

FORSYTH COUNTY

REDUCTION IN FORCE AND SEVERANCE POLICY

I. Reduction in Force (RIF) Policy

- A.** A Reduction in Force is the involuntary separation of an employee due to lack of work or funds, or due to reorganization. When it is determined that a Reduction in Force is necessary, the department manager, in consultation with the Human Resources Director, shall determine the employee(s) to be affected by the reduction in force. The departments of Public Health and Social Services will adhere to the Reduction in Force requirements and procedures under the State Personnel Act. The separation date due to a reduction in force will be the last day the position is funded.

- B.** The County Manager may delegate authority to the department manager involved, in consultation with the Human Resources Director, to make the final determination(s) as to which employees will be involuntarily terminated in the Reduction in Force after consideration of the following factors:
 - 1.** Type of appointment
 - 2.** The continuing need for the position's role and/or services
 - 3.** Relative efficiency
 - 4.** The employee's length of service with Forsyth County

- C.** The department manager involved and the Human Resources Director shall advise and provide recommendations, along with supporting documentation, to the County Manager as to which employees should be separated due to a reduction in force.

- D.** The County Manager has the final authority to determine the employee(s) to be separated due to a reduction in force and may consider the entire County work force, subject to his or her authority or control, when making his or her decision.

II. Severance Pay Policy

- A.** Definition of Severance Pay
 - 1.** "Severance pay" is defined as payment by an employer to an employee beyond his wages upon termination of his employment due to a reduction in force. Such pay represents a form of compensation for the termination of the employment relationship solely due to a reduction in force.
 - 2.** The purpose of severance pay is primarily to alleviate the consequent need for economic readjustment but also to recompense the employee for certain losses attributable to the dismissal.

B. Eligibility Requirements

1. When an employee is involuntarily separated due to a reduction in force, severance payment shall be offered to full-time and part-time employees who are eligible to participate in the Local Governmental Employees' Retirement System.
2. Employees in the following categories shall not be eligible for severance payment.
 - a. Temporary or part-time employees without benefits
 - b. Employees in time-limited or grant-funded positions
 - c. Any employee for whom the County has arranged comparable employment with a non-County agency.
 - d. Any employee who declines an offer of comparable employment by the County prior to his/her date of separation.
3. Employees will be required to sign a release in order to receive severance payment.

B. Severance Payment and Benefits Continuation

1. Severance payment shall be made according to the following schedule:

<u>Years of Service</u>	<u>Continuation of Salary and Benefits</u>
0 – through 4	5 weeks
5 – through 9	7 weeks
10 – through 14	9 weeks
15 – through 19	11 weeks
20 – and above	13 weeks

2. Service and rate of pay shall be computed as of the date the position is eliminated. Adjustments will be made for prior leave without pay.
3. Payments will be made on scheduled paydays until the severance period is exhausted. Normal deductions for employee contributions for benefits will continue throughout the severance period.
4. Continuation of health insurance will be available upon the completion of the severance period, according to the applicable COBRA provisions in effect when severance ends.
5. Employees will be eligible to utilize the services of the Employee Assistance Program throughout their severance period.
6. At the end of the severance period, those employees who have not found other employment may apply for unemployment benefits through the Employment Security Commission.

7. Employees who are subject to a reduction in force will be considered as internal applicants for Forsyth County positions for a period of six months from the date of separation, for any position that becomes available and for which the employee is qualified. The person must submit an internal application to the Human Resources Department. Consistent with County policy for internal promotions and job transfers, individuals who were on a written warning when they were involuntarily separated or whose most recent performance evaluation overall rating was “does not meet expectations” will not be considered for available positions.
8. An employee receiving severance pay shall not be eligible for re-employment with the County for the number of weeks calculated in the severance payoff, unless repayment is made in advance of re-employment for any severance payment made in excess of the period of actual separation from the County. In the event of reemployment, salary will be determined based on the normal factors used for internal moves.
9. Benefits continued during the period of severance will end as soon as a person is eligible for benefits with another organization. Severance payments will not end until the completion of the severance period, unless the recipient is rehired by the County during the severance period.