lack of work, programmatic changes, reorganization, or position abolishment.

The County Administrator has the right and obligation to manage the personnel workforce to the best interest of the County and pursuant to direction by the Board of Supervisors, may implement this reduction in workforce procedure. Unless specific instructions are received from the Board of Supervisors, the following will serve as the general procedures for a reduction in workforce for positions funded in total by the County. Throughout the reduction in force process, the County will strive to maintain essential services and programs and minimize a reduction of effectiveness and efficiency.

The County provides procedures for the removal of employees for unsatisfactory performance and for disciplinary reasons; therefore, it will be assumed that all employees, unless otherwise noted, are performing in a satisfactory manner.

The Code of Virginia preserves as a non-grievable management prerogative the right to manage the affairs and operations of government to include retention of employees.

The Reduction In Work Force Process

Determination of Reduction

A reduction in the workforce will be managed on an individual departmental basis. The County Administrator, in conjunction with the Division Chiefs and Department Heads will identify those organizational sections, job classifications, positions, and individuals affected. In all cases where a reduction in the workforce necessitates the actual separation of personnel within the same work unit, and role, who are performing substantially the same work, the following order of separation shall be followed:

- A. Status of employee (Employees shall be separated first according to status and in following order):

- First, temporary or seasonal employees; then
 - Part-time employees; then
 - Probationary employees; then
 - Full-time employees
- B. Seniority. If there are multiple employees within the same classification and/or title, employees shall be separated, employees shall be separated according to the duration of continuous County employment, from shortest to longest duration.
- C. Exception for Essential Personnel. The County Administrator may determine that an employee is essential because of special skills, knowledge, or abilities. Upon documentation that an employee is deemed essential, including the specific skills, knowledge and abilities possessed by the employee and the reason why the employee is critical and/or County, such and employee may be retained, notwithstanding the order of separation listed above. *A knowledge, skills and abilities assessment may be required for all incumbents in the specific classification.*
- D. Review. All proposed reductions in force shall be reviewed by the Director of Human Resources prior to implementation.
- E. Alternative Placement. Whenever possible, employees affected by a reduction in force shall be considered for transfers to a comparable position within their department, or if none are available, for demotion to a similar position within their department. *Management considerations shall take precedence over an employee's desire in reassignment actions.*
- F. Notice of Severance. In so far as practical, all employees to be separated as a result of a reduction in force will be provided a minimum of two weeks written notice subject to availability of funding. **Benefits are not included as part of an employee's severance payment.**
- G. Rights of Separated Employees. Employees separated due t a reduction in the workforce will be given first preference consideration in any reinstatement and reemployment should a vacancy of the same classification within the same department in which they left occur. The right to reemployment or reinstatement shall be limited to a period of twelve (12) months following the official date of layoff.
- H. *Reemployment rights for employees on Military Leave are detailed in the Uniform Services Employment and Reemployment Rights Act (USERRA).*
- I. These Factors are non-Discriminatory and shall comply with the Equal Employment Opportunity provisions set forth in the Dinwiddie County Personnel Manual.

Employee in a Leave Status

Employees who are on any paid leave (e.g. worker's compensation, Family and Medical Leave or Military Leave) are considered active employees and shall be treated as if they were in their positions. If their positions are not being eliminated or hours reduced, they may not be used as placement options for other employees by the reduction in force.

Other Administrative Processes

Any employee who may be in the process of another administrative procedure (i.e., grievance) is still covered under this procedure. If such an employee is separated, he/she will be entitled to pursue the other administrative procedure if he/she so chooses. However, it will be done in the status resulting from the effect the reduction in force policy.

DINWIDDIE COUNTY
ACKNOWLEDGEMENT OF ADMINISTRATIVE RULE
REDUCTION IN FORCE

I, _____ hereby acknowledge that I have read,
Understand, and agree to comply with the foregoing Policy on the reduction of force