

**ELIZABETH CITY STATE UNIVERSITY**  
**Reduction in Force (RIF) Policy**

**Preamble**

The purpose of this policy is to provide direction in administering reduction in force activities that meet the particular needs of Elizabeth City State University (ECSU) and to provide assurance to employees that potential reductions shall be considered on a fair and systematic basis. To the extent that any provision of this policy conflicts with the Office of State Human Resources (OSHR) policy statement on reduction in force, Section 11, Pages 3-5 of the State Human Resources Manual shall control.

**1. Policy**

- A. ECSU has the authority to separate an employee whenever it is necessary due to shortage of funds or work, abolishment of a position, or other material change in duties or organization. Retention of employees in classes affected shall be based on systematic consideration, at a minimum, of the following factors:
  - 1. type of appointment;
  - 2. relative efficiency;
  - 3. actual or potential adverse impact on the diversity of the work force;
  - 4. length of service.
- B. Neither temporary, probationary, nor trainee employees in their initial six months of training shall be retained in classes where employees with a permanent appointment (those who have satisfactorily completed a probationary or equivalent trial period) must be separated in the same or related class.
- C. In determining the length of service, an eligible veteran shall be accorded one year of state service for each year or fraction thereof of military service, up to a maximum of five (5) years credit.

**2. ECSU Responsibility**

- A. ECSU has developed a policy (ECSU No. 200.2.7 [G]) for reduction- in-force that meets its particular needs and provides assurance to employees that potential reductions shall be considered on a fair and systematic basis. This policy must be openly available for review by any employee of the university in the ECSU Policy Manual. This policy shall also be filed with OSHR as a public record.

- B. It is ECSU's responsibility to inform the employee of separation as soon as possible, and to inform the employee, in writing, of the reasons for the reduction-in-force, their eligibility for priority reemployment consideration, applicable appeal rights, and other benefits available.
- C. ECSU must provide employees with a minimum of thirty (30) calendar days official written notification. For employees desiring priority consideration, ECSU must submit a Priority Verification List to OSHR requesting priority consideration. If the employee does not want assistance in finding another State job, ECSU shall get a written statement to this effect and share a copy with the OSHR.

**3. Appeals**

An employee separated through a reduction in force may appeal that separation if it is alleged the separation is in retaliation for the employee's opposition to alleged discrimination on account of the employee's age, sex, race, color national origin, religion, creed, political affiliation, denial of veterans' preference or handicapping condition. Such an appeal may be made either through the ECSU internal grievance procedure or may be filed directly with the Office of Administrative Hearings, at the choice of the employee.

**4. Affirmative Action**

In accordance with federal guidelines affecting equal employment opportunity and affirmative action, all decisions concerning reduction-in-force must be analyzed to determine their impact on ECSU utilization goals by race and sex and to avoid adverse impact in violation of Section 4.d of the Uniform Guidelines on Employee Selection Procedures.

**5. Leave**

**A. Vacation Leave**

Employees may elect, subject to approval by management, to exhaust vacation leave after their last day of work and be paid in a lump sum for the balance not to exceed 240 hours. If an employee had over 240 hours of vacation leave at the time of reduction-in-force, the excess leave shall be reinstated when reemployed within one year.

**B. Sick Leave**

Employees separated due to reduction-in-force shall be informed that their sick leave shall be reinstated if employed in any agency within five years.