

Shawnee State University

AREA:	FINANCE AND ADMINISTRATION	POLICY NO.:	4.89
		ADMIN. CODE:	3362-4-52
		PAGE NO.:	1 OF 5
		EFFECTIVE DATE:	01/15/10
		RECOMMENDED BY:	Bane Sylvia
SUBJECT:	SECURITY - REDUCTION IN FORCE	APPROVED BY:	Board of Trustees

1.0 Reduction in Force (RIF) General Authority

- 1.1 Whenever a reduction in force is necessary, the University shall determine the number of employees to be laid off within the security officer classification.

2.0 Reduction in Force-Rationale

- 2.1 For the purpose of reductions in force “continuous SSU service” shall begin at the original appointment date and continue until an employee quits, is discharged for cause, is laid off beyond the recall period, or fails to return to work from an approved leave of absence or retires.
- 2.2 Whenever it becomes necessary for the University to reduce its workforce, it shall lay off employees or abolish their positions in accordance with these rules. The reasons for position abolishment and /or layoff include a lack of funds, lack of work, as a result of reorganization for the efficient operation of the University or for reasons of economy as described herein.
- 2.3 Employees may be laid off due to a lack of funds. The University itself shall determine whether a lack of funds exist and shall file a statement of rationale and supporting documentation with the Director of Administrative Services prior to sending the layoff notice.
- 2.4 As used in this policy, “a lack of funds” means the University has a current or projected deficiency of funding to maintain current, or to sustain projected, levels of staffing and operations. This section does not require any transfer of money between funds in order to offset a deficiency or projected deficiency. Whenever a program receives funding through a grant or similar mechanism, a lack of funds shall be presumed for the positions assigned to and the employees who work under the grant or similar mechanism if, for any reason, the funding is reduced or withdrawn.
- 2.5 Security officers may be laid off for a lack of work. The University shall determine whether a lack of work exists and shall file a statement of rationale and supporting documentation with the Director of Administrative Services prior to sending the layoff notice.
- 2.6 As used in this policy, the “lack of work’ means the University has a current or projected decrease in workload that requires a reduction of current or projected staffing levels in

its organization or structure. The determination of a lack of work shall indicate the current or projected decrease in workload and whether the current or projected staffing levels of the University will be excessive.

- 2.7 Employees may be laid off as a result of abolishment of positions. As used in this policy, “abolishment” means the deletion of a position or positions from the University.
- 2.8 For purposes of this policy, the University may abolish positions for any one or any combination of the following reasons: As a result of lack of funds, a reorganization of the efficient operation of the University, for reasons of economy, or for the lack of work.
- 2.9 Reasons for the economy permitting the University to abolish a position and to lay off the holder of that position under this division shall be determined at the time the University proposes to abolish the position. The reasons the economy shall be based on the University’s estimated amount of savings with respect to salary, benefits, and other matters associated with the abolishment of the position, except that the reasons of the economy associated with the positions abolishment instead may be based on the University’s estimated savings with respect to salary and benefits only, if:
1. Either the University’s operating appropriation has been reduced by an executive or legislative action, or the University has a current or projected efficiency in funding to maintain current or projected levels of staffing and operations.
 2. The University files a notice of the position abolishment with the Director of Administrative Services within one year of the occurrence of the applicable circumstances.
- 3.0 The following principles apply when a circumstance described in this section would serve to authorize the University to abolish a position and to lay off the holder of the position under this policy based on the University’s estimated amount of savings with respect to salary and benefits only:
1. The position abolishment shall be done in good faith and not as a subterfuge for discipline.
 2. If a circumstance affects only Security, the University only may abolish within that department.
 3. If a circumstance does not affect Security alone, the University may identify a position that it considers appropriate for abolishment based on the reasons of economy.
- 3.1 The University shall determine itself whether any position should be abolished. The University shall file a statement of rationale and supporting documentation with the Director of Administrative Services prior to sending the notice of abolishment.
- 3.0 Layoff Procedures
- 3.1 Whenever a reduction in force is necessary, the University shall decide the number of layoffs that will occur within the Security Officer classification.

- 3.2 The order of layoff shall be based in part on length of continuous University service and may include efficiency in service, appointment type, or similar factors the University considers appropriate. If the University establishes relative efficiency as a criterion to be used in determining order of layoff for employees, credit for efficiency may be for no more than ten percent of total continuous University service.

4.0 Layoff Order

- 4.1 For the purpose of this policy, a full-time employee is one who has an appointment of at least six months (probationary period) duration for at least 40 hours per week.
- 4.2 At Shawnee State University, employees shall be laid off in the order within the Security Officer classification of part-time temporary, then full-time temporary, then part-time probationary, then part-time regular, then full-time probationary, and then full-time regular.
- 4.3 Student employment is excluded.
- 4.4 Layoffs will be based upon University service order beginning with the employee having the least continuous University service and continuing to the employee with the most continuous service. A list will be compiled in descending order. In cases where two or more employees have identical continuous University service the tie breaker shall be the lowest last four digits of the employee's social security number.
- 4.5 No security officer shall displace another security officer for whose position there are certain position-specific minimum qualifications, as established by the University or as established by bona fide occupational qualifications, unless the officer desiring to displace another security officer possesses the requisite position-specific minimum qualifications for the position.

5.0 Verification of continuous service

- 5.1 Security officers shall be laid off using the following process for systematic consideration of continuous service. For the purpose of reductions in force, "continuous SSU service" shall begin at the original University appointment date and continue until an employee quits, is discharged for cause, is laid off beyond the recall period, fails to return to work from an approved leave of absence or retires. Student employment service is excluded.
- 5.2 The University may not hire into or out of affected classifications by means of promotions, intra-transfers, voluntary demotions, position control number changes, lateral or classification changes, or reassignments.
- 5.3 A copy of the notice of layoff or displacement to employees shall be forwarded to the Director of Administrative Services resulting from a layoff.

6.0 Notification of layoff or displacement

- 6.1 Each security officer to be laid off shall be given advance written notice by the appointing authority after the security officer's length of continuous SSU service has been

established. Such written notice shall be hand-delivered to the security officer or mailed by certified mail to the security officer's last known address on file with the appointing authority. If hand-delivered, such notice shall be given at least thirty (30) calendar days before the effective date of layoff or displacement and the day of hand-delivery shall be the first day of the thirty day period. If mailed, such notice shall be mailed at least thirty (30) calendar days before the effective date of the layoff or displacement. The day the letter is mailed shall be the first day of the thirty (30) day period.

6.2 Each notice of layoff or displacement shall contain the following information:

1. The reason for the layoff or displacement
2. The effective date of layoff or displacement
3. The security officer's length of continuous SSU service
4. The right of the security officer to appeal a layoff or displacement to the state personnel board of review and that the appeal must be filed or postmarked within ten calendar days after the employee is notified that he or she is to be laid off or displaced
5. A statement advising the security officer of the right to reinstatement or recall
6. A statement that the security officer is responsible for maintaining a current address with the University's appointing authority
7. A statement that the security officer may have the option to convert unused vacation or accrued unused leave

7.0 Layoff lists – Reinstatement / Recall

- 7.1 Security officers who have been laid off shall be placed on the appropriate layoff list. Those employees with the most continuous SSU service within the security officer classification, as established in this rule, shall be placed at the top of the layoff list to be followed by employees ranked in descendent order of continuous SSU service.
- 7.2 A security officer who is laid off retains reinstatement rights at the University. Reinstatement rights continue for one year from the date of the layoff. During this one year period, if a layoff list exists, the University shall not hire or promote anyone into a security officer position until all laid off persons on a layoff list for the security officer classification who are qualified to perform the duties of the position are reinstated or decline the position when it is offered.
- 7.3 During this time, the University shall send to the Security Department the names of five persons having the longest continuous SSU service for the security layoff list. Such process for filling of vacancies shall continue until no persons remain on the security officer layoff list for the one year period.
- 7.4 Any employee accepting or declining reinstatement to the security officer classification shall be removed from the appointing authority's layoff list.
- 7.5 This rule does not apply when a security officer, who was a full-time employee at the time of the layoff, declines reinstatement in a part-time position.

7.6 Any security officer reinstated under this section shall not serve a probationary period upon reinstatement, except that a security officer laid off during an original or promotional probationary period shall begin a new probationary period.

8.0 Appeal Rights

8.1 A security officer may appeal a layoff, or a displacement that is a result of a layoff, to the State Personnel Board of Review (SPBR). The appeal shall be filed or postmarked no later than ten days after receipt of the layoff notice or after the date the employee is displaced. A security officer shall be considered displaced the date the security officer is notified that another security officer has exercised his/her right to displace the security officer from the security officer's position. In cases involving the laying off of security officers (classified employees); the affected employee or the University may appeal the decision of the State Personnel Board of Review (SPBR) to the court of common please in accordance with section 119.12 of the Ohio Revised Code.