A. Rationale

If financial exigency, decline in student enrollment, or the reduction, consolidation, or elimination of programs or services is demonstrable, these factors may necessitate reduction of personnel. In that event, the Board is committed to rational, consistent, and nondiscriminatory means to provide for an orderly reduction in college personnel. Reduction in force shall be applicable to all employees.

B. Definition

Reduction in personnel means not being reemployed at the end of a contractual term or being dismissed during a contractual term for any of the factors stated above.

C. Responsibility

The President shall monitor availability of financial resources, program needs, college enrollments, and staffing requirements, both present and future, and shall recommend, when appropriate, reduction of personnel to the Board.

D. Reduction Criteria

Reduction is based upon college needs and seniority. Employee performance appraisal shall not be a factor in reduction of personnel except when an employee is on probation.

E. Recall

A separated college employee has priority in hiring within his/her employment category. The duration of priority is two (2) years which begins at date of separation. The order of priority is inversely related to the date of separation, i.e., the last separated is first recalled by employment category.

F. Principles of Operation

1. The Board of Trustees reserves exclusively to itself the responsibility for making determination as to the necessity for reduction in force as a consequence of financial exigency, decline in student enrollment, or the reduction, consolidation, or elimination of programs or services. Furthermore, the Board must approve the elimination of all positions prior to action being taken regarding any employee under this policy.
2. All such recommendations to the Board shall be made by the President. The President shall provide as much advance notification as possible to the Board when it is apparent that reduction in force may occur. The Chair of the Board shall then appoint a committee of members of the Board which consist of not less than three persons. This committee shall conduct a thorough investigation of factors which may lead to reduction in force and report to the full Board at the next regularly scheduled meeting or at a meeting called for that purpose.

3. Input from all college employee councils shall be secured in areas which may be affected by factors resulting in reduction in force. Such input shall be in writing and shall be made a part of the President's discussions with the Board. Additional input from administrative staff and any other persons internal or external to the College shall be a part of the President's discussion with the Board. Representatives of the Faculty Senate, President's Cabinet, and Staff Senate will be afforded an opportunity to meet with the Board prior to putting reduction in force into effect.

4. College grievance procedures may be used at the discretion of affected employees prior to and/or subsequent to the elimination of any position.

5. All factors, financial or otherwise, which are an integral part of reduction in force decisions, shall be presented to the faculty/staff in great detail. The intent of the Board is that the level of information given to employees of the College shall be essentially the same as the level of information which is presented to the Board. An exception to this would be the confidentiality of individual personnel files.

6. Elimination of positions shall be by - in order of priority -- (1) college needs, and (2) seniority.

G. College Needs

College needs shall be determined by the Board of Trustees. After input is secured from all potentially affected personnel, the President's Executive Committee shall make recommendations to the President regarding which administrative/support/instructional areas shall be reduced. The President shall then make his/her recommendations to the Board.
H. Seniority

1. Length of seniority means continuous full-time employment with the College. Any employee on approved leave will continue to earn seniority as if he/she were employed. When reduction in force is declared, for purposes of establishing seniority and years of service, employees who, on their own initiative, accept full-time employment outside Gaston College or are dismissed for cause other than reduction in force and later return will lose any years accumulated prior to the interruption in employment. Employees who are on extended sick leave will receive seniority credit for the period of their illness. For faculty, a year of service is defined as the academic year. For non-instructional staff, a year of service is defined as twelve months from the original date of employment.

2. In order to determine which instructors are employed where all have the same numbers of years of service, the next factor to be considered is total number of academic terms employed, including summers. If a tie still exists, the instructor with the highest number of FTEs for the immediately preceding three academic years shall be retained.

I. Reduction in Force Necessitated by Financial Exigency

The following principle will be observed only in the event that inadequate funds are available. If it becomes necessary to reduce the number of permanent, full-time faculty, a proportional reduction based on percentage of state budget reduction will be implemented in non-faculty areas. Budget reductions in one funding category (by source of funds) shall not force reductions in another.

J. Standards for Determining and Implementing Financial Exigency

1. Positions funded by special categorical allocations shall be eliminated according to available funds within those areas.

2. Attempts must be made to reduce all expenditures as feasible in various budgets before eliminating any position. Reference is made here to such items as travel and supplies.

3. Financial exigency shall be determined to exist only if funds are not currently available or will not be available in the immediately forthcoming budgets to support salaries and benefits of employees.
K. Reduction in Force Procedures for Faculty

1. Any faculty member who is notified that his/her position is being eliminated may supplant any other faculty member who has less seniority if the senior faculty member is qualified by Southern Association of Colleges and Schools’ standards and/or other appropriate standards as determined by the Board of Trustees. If this occurs, the senior faculty member shall retain his/her salary when assuming the new position. In no case shall there be a reduction in salary when such moves occur.

2. Members of the faculty who are affected by reduction in force shall retain the absolute right to their prior position during the two-year period of right to recall. Examples: (1) A faculty member declines to accept another teaching position. (2) If a faculty member accepts another position at the College and his/her original position becomes available, the faculty member has the right of first refusal.

3. Before a reduction in faculty occurs, the Colleges attempt to preserve employment of faculty by implementing one or more of the following:

   a. Identify low enrollment areas and transferring faculty to another department or college unit as provided by Board policy (standards of the Southern Association of Colleges and Schools and other relevant accrediting bodies apply).

   b. In potential reduction in force instructional areas, provide reasonable notice for preparation of full-time faculty to instruct in another teaching field (Southern Association of Colleges and Schools' standards apply).

   c. Eliminate leave with pay except as necessary to provide additional training for faculty members potentially affected by reduction in force.

   d. Cross-divisional teaching

   e. Decrease the number of part-time faculty as feasible prior to affecting full-time faculty.
f. Provide for the opportunity for faculty to teach in different disciplines as qualified (certified) by the standards of the Southern Association of Colleges and Schools and other relevant accrediting bodies.

g. Reduce overload.

h. Reduce rate of pay for faculty overload.

i. Where feasible, provide full-time faculty with special assignments (except when financial exigency is declared).

j. Provide other reasonable alternatives as approved by the Board of Trustees.

L. Reduction in Force Procedures for Non-Instructional Staff

1. Non-instructional staff members whose positions are eliminated by reduction in force will be permitted to supplant other members of the staff who have less seniority.

2. The following guidelines shall apply:

   a. Affected employees may only supplant persons within their job category.

   b. Affected employees may supplant only persons who are at the same or lower salary classifications.

   c. The affected employee with more seniority may only supplant the last person hired within his/her job category. Example: A secretary receives notice of elimination of his/her position. His/her salary classification is five. The names of all secretaries who have a salary classification of five or below would be listed. The person supplan ted would be the last person hired.

   d. The employee who supplants another will retain his/her current salary.

   e. The College reserves the right to reassign employees to higher categories of employment if they supplant and move to lower salary classification numbers.
3. In all reassignments described above, employees must be qualified and competent to assume other positions.

4. All qualified affected employees shall compete on an equal basis if more than one person is qualified for an available position and if seniority is equal. In this event, the College hiring procedures will be implemented in the selection process. The basic principle of selection will be qualifications. All qualified candidates will be interviewed and demonstrations of competence conducted as appropriate. The President must approve the person selected.

5. Before a reduction of non-instructional employees occurs, the College shall attempt to preserve employment of staff members by implementing one or more of the following:

   a. All temporary full-time and part-time and probationary employees shall be released before permanent, full-time employees are eliminated in the same or related employee categories. This applies only if financial exigency is declared.

   b. Before non-faculty positions are eliminated because of lack of funds, reasonable efforts shall be made to cut costs. The President will meet with the President's Cabinet and the Staff Senate to discuss cost reduction measures prior to any employee losing his/her job.

   c. Provide reasonable notice for preparation of full-time staff to become qualified for other positions.

   d. Eliminate leave with pay except as may be necessary to provide additional training for staff members potentially affected by reduction in force.

   e. Where feasible, not filling vacant positions and not creating new positions.

   f. Increase workload if such can be demonstrated to save significant amounts of money to reduce the impact of possible reduction in force.

   g. Reassign employees where possible except when financial exigency has been declared.
h. If reduction in force is shown to be necessary, offer affected employees any open/advertised position for which he/she is qualified and upon demonstration of competence to occupy the position.

6. Non-instructional staff members affected by reduction in force shall have exclusive rights to their prior position for the entire two-year period specified as to right of recall. This shall apply under any and all circumstances. Example: (1) The employee refuses to accept a similar position. (2) The employee accepts another position at the College, and then his/her prior position becomes available. Under the examples listed above and in similar circumstances, the employee retains the right of first refusal to the position formerly held. Employees who lose their positions by reduction in force shall be notified in writing of any available position in their job category (including higher and lower positions by salary classification number). Affected employees have ten days to notify the President whether or not he/she wishes to accept recall to an available position. An employee who meets specified position qualifications shall be offered any available position at the same or lower salary classification level. If affected employees meet minimal acceptable qualifications, they may compete for positions at higher classification levels, and they will be given interviews.