I. General Provisions

A. This Reduction in Force (RIF) policy may be invoked in those circumstances where the following two conditions exist:

1. Anticipated expenditures for personnel, considered together with those for non-personnel, exceed anticipated revenues and/or when current staffing is out of alignment with the programs and/or services which are offered now or are to be offered in the near future.
2. Less severe means of personnel adjustment (ex: attrition, retraining) are insufficient to accomplish reductions and/or realignments of the scale or within the time constraints indicated by the conditions indicated above.

The Northwest College Board of Trustees, after all due consideration has been given to reductions and/or adjustments in non-personnel areas, and after determining that the above two conditions exist, may invoke this Reduction in Force (RIF) policy in a manner which is consistent with the Mission and Goals of the College to accomplish reductions and/or realignments in personnel.
The final decision to invoke RIF and thereby reduce the number of and/or realign the Faculty, Classified, Professional, or Administrative Staff shall, in all cases, remain within the sole discretion and judgment of the Board of Trustees. These decisions shall be based upon recommendations and information provided to the Board by the College President, including but not necessarily limited to a written plan which identifies the objectives to be achieved by invoking RIF. These recommendations shall be made after consultation with and review by the College Council.

In the event that circumstances necessitate a reduction and/or realignment of administrative, instructional, and/or classified and professional personnel, the criteria listed below (General Provisions, Section II) shall be applied to determine, in an orderly and equitable fashion, the number and kinds of positions to be reduced and/or realigned.

B. Recommendations to the Board of Trustees to invoke RIF and thereby reduce and/or realign positions are to be made by the College President in consideration of the following:
   1. Available funds
   2. Congruence of resource allocation with mission, goals, and other planning documents
   3. Historic, current, and projected demand for courses, programs, and services
   4. Enrollment patterns — past, current, and projected
   5. Future curriculum plans and needs
   6. Related cost effectiveness (cost/student) of courses, programs, and services
   7. Staffing needs

Upon receipt and review of the College President's recommendations, The Board may then invoke RIF. When invoking RIF, the Board must designate those units or areas within the College which are to be subject to faculty, staff, or administrator reductions and/or realignments, together with the number of positions to be affected in each of those units or areas.

C. The affected units or areas, and the number of positions having been designated, the College President shall then identify specific personnel for termination of employment, in accordance with the provisions for their employee group as specified in this RIF policy. When, pursuant to this policy, the College President determines those employees to be terminated, the College President shall notify both the Board and affected employees of these decisions, together with the reasons for the decisions.

Shall the employee so wish, the employee shall be afforded a hearing before the Board of Trustees in accordance with Wyoming's Administrative Procedures Act. The sole purpose of this hearing shall be to determine whether or not the

procedures set forth in this Reduction in Force policy have been appropriately applied and the factors considered therein support the employment termination decision of the College President.

D. This Reduction in Force policy applies to all regularly contracted employees of the College. When layoffs are necessary, temporary, conditional, provisional, and visiting employees shall be considered before invoking this Reduction in Force Policy. Definitions of regularly contracted employees are found in the Board Policy Manual. The College President may retain temporary, conditional, and/or provisional employees if these employees have skills necessary to the continued operation of the College, but the College President shall make every reasonable effort to honor seniority for regularly contracted employees. The terms, conditions, and benefits of this Reduction in Force policy do not apply to temporary, conditional, or provisional employees.

E. Employees shall be given at least thirty (30) days' notice before termination. Notification of termination shall be personally delivered to the employee if at all possible. Official notification must also be given through certified mail with certification of delivery.

F. No employees shall be granted a leave of absence in order to avoid Reduction in Force.

G. All Reduction in Force records shall be kept current and maintained in the Human Resources Office.

H. Employees terminated under a Reduction in Force policy shall be given severance pay equal to one-twelfth (1/12) of their annual salary (or, in the case of Classified Staff, anticipated annual earnings).

I. For RIFed employees who have been receiving benefits, the College shall continue to contribute premiums for single health and dental coverage for six months or until the employee becomes employed following the RIF, whichever comes first. The College shall begin paying the single health and dental coverage for a six-month period from the point in time the RIFed employee is no longer receiving coverage under his/her current contract.

J. RIFed employees shall be eligible for and have preference in consideration for rehire into the position from which they were RIFed, or any comparable position, for three years from the end of their last contract, shall such a position be reestablished.

Comparable position, for the purposes of this policy, shall mean comparable compensation (unless a pay reduction for employees of similar positions has been implemented), similar level of employment (within a ten-hour variance per week for Classified Staff, one month annual variance for all salaried staff), similar duties and responsibilities, and a position for which the RIFed employee is qualified.

Rehiring of RIFed employees in their particular unit/area shall occur in reverse order of termination, provided they meet the employment specific qualification requirements of the open position.

During the period for which a RIFed employee has rehire rights, the College shall notify the RIFed employee of position openings for which the employee is eligible. Such notification shall be sent by certified mail with certification of delivery.

RIFed employees must maintain a current mailing address with the College Human Resources Office and must respond to such notification within ten working days after receipt of the vacancy notice. Failure of the employee to maintain a current mailing address, or to respond within the ten working days, shall constitute a waiver of these rehire rights.

If a RIFed employee chooses not to accept an offer of rehire into the position from which they were RIFed, or any comparable position, this shall constitute a waiver of these rehire rights.

Any qualified RIFed employee may apply for vacancies in positions, provided all RIFed employees of the unit in which the vacancy exists have been rehired or have forfeited their rehire rights. Rehired RIFed employees shall retain previous seniority rights.

II. Faculty

A. Faculty covered by these provisions shall include those individuals who both hold academic rank and are appointed on a probationary, fixed-term, terminal, or tenured faculty contract.

B. All reasonable effort shall be made to retain senior tenured faculty. Any reduction in faculty positions shall begin with those filled by non-tenured faculty except where one or more of the following conditions exist:
   1. Such non-tenured faculty possess recognized experience and/or educational background which tenured faculty do not possess, their termination thereby unduly limiting the course or program offerings in the area targeted for the reduction in force.
   2. Such non-tenured faculty possess teaching experience and/or educational background which is necessary for meeting the current or future program needs of the College.

C. In areas targeted for reduction in force where two or more non-tenured faculty are available for reduction in force, reductions in force affecting non-tenured faculty shall give employment preference to those who have the most seniority except where one or more of the following conditions exist:
   1. Such non-tenured faculty possess recognized experience and/or educational background which more senior non-tenured faculty do not possess, their termination thereby unduly limiting the course or program offerings in the area targeted for the reduction in force.
   2. Such non-tenured faculty possess teaching experience and/or educational background which is necessary for meeting the current or future program needs of the College.

D. In areas targeted for reduction in force where no non-tenured faculty are available for reduction in force, or where there exists further need for reduction in force after considering or terminating all non-tenured faculty, reductions in force affecting tenured faculty shall give employment preference to those who have the most seniority except where one or more of the following conditions exist:
   1. Less senior tenured faculty possess recognized experience and/or educational background which more senior tenured faculty do not possess, their termination thereby unduly limiting the course or program offerings in the area targeted for the reduction in force.
   2. Less senior tenured faculty possess teaching experience and/or educational background which is necessary for meeting the current or future program needs of the College.

III. Classified and Professional Staff

A. Classified and Professional Staff, for purposes of this policy, are defined as regular employees hired into positions not identified as Faculty or Administrative Staff.

B. Employees shall be ranked within the designated unit or area based upon appropriate assignment-specific qualifications.

Employees determined to qualify equally for positions based upon appropriate assignment-specific qualifications shall then be ranked based upon the employee's years of employment at the College.

1. Employees possessing assignment-specific qualifications shall be given preference. Qualifications include but are not limited to educational background, experience in the work assignment for which the employee or employees shall be retained at the College, and other similar relevant considerations.
2. Classified and Professional Staff who are equally rated based upon appropriate assignment-specific qualifications shall be given preference based upon the total number of years of service at the College beginning with the date services were first provided to the College.

C. Those employees subject to termination due to the application of this reduction in force policy shall be considered in the order set forth in paragraph II above.

D. During the reduction in force process, non-RIFed employees may be administratively reassigned according to areas in which they have assignment-specific qualifications within or between assignment locations as necessary to meet the staffing needs of the College. Employees reassigned during the reduction in force process shall be paid according to the rate of pay for their new assignment. Employees reassigned shall retain previous seniority rights.

E. Employees reassigned during a reduction in force shall be eligible for and shall have preference in consideration for reinstatement into their original positions if the position becomes available within a three-year period following the RIF action.

IV. Administrative Staff

1. For the purposes of this policy, Administrative Staff shall be defined as those non-teaching professional staff who provide broad-based direction and management of the College's programs and staff. These positions all report to the College President or a Vice President. Notwithstanding, the provisions of this RIF policy do not apply to the College President.

2. The College President shall determine which individuals are to be RIFed based upon specific criteria and qualifications, including but not limited to:
    1. Educational background, experience in the major administrative assignment at the College, longevity, and other similar relevant considerations.
    2. Administrative employees have no employment rights based solely upon longevity of service as an administrative employee.

3. Administrative employees who have previously been granted tenure rights as faculty shall retain those rights for the major area or unit in which the tenure right was granted, and shall be considered for retention in accordance with the faculty provision of this policy.

Adopted 08/09/1999