



REDUCTION IN FORCE POLICY

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Owner	Human Resources
Reviewer(s)	Human Resources
Approver(s)	County Manager
Applicable Policies	Respectful Workplace policy
Applicable Documents	Durham County Leave Transfer
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Review Cycle	Three Years

1. PURPOSE

Durham County will ensure that all reductions-in-force are administered consistently and in an unbiased manner.

2. POLICY

This policy establishes a procedure for how employees are released should a reduction in force become necessary.

3. APPLICABILITY

Any County employees covered by the Personnel Ordinance, and all those pursuant to a Memorandum of Understanding. Employees occupying provisional positions or operating under a Memorandum of Understanding may have to follow additional separation procedural requirements or constraints which may not be consistent with this procedure.

4. DEFINITIONS

Reduction-in-force (RIF) - The involuntary separation of an employee.

Reduction-In-Force Proposal/Plan - A written proposal prepared by a department head in advance of a reduction-in-force and then adopted as a plan upon the certification of the Human Resources Director.

RIF unit - Area identified for reduction-in-force i.e. section, unit, division, department, jobs, or positions.

5. GENERAL GUIDELINES

A. Workforce Management

- When normal attrition does not produce the desired results and no other measures seem feasible, a reduction in force may require the separation, involuntary demotion, reassignment, or reduction in work hours of covered employees.



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- The County may implement a reduction-in-force (RIF) for one or more of the following reasons:
 - Loss or shortage of funding
 - Lack of work
 - Reorganization
 - Abolishment of a filled position
 - Material change in duties assigned to a position
 - Outsourcing/privatization
- When the reduction plan will result in the probable separation of employees, the RIF unit will be designated on a case-by-case basis.
- Generally, the RIF unit will be the smallest functional area in the organization possible, as long as the affected positions are contained within the designated unit.

B. Reduction-In-Force Procedures

- The Department Head must identify the RIF unit and determine the employees to be separated in the RIF unit in the following order:
 - 1st: Temporary and contract employees
 - 2nd: Probationary, and trainee employees
 - 3rd: Regular employees
- At each level, the Department Director will first review employee job performance and then consider seniority in determining the employees to be impacted.
- Specialized and unique skills will be taken into consideration.
- If two or more employees affected by a RIF are performing satisfactorily and other retention criteria are equivalent, the County hire date will determine the RIF order.
- The Department Director must prepare and submit a written Reduction-In Force Proposal to the Human Resources Director that includes:
 - The proposed course of action is based on department needs and other relevant factors,
 - The reason(s) for the reduction-in-force,
 - The effective date of the reduction,
 - The specific positions scheduled for reallocation, reassignment and/or abolishment, and



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- Pre-RIF and Post-RIF organization charts.
- Employees' appointment types may not be changed (i.e., probationary, provisional, temporary, etc., to regular) after written notification of the reduction-in-force is received by the Human Resources Director unless the change is mandated by County policy (i.e., Trainee appointment is completed, or probationary appointment requirement is met).
- The Department Director and the Human Resources Director will develop and adopt a Reduction-in-Force Plan that includes:
 - The designated RIF units,
 - The affected employees, and
 - An analysis certifying that the RIF Plan does not adversely affect classes protected by state and federal equal employment and civil rights legislation
- The Department Director will notify all employees affected by the RIF, in writing and at the earliest opportunity (at least 30 days for individuals subject to the State Personnel Act). The notice will include:
 - The reason for the reduction,
 - The projected effective date, and
 - A copy of the County's Reduction-In-Force Policy.
- In addition, the Department Director will meet with all affected employees in person to review the reduction plan and to discuss mutual rights and responsibilities under the RIF Policy.
- Upon separation, RIF employees will be paid for accrued vacation leave and compensatory time.

C. Re-employment

- A RIF employee who wants to be considered for future employment must submit a completed employment application for any vacancy for which they qualifies.
- A RIF employee reinstated within one (1) year of their separation date will have her/his service hours, and sick leave restored to the balance of sick leave hours as of the separation date provided hours have not been used in another jurisdiction and/or service time is not withdrawn from the Local Governmental Employees' Retirement System.



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- A RIF employee re-employed by the County after one-year from their separation date is considered as a new hire and must serve a probationary period without reinstatement of previously accrued service hours or benefits, except sick leave which can be reinstated for up to three years after the separation date provided hours have not been used in another jurisdiction and/or service time is not withdrawn from the Local Governmental Employees' Retirement System.
- If transferred sick leave is used in another jurisdiction, returning employees must have the former employer submit a Durham County Leave Transfer Form to Human Resources stating the number of sick leave balance.
- Sick leave transferred to the County in this manner may be used by employees the same as sick leave earned while working for the County.

D. Review Procedures

- A RIF employee may request a review of the decision if they allege that the reduction in force was in retaliation for the employee's complaint of alleged discrimination due to the local, state, or federal law.
- The request must be filed with Human Resources in accordance with the appeal and complaint procedures as outlined in the Respectful Workplace policy.

6. RESPONSIBILITY

- It is the responsibility of supervisors and managers to uniformly administer, communicate, and ensure compliance.
- It is the responsibility of the Human Resources Department to interpret, monitor, and update the policy content.
- It is all employees' responsibility to comply with policy guidelines.
- Any violation or policy misuse will result in disciplinary action up to and including dismissal.

REVISION HISTORY

Version ID	Revision Date	Author	Reason for Revision
v.1.0-1993	04-13-2009	Human Resources	Adopted
v.2.0-2013	01-20-2014	Human Resources	Reformat, added wording
v.3.0-2025	07-01-2025	Human Resources	Reformat, add wording