

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: REDUCTION IN FORCE

Category: Human Resources

Policy

The purpose of this policy is to establish guidelines for managing reduction in force situations. The Idaho Department of Juvenile Corrections (IDJC) is charged with the responsibility of managing resources and employees in order to provide efficient, cost effective services to the taxpayers of Idaho.

It is therefore the purpose of this policy to establish a process to evaluate the need for and carry out a reduction in force as determined by the IDJC Leadership Team.

Operating Procedures

The IDJC Director has the authority to initiate and carry out a reduction in force as per IDAPA 15.04.01.140–147 Rules of the Division of Human Resources and Idaho Personnel Commission when deemed necessary due to:

- Shortage of funds or work;
- Reorganization;
- The end of a limited service appointment;
- Failure of an employee to complete interagency promotional probation when demotion options are not available; or
- The abolishment of one or more positions.

Layoff decisions must not be based on race, color, national origin, gender, age, religion, disability, or political affiliation. Layoffs must be accomplished in a systematic manner with equity for the rights of classified employees and shall not abrogate an employee's right of grievance or appeal if the layoff is in fact a dismissal.

In planning and conducting a reduction in force, the Director must consider the effect layoff units and positions to be abolished may have on the composition of the agency work force. If layoff units or exclusions are established, adverse impact of protected classes must be assessed. The reduction in force must be administered consistent with state and federal laws and rules and guidelines governing adverse impact.

I. Layoff by Position

Reduction in force must be by classification of position.

- A. The order of reduction in force will be by type of appointment held by the employees in the affected classification as follows:
 - 1. Provisional employees
 - 2. Entrance probation employees
 - 3. Permanent employees, including those serving a voluntary probation
- B. Employees will be placed on the layoff list beginning with the employee with the highest number of retention points. Employee layoffs will be made from the layoff list in inverse order (least number of retention points).
- C. When two or more employees have the same combined total of retention points, retention shall be determined in the following sequence:
 - 1. The employee with the highest retention points for the past 36 months
 - 2. Random selection
- D. Reduction in force may be limited to or specifically exclude employees appointed under selective certification for bona fide occupational qualifications or appointed under specific options or minimum qualification specialties in a classification. Inclusions or exclusions must include or exclude all incumbents of the classification appointed under similar selective certification or the same option or minimum qualification specialty and must be approved in advance by the Division of Human Resources (DHR) Administrator.
- E. The Director may petition the DHR Administrator to exclude an individual from a reduction in force whose retention may be required to meet agency mission critical needs. Request must provide a documented rationale and exclusions must be approved in advance by the Administrator.
- F. Reduction in force for employees in limited-service appointments shall be limited to the project, program or function for which the appointments were made. When a limited service project is completed or funding concluded, the limited service appointee is separated from state service as a layoff. However, limited service appointees have no reemployment preference and will not displace other regular permanent or limited services staff via voluntary demotion in lieu of layoff.
- G. Permanent Status and Expedited Layoff. Employees appointed under limited-service appointments have permanent classified status after successful completion of probation. These employees have the same rights and responsibilities as other permanent employees but may be subject to expedited layoff pursuant to Paragraph 140.01.c. of these rules.

II. Layoff Unit

Reduction in force must be agency-wide or by organization unit designated for layoff purposes by the Director. Layoff units are geographic, programmatic, or other identified subdivisions of an agency designated for layoff purposes. They must be approved by the DHR Administrator before the effective date of the layoff. Organizational layoff unit designations must be renewed with a change of DHR Administrator.

III. Reduction of Hours Worked

An involuntary reduction in the number of hours worked for a selected position constitutes a layoff unless there is equal reduction of hours worked for all positions in the same classification in the agency or approved layoff unit for a limited period of time, such as a furlough.

IV. Downward Reclassification

A material change in duties of one or more positions resulting in an employee's reclassification to a classification allocated to one pay grade lower does not constitute a layoff. More than one pay grade change downward is considered a layoff unless the change of duties is disciplinary. The IDJC Leadership Team identifies the class(es) of position(s), as well as layoff units, to be reduced or eliminated.

V. Notification

Each employee affected by a reduction in force shall be notified in writing of the layoff and the reasons therefore at least 15 calendar days prior to the effective date of layoff and shall be provided with a copy of IDJC's layoff procedure and a copy of the computation of retention points when required (more than one employee in the classification).

The Director must give written notice of layoff to the DHR Administrator at least 15 calendar days prior to the effective date **and** provide a list of persons affected by the layoff with their retention point calculations and indicating which employees will be laid off.

VI. Calculation of Retention Points

A. There will be an evaluation of all employees in the classification based on a retention point system. Retention points are derived from performance evaluation ratings, classified credited state service (CSS) hours, and veterans preference, as described later in the policy. The Human Resource Officer will calculate retention points for all employees assigned to the class of position, including those serving in underfill or acting appointments.

- B. Retention points need not be calculated where layoff involves a single-incumbent class. Retention points will be calculated for all employees assigned to the classification including those serving in underfill positions. The most recent performance evaluation should be used to pro-rate retention points when calculating CSS unless that evaluation occurred more than 2,080 hours from the date of calculation.

| Performance Level | Retention Points Earned Per Hour of CSS |
|--|--|
| Exemplary Performance | .100 |
| Solid Sustained Performance | .075 |
| Achieves Performance Standards | .050 |
| Does Not Achieve Performance Standards | .000 |

- C. All CSS for which there is no performance evaluation will receive .075 points per hour. A supervisor's failure to document performance in a timely manner cannot be used to disadvantage an employee during retention point calculation.
- D. Supervisors have 90 days after each 2,080 hours an employee works to complete the performance evaluation documentation. During that 90-day timeframe, the evaluation will be written to cover the 2,080 hours.
- E. Once an evaluation has been signed by the supervisor, employee, manager, or other applicable reviewers, the document may not be changed, unless the change is a result of a problem-solving dispute resolution.
- F. Qualified veterans, as defined in Chapter 5, Title 65, Idaho Code, will receive preference by the addition of retention points equivalent to 312 retention points, which is equivalent to three years of satisfactory service.
- G. No points will be calculated for the 60 days prior to the effective date of the layoff.
- H. Each employee is entitled to an audit of retention points by an independent auditor designated by the DHR Administrator in cases of dispute between the Director and the employee. The request for audit must be filed with the Director within five calendar days of the employee's receipt of layoff notification. The decision of the independent auditor shall be binding on both the IDJC and the employee, unless an appeal is filed within 35 calendar days from the date of the auditor's notification to the affected parties.

VII. Placement on Register with Reemployment Preference

A permanent employee who is laid off or who chooses a voluntary demotion in lieu of a layoff, under these rules shall be placed on the register for their job classification with reemployment preference in unranked order. Such placement

will be for one year from the effective date of demotion or layoff, or until the employee or former employee declines a total of three separate job offers without good cause, whichever comes first. An employee or former employee may request to have their name removed at any time.

VIII. Use of Registers with Reemployment Preference

The employee who has been laid off will be offered reemployment to a position in the classification from which laid off before any person outside that agency may be promoted to, transferred to, reinstated, or appointed to that classification by an appointing authority of that agency. The Director may reassign or transfer individuals who are in the same classification within their agency but may not demote, promote, reclassify or make acting appointments to that classification. If IDJC determines a need to fill that classification, the employee who was laid off has first priority for that position. Extenuating circumstances due to short-term budget, workload, location, or other complexities may be used by the appointing authority to request a temporary waiver of this rule by the administrator.

- A. IDJC will provide an opportunity to interview and will make the hiring selection from the individuals laid off from the classification, including those separated from state service through a medical layoff and those that took a voluntary demotion in lieu of layoff.
- B. Individuals being returned to the classification from which they were laid off will be reinstated with the same salary, permanent status, and their sick leave balance restored.

IX. Consideration for Hire by Other Agencies

- A. For promotional opportunities, internal candidates are normally considered before outside recruitment occurs, including other agency laid-off candidates. Individuals who have been laid off must be offered the opportunity to interview before considering statewide promotional or open competitive recruitment candidates.
- B. Individuals may be reappointed or reinstated if eligible. The salary of an employee re-hired after a layoff is negotiable within the current pay grade for the classification in which the employee is appointed.
- C. If an individual finds another agency's position unsatisfactory or does not satisfactorily complete a voluntary probation period, they may be placed back on a register for the remainder of their 12-month time frame. Individuals appointed to a position, other than the classification from which laid off, will remain on preference register status for the remainder of the 12-month period, if otherwise eligible.

X. Voluntary Demotion in Lieu of Layoff

- A. Within their layoff unit, an employee with permanent status may choose to accept a voluntary demotion rather than be laid off. Demotion options are limited to a classification or, if deleted, its successor, in which the employee held permanent status in the IDJC. Such demotion will not be permitted, however, if the result would be to cause the layoff of an employee with permanent status with greater retention points.
- B. To exercise the right of voluntary demotion in lieu of layoff, the employee must meet the classification's current minimum qualifications and any required minimum qualification specialties. They must notify the Director in writing of their decision no later than three working days after receiving written notice of layoff and opportunity to demote to a specific position.
- C. Limited service appointees are not eligible to take any voluntary demotion that would result in the displacement of other employees. However, voluntary demotions to a vacant position are allowed with the Director's approval.
- D. An employee who elects a voluntary demotion in lieu of layoff shall have the right of re-employment in the class formerly occupied prior to the demotion before any other person may be promoted, transferred, reinstated, or hired for such class by the Director. This right of re-employment shall exist for one year from the effective date of the demotion or until the employee declines three separate offers of re-employment without justifiable cause.

- XI. Employees serving temporary, project exempt, or student appointments, and who have neither probationary nor permanent status in a class affected by a layoff, have no preference under this rule for re-employment and their names will not appear on a layoff register.

Reference: [Glossary of Terms and Acronyms](#)
[IDAPA 15.04.01, Rules 140-147](#)
[Records Retention Schedules](#)
[Records Destruction Logs](#)

Desk Manual(s): None

Related Policies: [Position Classification and Job Descriptions](#) (337)
[Records Management Program](#) (117)
[Public Records](#) (901)

Related Forms: [IDJC Layoff Units Map](#) (DJC-069)
[Records Destruction Worksheet](#) (DJC-279)