Reduction in Force (RIF)

Policy Statement
The President shall have the responsibility for determining number of positions employed by the College. If the President determines the need to reduce the number of positions due to changing priorities, budgetary constraints, or other conditions, the President may, at his/her discretion, declare the existence of a reduction in force. A RIF can also occur when the needs of the College change so significantly that the employee in the position no longer has the demonstrated capability, competence, and/or appropriate experience to perform the required essential functions of the changed position.

Section A: General

1. The instructional staff may be reduced by RIF at the discretion of the Board.

2. The greatest possible reduction in instructional staff shall be accomplished through attrition.

3. The reduction may be applied to all instructors or to only some group or groups thereof. The reduction shall be applied to the largest group or groups of instructors which may be reasonably considered. The President, subject to Board approval and after consultation with the recognized negotiating team, shall determine the group or groups of instructors from which the reduction shall be made.

Section B: Selection

1. Within each specified group, instructors shall be selected for reduction in the following order:
   a) Instructors whose performance does not meet the expectations of administration.
   b) Instructors whose positions have been eliminated and who are not qualified to fill any vacant teaching position.
   c) Probationary instructors.
   d) Non-probationary instructors who are on a disciplinary Plan of Assistance.

2. Within each subparagraph above, if two or more instructors are otherwise equally eligible for selection, instructors with shorter lengths of current employment will be selected before those with longer lengths. If two or more instructors remain equally eligible for selection, the order of selection of those instructors shall be decided through applying unbiased procedures developed and directed by the Human Resources Department.
3. Length of current employment shall be based on the date of employment specified by the Personnel data base.

4. Only those assessments forwarded to the Human Resources Department prior to an earlier date specified by the President will be considered in the implementation of this policy.

5. Any individual(s) within a specified group who is on or has requested an extended leave shall be eligible for selection for layoff under the conditions set forth herein.

6. As instructors are selected for layoff, their names shall be placed on a list in the order of their selection. A copy of the list shall be given to the negotiating team in a timely manner. If the recognized negotiating team does not object in writing to the order of selection within five (5) days of receipt of the list, the list shall be final. If the recognized negotiating team objects in writing to the order of selection within five (5) days of receipt of the list, said objection shall be in the form of a grievance and shall be processed accordingly.

Section C: Notice

1. Any instructor who is to be recommended for layoff shall be notified in writing at least thirty (30) days prior to the proposed effective date of such layoff and a copy of the notice shall be given to the recognized negotiating team. Such notice shall include:
   (a) The basis for the initial decision for teaching staff reduction.
   (b) The reason(s) for the selection of the individual instructor.
   (c) A copy of this Article.
   (d) Notice to the individual instructor of an opportunity to respond.

Section D: Rights

1. Any instructor who has been so laid off shall no longer be considered an employee and shall have no employee rights or benefits other than those required by law or by this agreement.

2. Any instructor who has been so laid off may apply for assignment as a substitute instructor.

3. No layoff covered under this Article shall be considered a termination or non-renewal under K.S.A. 1979 Supp. 72-5436, et. seq. or K.S.A. 72-5411. However, application of this Article shall be subject to the grievance procedure.