

UNIVERSITY of



DAYTON

Staff Reduction in Workforce Policy

Effective Date:

Approval:

Maintenance of Policy: Vice
President, Human Resources

PURPOSE: The University of Dayton values the contributions of its employees and attempts to provide regular ongoing employment as appropriate. However, in the event of a reduction in force due to substantially decreased workload, discontinued functions, a change in business operations, economic conditions, or other circumstances outside of the employee's control, it is the intent of University to provide an equitable and supportive process to those employees directly impacted. The determination of when any of these events has occurred rests solely with the administration of the University.

SCOPE: This policy applies to all non-contractual exempt and all non-exempt benefit-eligible staff employees. This policy does not apply to UDRI employees, students, faculty, or bargaining unit employees.

POLICY: In the event of a reduction in force, the University will consider such factors as seniority, job necessity, skills and ability, job performance, and/or other factors it deems appropriate when determining how a reduction in the workforce is accomplished. The University retains the right to make the final decisions based on reasonable business and economic needs. This determination rests solely with the administration of the University.

Affected employees will be given consideration for any available positions at the University based on their skills, experience, educational background, skills, and past performance. The primary responsibility for locating a new position either within or outside the University shall reside with the affected employee; however, the Offices of Human Resources and Career Services will be available to advise and assist the employee regarding job search techniques, resources and procedures. The University will not provide bumping or recall rights to employees who have been separated from the University.

REFERENCE DOCUMENTS:

1. University of Dayton Staff Dispute Resolution Policy
2. Employee Benefits Handbooks

Staff Reduction in Workforce Policy, (continued)

POLICY (continued):

Procedure

1. The University administrator whose department is affected will provide the provost or appropriate vice president and the vice president of human resources with a business justification, including the list of positions that are being recommended for a reduction in force.
2. This business justification will be reviewed by the provost or appropriate vice president and the vice president of human resources to verify the existence of a reasonable business or economic need for the reduction in force.
3. After review and evaluation, a final list of those employees who will be affected by the reduction in force will be prepared by the University administrator and presented to the provost or appropriate vice president and the Vice President of Human Resources and the President for final approval.
4. The Office of Human Resources will prepare documentation for each affected employee outlining his/her employment and benefit status. This information will be reviewed with the employee during a formal notification meeting, which will be conducted by a representative of the Office of Human Resources and/or the appropriate University manager/administrator.
5. All exceptions to this policy must be approved by the Vice President of Human Resources.

Notice Period

In the event of a reduction in force, the University will provide the affected employee(s) with a four-week paid notice period. Depending on the reasonable business needs of the University, the affected employee(s) may or may not be required to work all or a portion of this notice period. This paid notice period may be extended by the University as deemed necessary to fulfill contractual obligations, or meet other business requirements. In situations in which affected employees are not required to work a portion of, or the full notice period, a lump-sum payment for the period not worked will be issued on the next regularly scheduled pay date. Benefits in effect as of the notification date will continue during the paid period and will end in accordance with current policy for all employees separating from benefit eligible service.

In the unlikely event of a large-scale reduction in force, the notice requirements will be adjusted to comply with applicable federal law.

Benefits

Health and Dental Insurance Benefits

Employees affected by a reduction in force who have attained the required age and years of service as outlined in the retirement eligibility section of the benefits handbook may elect to retire and continue coverage under the University's health care and dental insurance plan.

Employees affected by a reduction in force who do not meet the eligibility requirements to elect retirement with retiree health care benefits may have the opportunity to continue health and dental insurance coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Eligible employees will receive additional information from the Office of Human Resources.

Staff Reduction in Workforce Policy, (continued)

POLICY (continued):

Vacation Pay

Benefit-eligible employees will be paid for all accrued, but unused vacation hours up to the maximum accrual, at their regular rate of pay. This payment will be made on the employee's final payroll check.

Employee Assistance Program Usage

Individuals affected by a reduction in force will continue to be eligible to utilize the Employee Assistance Program services for up to two months following their date of separation.

Other Benefits

Please refer to the policy on benefit ending dates due to separation from benefit-eligible service within the appropriate employee benefits handbook for an explanation of all other benefits.

Separation Date and Reason

The employee's separation date will be the last day actually worked at the University. Holiday, vacation, sick, or other time off may not be used to extend the termination date past the last day worked. The reason for separation, which will be noted in the personnel file, will be a reduction in force.

Employment References

The Office of Human Resources will respond to all inquiries for employment references.

Dispute Resolution

Employees whose positions have been eliminated as a result of a reduction in force may utilize the University Dispute Resolution Policy.

DEFINITIONS: For purposes of this policy, the following definition(s) apply:

Bumping - The right of an employee to displace an employee with less seniority in the same position.