

POLICY: 4.1.10. (III.J.)

Reduction in Force

Revised: May 5, 2016; September 6, 2012; August 29, 2001; January 1994

Last Reviewed: May 5, 2016

Adopted: September 1991



POLICY:

§ 20-4-35. Reduction in force policy

The State Board of the Technical College System of Georgia shall develop and implement a policy which provides for an orderly and fair process to be used in the event any reduction in force becomes necessary. The reduction in force policy shall provide that:

- (1) Presidents of state technical institutes shall devise a plan for a reduction in force for their respective institutions;
- (2) Any reduction in force within an institution shall be limited to that institution;
- (3) The institute president shall decide the competitive area and competitive group to which any reduction in force is applicable;
- (4) All individuals within a competitive group will participate in the reduction in force process, regardless of whether they are in the classified or unclassified service, tenured or nontenured;
- (5) The State Board of the Technical College System of Georgia shall prescribe the basis for determining retention credits which shall be uniform among all state technical institutes;
- (6) Plans describing the process by which a reduction in force would be conducted within each state technical institute shall be approved by the State Board of the Technical College System of Georgia; and
- (7) Any employee of a state technical institute who believes the approved plan for that institution was not followed shall have the right to appeal to the State Board of the Technical College System of Georgia, and the decision of the board shall be final.

In accordance with the above statute (**§ 20-4-35**), it is the policy of the State Board of the Technical College System of Georgia [TCSG] that when position abolition(s) and/or reduction(s) in time status involving one or more employee(s) are necessary due to a lack of funds, mandated reductions in state spending, lack of work, the termination of a grant or other funding source, the need for enhanced workplace efficiencies, a reorganization of System Office or technical college operations, etc., such actions shall be accomplished in a manner that retains (where possible based on the scope of the reduction-in-force) the best performer(s). Retention factors include performance ratings, whether an employee is on an active step of discipline, as well as an assessment of an employee's knowledge, skills, abilities, and exhibited competencies.

As previously authorized, the State Board specifically delegates to the Commissioner the ability to initiate reductions-in-force involving System Office employees and approve, disapprove, or modify reduction-in-force plan(s) submitted by a technical college President. Further, the State Board authorizes the Commissioner to address concerns raised by an affected employee that a reduction-in-force plan was not followed in the manner approved by the Commissioner.

The routine closing of an academic program of study authorized by the State Board of the TCSG in response to low enrollment, low placement rates, low cost effectiveness, or to achieve other operational efficiencies in a technical college and which may result in a reduction in the number of employees shall not be considered a reduction-in-force for the purposes of this policy. In these instances, the affected employee(s) shall be released from employment at a time determined by the President and shall have no right to a review of this action.

A reduction in force will not be used to circumvent the State Board's Positive Discipline Policy regarding disciplinary action or the Rules of the State Personnel Board as they pertain to classified employees.

If one or more employees in a designated competitive group are in the Classified Service as referenced in Paragraph VI.C.3., the reduction-in-force shall be administered in a manner consistent with applicable State Personnel Board Rules.

NOTE: An employee furlough for one or more business days proposed in response to budgetary concerns is considered a temporary reduction-in-force and shall be administered in a manner consistent with these provisions. Prior to implementation, any technical college furlough proposed by a President must have the written approval of the Commissioner and encompass all full- and part-time college employees (regardless of funding source) unless one or more employees are specifically exempted by the Commissioner. Any System Office furlough shall encompass all full- and part-time employees regardless of funding source unless one or more employees are specifically exempted by the Commissioner.

RELATED AUTHORITY:

- O.C.G.A. § 20-4-11 – Powers of the Board
- O.C.G.A. § 20-4-14 – TCSG Powers and Duties
- O.C.G.A. § 20-4-35 (2015)