

POLICY: 4.1.10. (III.J.)

Reduction in Force

Revised: May 5, 2016; September 6, 2012; August 29, 2001; and January 6, 1994.

Last Reviewed: September 16, 2022; and May 5, 2016.

Adopted: September 5, 1991.



POLICY:

The State Board of the Technical College System of Georgia shall develop and implement a policy that provides an orderly and fair process to be used in case any reduction in force becomes necessary. The reduction in force policy shall provide that:

1. Presidents of state technical institutes shall devise a plan for a reduction in force for their respective institutions;
2. Any reduction in force within an institution shall be limited to that institution;
3. The institute president shall decide the competitive area and competitive group to which any reduction in force is applicable;
4. All individuals within a competitive group will participate in the reduction in force process, regardless of whether they are in the classified or unclassified service, tenured or nontenured;
5. The State Board of the Technical College System of Georgia shall prescribe the basis for determining retention credits which shall be uniform among all state technical institutes;
6. Plans describing the process by which a reduction in force would be conducted within each state technical institute shall be approved by the State Board of the Technical College System of Georgia; and
7. Any employee of a state technical institute who believes the approved plan for that institution was not followed shall have the right to appeal to the State Board of the Technical College System of Georgia, and the board's decision shall be final.

Under the above statute (§ 20-4-35), it is the policy of the State Board of the Technical College System of Georgia (TCSG) that when position abolition(s) and/or reduction(s) in time status involving one or more employee(s) are necessary due to a lack of funds, mandated reductions in state spending, lack work, the termination of a grant or other funding source, the need for enhanced workplace efficiencies, a reorganization of System Office or Technical College operations, etc., such actions shall be accomplished in a manner that retains (where possible based on the scope of the reduction-in-force) the best performer(s). Retention factors include performance ratings, whether an employee is on an active step of discipline, and an assessment of an employee's knowledge, skills, abilities, and exhibited competencies.

As previously authorized, the State Board delegates explicitly to the Commissioner the ability to initiate reductions-in-force involving System Office employees and approve, disapprove, or modify reduction-in-force plan(s) submitted by a Technical College President. Further, the

State Board authorizes the Commissioner to address concerns raised by an affected employee that a reduction-in-force plan was not followed in the manner approved by the Commissioner.

The routine closing of an academic program of study authorized by the State Board of the TCSG in response to low enrollment, low placement rates, low-cost effectiveness, or to achieve other operational efficiencies in a Technical College may result in a reduction in the number of employees shall not be considered a reduction-in-force for this policy. In these instances, the affected employee(s) shall be released from employment at a time determined by the President and shall have no right to review this action.

A reduction in force will not be used to circumvent the State Board's Positive Discipline Policy regarding disciplinary action or the Rules of the State Personnel Board as they pertain to classified employees.

Suppose one or more employees in a designated competitive group are in the Classified Service as referenced in Paragraph VI.C.3.. In that case, the reduction-in-force shall be administered in a manner consistent with applicable State Personnel Board Rules.

NOTE: An employee furlough for one or more business days proposed in response to budgetary concerns is considered a temporary reduction-in-force and shall be administered in a manner consistent with these provisions. Before implementation, any Technical College furlough proposed by a President must have the Commissioner's written approval and encompass all full and part-time college employees (regardless of funding source) unless the Commissioner specifically exempts one or more employees. Likewise, any System Office furlough shall encompass all full- and part-time employees regardless of funding source unless the Commissioner specifically exempts one or more employees.

RELATED AUTHORITY:

O.C.G.A. § 20-4-11 – Powers of Board.

O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.

O.C.G.A. § 20-4-35 – Reduction in Force Policy.