

FREQUENTLY ASKED QUESTIONS ABOUT REDUCTION IN FORCE (RIF)

What are the reasons for a reduction in force (RIF)?

A reduction in force may be necessary due to budget constraints, shortage of work, changes in duties or functions assigned to the position, changes in the organization, or a need to abolish SPA positions.

How does a department determine which positions to RIF?

Positions are selected based on the functional needs of the department. An evaluation is done of the need for specific programs, services, and positions. After critical functions are identified, employees are considered based on knowledge, skills, and abilities to perform the needed tasks at the highest level of service. Technical skills and productivity are also considered.

Are there any alternatives to a RIF?

Departments must consider other alternatives before separating employees. These include abolishing vacant positions, limiting spending, and reducing work schedules.

If there are several employees performing the same function, how does the department decide which employee to separate?

Retention of employees may be based on a pre-established criteria that includes but may not be limited to job functions, skills, knowledge, abilities, productivity, performance level, potential adverse impact, and length of service.

Is Affirmative Action considered in the RIF decision?

All plans for reduction in force are reviewed to determine effect on university goals and to avoid adverse impact.

Who endorses the department's plan to RIF employees?

The Associate Vice Chancellor of Human Resources receives a written plan which is evaluated and endorsed prior to employee notification.

How much notice do employees get before they are separated?

Employees are given written notice at least 30 calendar days in advance of the separation date.

Can a temporary employee be hired to perform the same function as the RIF'd employee?

A temporary employee can be hired to assist with performing some or all of the duties of the separated employee for brief periods of time. A temporary employee cannot be hired to assume the duties of a permanent fulltime employee on a continuous basis. Student workers are also allowed to assist.

What is the employee's responsibility in locating other employment?

To claim priority for re-employment in the state system, an employee must have reached "career status" (i.e. employed in state government for the immediate previous 24 months). An employee must submit an employment application to Human Resources and follow the application procedures of other state agencies and universities.

What type of assistance does Human Resources provide to separated employees?

Human Resources Employment Consultants assist with application completion, resume development, interview skills, job searching, networking, and benefits continuation. HR Employment also offers classes to assist with the job search.

How long do employees have priority for re-employment?

Separated employees have priority to positions at the same level or lower level for 12 months from the date of notification.

What happens to leave balances when employees are separated?

- Vacation leave up to 240 hours is paid out. If a balance exists after the maximum payout, it is reinstated if the employee returns to state employment within a year.
- Sick leave is not paid out. If an employee is reinstated within five years, his or her sick leave balance is reinstated. Sick leave transfers to other state agencies.
- Unused bonus leave is paid out.
- The balance of community service leave can be transferred to other state agencies.
- If enrolled in an UNC system tuition and fee-based course provided under the Faculty and Staff Tuition Waiver, payment of the class will not be required once your status changes.

What happens to employee compensatory time balances?

If the employee is non-exempt (receives time and one-half for hours physically worked over 40 in one scheduled work week), his or her compensatory balance will be paid out. If an employee is exempt from overtime but has been allowed to accrue extra time, his or her compensatory time balance will be forfeited.

Is an employee eligible for severance pay?

An employee being separated may be eligible for severance based on his or her employment status. Human Resources determines eligibility and will provide the severance calculation in writing to the employee at the time of his or her RIF notification. Final approval of severance payout is made by the Office of State Budget Management.

How is severance calculated?

Severance pay is calculated based on years of state service and age.

Can employees work in temporary positions while receiving severance payments?

Separated employees may work as temporary employees with no impact on severance pay.

What happens if an employee accepts a position outside of state government?

A separated employee may accept employment outside of state government and still draw severance pay. He or she must continue to be available for job search activities such as interviewing.

Can an employee lose rights to re-employment priority and severance pay?

If an employee declines interviews or employment offers at the same level or a higher level within 35 miles of his or her separating department, he or she is no longer eligible for severance pay or re-employment priority.

Can an employee appeal the RIF decision?

If alleging unlawful discrimination or that Veterans Preference was not afforded, an employee may appeal the reduction in force through Employee Relations or the Office of Administrative Hearings.

For more information, contact Employee Relations at 513-0700.