



CHESTERFIELD COUNTY ADMINISTRATIVE POLICIES AND PROCEDURES

Department: Human Resources
Subject: Reduction-in-Force and Furlough Policy

Policy Number: 6-15
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I. INTRODUCTION

Reduction-in-Force and Furlough procedures shall apply to all full-time and part-time employees of Chesterfield County.

Management has the unilateral right to reduce personnel based on budget requirements, financial constraints, workload factors, reductions in services, or other relevant management considerations regardless of the duration of the situation. The decision to eliminate services or reduce personnel shall be determined by the department director and require approval by the County Administrator.

The Code of Virginia preserves as a non-grievable management right the ability of the county to define its method of reducing its workforce.

II. DEFINITION

Reduction-in-Force – A management decision to eliminate positions from the budget due to lack of funding, changes in workload, reduction in services, or elimination of functions/programs.

Furlough - A furlough is the placement of an employee in a temporary nonduty, leave without pay status, due to special needs of an organization, which may be due to the lack of work or economic conditions of the organization or in the economy. Furloughs may be short or long term.

III. PROCEDURES

- A. Under Reduction-in-Force or Furlough conditions a number of factors will be considered in identifying which position(s)/duties to eliminate, reassign or furlough. These may include but are not limited to: the goals of the county; mandated state and regulatory requirements; the needs of the department; the needs of customers; and source of funding for the position. In some cases, the duties and functions of remaining positions may be combined or restructured at the sole discretion of the county or in the case of a constitutional office, the constitutional officer. Reasons for selecting positions to be eliminated or furloughed will be documented by the department director and submitted to the Director of HR and the appropriate Deputy County Administrator for review and consideration. Elimination or furlough of a department director position will be submitted to the County Administrator for review and consideration.
- B. Departmental reorganizations in which responsibilities, duties, and/or lines of authority are changed for more effective operation are not covered by these procedures.
- C. When a Reduction-in-Force or Furlough will eliminate some but not all positions in a particular job title or defined group within a department, division, or organizational unit, determination of employees to be retained will be made based on a comparison of the employees' knowledge, skills, and abilities as they relate to the on-going needs of the organization. The employees' past performance, conduct, and length of service with the county and within the department will also be considered.

An employee's total performance record with the county will be reviewed by the department director (including performance evaluations, performance reports, bonuses, monetary awards, memos, and other documents in the employee's personnel record) to determine if performance is meeting expectations. Employees working below performance expectations will be identified for Reduction-in-Force or Furlough before employees meeting or exceeding work performance expectations even if they have more years of service. All comparisons will be

made on a nondiscriminatory basis. Reasons for selecting an employee for Reduction-in-Force or Furlough will be documented by the department director and submitted to the Director of HR and the appropriate Deputy County Administrator for review and consideration.

- D. The department director will meet with the Director of HR and the appropriate Deputy County Administrator (if necessary) to review the reasons submitted in accordance with Sections A and C above for the Furlough or Reduction-in-Force, positions identified for elimination, and employees identified for separation.
- E. Whenever practicable, employees affected by the Reduction-in-Force or Furlough and whose performance meets or exceeds expectations will be considered for transfers within their department as follows:
 - 1. First, in available vacancies of the same classification or the same series at the same pay grade in the same county department.
 - 2. If no vacancies exist in the same classification, the employee may be considered for a demotion to a similar position in the same county department.
- F. Employees to be separated under the Reduction-in-Force procedures shall be given at least 30 days written notice of such separation.
- G. Nothing in this policy is intended to alter the authority under Virginia law of constitutional officers to make the final decision regarding which employees would be retained or terminated in a Reduction-in-Force or Furlough.

IV. REINSTATEMENT OPPORTUNITIES

An employee separated due to reduction-in-force may be reinstated within six months to their former classification in their former department without advertisement of the position. The former classification is defined as the same job title, job responsibilities and employment status. If an employee is reinstated, he/she may be reinstated at a salary not greater than the rate of pay at the time of separation. A reinstated employee's hire date will be the effective date of the reinstatement. Employee reinstatements must be consistent with Personnel Policy, Reinstatement Section, 3-10-1.

All reinstated employees shall complete a new hire background check, drug test, new hire forms and attend NEO. Employees requesting re-employment after six months of separation may apply for positions consistent with Administrative Procedure 6-7, Employment Policy. Past performance shall be considered in all decisions to reinstate a former employee.

V. FURLOUGH

- A. In times of extraordinary budget reduction, it may become necessary to implement an employee furlough in order to preserve the financial well-being of Chesterfield County government. It is the policy of Chesterfield County to implement an employee furlough only after reasonable alternatives have been exhausted. Furloughs will be implemented in a manner that is sensitive to the mission of the county and the needs of its employees.
- B. A furlough is not a layoff or Reduction-in-Force and may be used by the county to avoid or delay such action.
- C. Employees affected by a furlough will be given as much notice as is practicable under the circumstances of his/her placement on furlough. The written notice will include the effective date of the furlough and will provide the employee guidance regarding coverage of benefits during the furlough period.
- D. A furlough may last up to six months. The county may, during the furlough period, institute a Reduction-in-Force or rescind the furlough status and return the employee to work. An employee will be provided at least 14 calendar days of notice of the return to work date. Notice of the employee's return to work date will be provided by mail, and if possible, by

telephone and/or email. An employee's failure to return to work on the date provided in the notice will be deemed job abandonment and the county will move forward with separation. If, at the end of the six-month furlough period, the employee cannot be returned to work, the Reduction-in-Force section of this policy will be applied.

- E. Supervisors are not permitted to ask an employee on furlough to perform any duties of the employee's job while the employee is on furlough. Employees are not permitted to volunteer to do their job on a nonpaid basis while on furlough.
- F. Employees may not use PTO or any form of Traditional Leave while on furlough. Employees on furlough do not accumulate PTO or Traditional Leave.
- G. An employee placed on furlough may seek secondary employment in accordance with County Personnel Policy 3-4, Outside Employment.
- H. Placement of an employee on furlough is not disciplinary action and may not be used as disciplinary action.