


# PROCEDURE MANUAL

 <b>ARIZONA WESTERN COLLEGE</b>	<b>PROCEDURE 475.6</b>		
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	<b>Last Revision Date:</b>	04-11-11	
<b>Effective Date:</b>		01-11-99	
<b>Section:</b>	Personnel	<b>Subject:</b>	Reduction in Force of Continuing Full-Time Contractual Employees

## PURPOSE

To outline the process of Reduction in Force (RIF) which allows the reduction in the number of continuing full-time contractual employees when there is an unanticipated reduction in available funds which requires urgent action.


## PROCEDURE

### 1. Definition

A *continuing full-time contractual employee* is a faculty member, librarian, counselor or professional (non-administrative) employee who has been offered and accepted a full-time contract as a faculty member, librarian, counselor or professional (non-administrative) employee for a fourth consecutive year.


2. The President will notify the District Governing Board (DGB) of the conditions and circumstances that warrant a RIF. The RIF is enacted subject to DGB approval.
3. When the College implements the RIF, the President will give written general notice of the need for a RIF to all continuing full-time employees.
4. The President will appoint a Review Board comprised of equal representation from the Professional/Administrative staff and the Faculty with a specified calendar for completion of the Review Board's duties.
5. The President will direct the Review Board to consider, according to RIF guidelines, any and/or all programs or specific areas to be reduced, eliminated, or otherwise affected as a result of a reduction of funds. The Review Board may also elect to consider other alternatives not mentioned in the President's directives. The Review Board will arrive at a majority decision and submit its written recommendation to the President and President's Cabinet within the timelines specified by the President.
  - 5.1. Options to be considered instead of RIF may include the following (not listed in order of priority):
    - 5.1.1. Reallocate budget.
    - 5.1.2. Freeze new hire requests and reassign qualified staff to vacancies when possible.
    - 5.1.3. Eliminate part-time staff.
    - 5.1.4. Reduce lengths of service.
    - 5.1.5. Retain staff in essential areas and combine functions.

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- 5.2. When an adverse employment action is required in other than an academic program and a choice must be made between more than one person in the same position, the following criteria will be used (not in order of priority):
  - 5.2.1. Voluntary requests.
  - 5.2.2. Length of continuous full-time service to the College.
  - 5.2.3. Versatility and flexibility to function in alternate positions.
  - 5.2.4. Willingness to participate in professional growth to increase versatility and flexibility.
  - 5.2.5. Effectiveness and quality of performance as demonstrated by performance evaluations completed within the last three years.
- 5.3. The following criteria will be used for reviewing program and reduction of continuing full-time contractual employees. The first two criteria will be considered. If no decision can be reached based on these criteria, the next three will be considered. If no decision can yet be reached, the final three criteria may be used. Within each grouping, the criteria are to be considered of equal importance.
  - 5.3.1. Educational needs and demands.
  - 5.3.2. Community needs and demands.
  - 5.3.3. Cost effectiveness including differential funding.
  - 5.3.4. Results of program and product evaluation.
  - 5.3.5. Impact on other programs.
  - 5.3.6. Transferability of course (where applicable).
  - 5.3.7. Number of full-time faculty in program in relation to number of students.
  - 5.3.8. Alternative methods for meeting personnel needs: availability of associate faculty to replace full-time faculty.
- 5.4. If an academic program is not eliminated but is reduced such that it lowers the number of continuing full-time contractual employees, the following criteria will be used for reduction of such. The initial three criteria will have a maximum value of ten points each, while the criteria following the first three will have a maximum value of seven points.
  - 5.4.1. Performance based on appraisal completed within the last three years by students, division chairs or other appropriate individuals. Faculty members will be rated by a forced-ranking procedure with ten points as a maximum.
  - 5.4.2. Each year of seniority will be valued as one point up to a maximum of ten starting from the initial contract year. Periods of unpaid leave will not count toward seniority.
  - 5.4.3. Academic preparation in specific programs: doctorate (10); two master's (8); master's (6); bachelor's (4); and, associate (2). Each year of vocational experience (excluding teaching) will be valued at one point up to a maximum

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of five years. Intervals between degree rankings are left for units completed in the teaching field after the awarding of a degree.

- 5.4.4. Number of areas in which the full-time contractual employee is certified to teach or provide support.
- 5.4.5. Relevant experience before being employed by AWC.

- 6. The President's Cabinet will consider the Review Board's recommendation and may:
  - 6.1. Approve and submit the Review Board's recommendation to the President for consideration.
  - 6.2. Request clarification, justification, or revision of the Review Board's recommendation. If agreement can be reached by both groups, the recommendation will then be submitted to the President.
  - 6.3. Return the recommendation to the Review Board for further study, consideration, and justification. The Review Board will provide the President's Cabinet with a new recommendation for consideration.
  - 6.4. Forward the recommendation of both groups to the President if consensus cannot be reached by both groups within seven calendar days.
- 7. The President will issue a decision concerning the RIF within seven calendar days after receiving the recommendation(s) of the Review Board and the President's Cabinet.
- 8. Within seven calendar days following the President's written decision, the appropriate Vice President will notify the affected employees. The Human Resources Director will provide affected employees written confirmation of nonrenewal/termination of employment including the effective dates and a copy of the RIF and appeal panel procedures within seven calendar days after the President's decision. The effective date of nonrenewal/termination of employment will be the end of the employee's current contract, no later than the end of the current academic or fiscal year.
- 9. Within 14 calendar days of receiving written notice of termination of employment from the Human Resources Office, the employee may appeal the decision. An employee's appeal is limited to issues concerning compliance with the procedural requirements of this procedure. An appeal may not include as an issue, the determination that a Reduction in Force is necessary, of a challenge to the recommendations of the President's Cabinet or Review Board, or decisions made by the President. Failure to submit a written request for an appeal to the Human Resources Office within the above time limit will result in the forfeiture of any appeal rights. The appeal will be conducted pursuant to Procedure 450.1 Due Process Hearing Panel.

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10. Any affected employee will be eligible for reassignment or re-employment in accordance with subsection 2.4 of the Contractual Employee Reduction procedure (475.5).