

<b>Maricopa Special Health Care District Policy</b>	<b>Subject:</b> Reductions In Force	<b>Number:</b> HR2403
<b>Approved CEO:</b>	<b>Issue Date:</b> 9/22/04	
<b>Initiating Department:</b> Human Resources Department		

I. PURPOSE

- A. The purpose of this Administrative Personnel Procedure is to provide an orderly identification of the position(s) and employee(s) affected by a reduction in force (RIF) and to describe the special employment placement assistance afforded.
- B. The procedure requires the appointing authority to notify Human Resources of an impending RIF as soon as the decision has been finalized. Human Resources will work with the appointing authority to assist throughout the process.
- C. A RIF is an extremely difficult business decision for an organization. It is the District's intent to treat all impacted employees with dignity and respect and to assist employees in job placement.
- D. The procedures and services described will be offered to assist employees in locating another position.

II. APPLICABLE EMPLOYEE MERIT SYSTEM RULES  
9.02 REDUCTION IN FORCE (RIF)

- A. "A regular employee may be separated from the classified service through a reduction in force whenever such an action becomes necessary because of a lack of funds, lack of work, or abolishment of position.
- B. When a reduction in force is determined by an appointing authority to be necessary, the appointing authority will notify the Director who will establish, in conjunction with the appointing authority, the order of the reduction in force for as many employees as are to be separated. In determining the order of a reduction in force for regular employees, the Director and appointing authority shall agree upon the factors and their weightings to be used to calculate retention points. The factors and their weightings shall be consistent and equitably applied to all regular employees occupying substantially similar positions within the affected department. The Director and appointing authority shall identify and agree upon the employees whose duties warrant their being grouped together for purposes of determining their respective retention points, and the resulting determination of the order in which they may be RIFed.
- C. The appointing authority shall attempt to place affected employees in other available positions on the same or lower pay grade within the department for which the employees qualify. No regular employee shall be separated through a reduction in force while there are temporary, contract or initial probationary employees serving under the appointing authority on the same or lower pay grade for which the regular employee is qualified and available for assignment. The Director will provide placement assistance to the remaining employees in competing for other vacancies in the county service."

SECTION 16.H. APPEAL BY EMPLOYEE

"An employee who has been subject to a reduction in force by reason of lack of funds, lack of work, or abolition of position may file an appeal with the Commission only on the grounds that the calculation of the employee's retention points was inaccurate and resulted in that employee being selected for separation before another."

III. PROCEDURE

- A. The appointing authority (or designee) will arrange with the Human Resources Director (or designee) an initial RIF consultation and provide the following for review and approval:
1. A letter of justification from the appointing authority (with approval of the department's director and Chief Executive Officer) initiating the RIF. The letter should contain
    - a. the reason for RIF (See Section II.A. for listing of applicable reasons);
    - b. a statement of the scope of the RIF; i.e., will the RIF be applied to the entire department or to a specific division, function, or low org(s);
    - c. the number of positions affected -- for each position include: the position job title, position control number, budgeted pay grade, low org to which the position is assigned, the position status (classified or unclassified under Merit Rules), and whether the position is occupied or vacant. If the position is occupied, include the employee's name and any employee information which differs from the position information (i.e., employee's pay grade, job title, or employee status under Merit Rules.) ;
    - d. a list of ALL vacant position(s) in the department and whether or not they will be filled. For each available (to be filled) position include: the position's job/working title, budgeted pay grade, low org to which assigned, description of job duties and qualifications, and status under Merit Rules. For any position not intended to be filled, provide anticipated availability date.
    - e. a list of positions occupied by initial probationary employees, temporary, and contract employees within the department. For each employee, provide his/her name, hire date, low org to which assigned, position control number (if applicable), job/working title, pay grade, description of job duties and position qualifications, and status under Merit Rules. Identify any position information which differs from the employee information (e.g., position's pay grade, job/working title, status, etc.)  
**NOTE:** It is not required that contract and/or temporary and/or initial probationary employees be automatically released from employment. Such employees are only released if a regular status employee on the same or higher pay grade is interested in and qualified for the assignment.
    - f. a list of employees within the department who are on special work assignments and/or leaves of absence.
    - g. information regarding **grant funding issues**, if applicable. Care must be exercised when evaluating issues involving regular status grant-funded employees. It is imperative to examine each situation involving grant funding independently to determine what specific provisions are required. Generally, regular status grant-funded employees who are available and qualified have access to vacant positions anywhere within the department that are on the same or lower pay grade, regardless of the funding source of such vacant positions and normally receive special placement assistance provided through the HR Referral Placement Program. However, before any determination can be made involving regular status grant-funded employees, the following information must be provided to enable Human Resources to assist the department in identifying specific reduction in force procedures which may be applicable:
      - (1) a copy of the grant; and
      - (2) a copy of each employee's signed acknowledgment of his/her grant-funded position status.

Following the review of the above material, additional procedures and processes may be required.

2. The proposed Retention Criteria Rating Matrix (See Attachment A) or a statement explaining why no Retention Criteria is required.
    - a. Retention Criteria is required when the number of employees with substantially similar job duties is being reduced.
    - b. For example, if a department is reducing the number of clerical positions (which have substantially the same types of duties) from ten to five within a particular low org, Retention Criteria must be developed to determine which five employees will be placed within the new structure.
    - c. In other situations, such as the elimination of an entire low org, where all positions performing essentially the same duties are being eliminated, or where a single position with unique job duties is being eliminated, Retention Criteria may not be required.
    - d. The Human Resources Director and the appointing authority must agree upon the retention factors and their weightings. The Human Resources Director, in conjunction with staff from the Compensation and Employment Services Divisions, will review positions to verify whether job duties are substantially similar. Appointing authorities may be requested to provide position descriptions as a reference in conducting this review and analysis.
  3. The organizational chart of the department before and after the RIF.
- B. The Human Resources Director/designee and appointing authority/designee will review the materials. **Following approval of the information by the Human Resources Department and depending on the Retention Criteria utilized**, the appointing authority may have each regular status employee within the scope of the RIF complete and return to the appointing authority (or designee) an Experience & Education Inventory form (EEI) (See Attachment B). The information provided on the EEI may assist the department in completing the Retention Criteria Rating Matrix/Worksheet and in potential placement efforts.
- C. The appointing authority/designee completes the Retention Criteria Rating Matrix/Worksheet for each regular status employee within the scope of the RIF. (See Attachment A)
1. The supervisor provides the completed Retention Criteria Rating Matrix/Worksheet to each affected employee for review and any necessary correction. The purpose of this step is to ensure that the employee has the opportunity to review his/her Matrix/Worksheet for accuracy in advance of the RIF. If the employee does not agree with the Matrix/Worksheet, any discrepancies should be brought to the supervisor's attention and resolved. If the employee refuses to initial the Retention Criteria Rating Matrix form, the supervisor should note on the form, "Employee refuses to initial."
  2. The department forwards the original Matrices and Worksheets to the Human Resources Department and retains copies for their files. The Human Resources representative reviews and verifies the math calculations on the ratings.
- D. After the ratings have been reviewed and verified, the appointing authority will provide Human Resources with a list of the employees proposed to be RIFed. The list includes name, pay grade, position job/working title, position control number, low org, status under Merit Rules, and date of hire.

- E. The appointing authority verbally notifies the affected employees of the RIF and provides each employee with a written Notice of Available Employment form identifying each position which is vacant (for which the department is currently recruiting or intends to fill) or occupied by an initial probationary employee, as well as temporary and contract employment opportunities which are budgeted on the **same or lower pay grade** as the employee's current pay grade. (See Attachment C) Information about available employment opportunities must include job/working titles, pay grades, status (i.e., temporary, contract, Merit-covered, etc.), hours per week, and sufficient information concerning job duties and position qualifications to allow affected employees to make informed decisions concerning their interest and eligibility. Should a position involve unique qualifications, the appointing authority must provide Human Resources with written documentation of such qualifications. For example, the appointing authority may produce a copy of the previous job announcement for the position which detailed the qualifications. Passing current testing requirements will not be necessary for lower pay grade jobs having similar types of duties to the position currently held by the employee.
- F. The employees are given sufficient time to complete and return the forms to the appointing authority. The Human Resources Department is provided with a copy of each employee's completed Notification of Available Employment form.
- G. The Human Resources Department Employment Services Analyst reviews the EEI's to determine employees' eligibility for consideration for available positions in which the employees are interested. Depending on the nature of the position and the position qualifications, the Employment Services Analyst may contact the employee(s) to request additional information or the completion of an employment application.
- H. The Employment Services Analyst provides listings of qualified employees to the appointing authority. The appointing authority interviews all qualified employees and offers employment based on employees' availability and qualifications.
- I. If there are employees who are not placed through the process described above, the appointing authority provides the Human Resources Department with a list of those employees to be RIFed. The lists includes name, current job/working title, position control number, pay grade, hire date, low org to which assigned, and status under Merit Rules.
- J. The appointing authority meets with each employee to provide written notification of the RIF (See Attachment D1, D2, & D3) and completes a Security Checklist (See Attachment E). It is the responsibility of department management to secure property or information from employees who are affected by a RIF. Human Resources representatives shall be available to provide guidance and assistance concerning the notification meeting and should be present when the employee receives the final RIF notification letter. The appointing authority provides the Human Resources Department with copies of each employee's Notification of RIF.
- K. A Reduction in Force Checklist is provided in Attachment E and should be completed prior to the conclusion of the RIF. Failure to complete the checklist shall not be deemed as a failure to follow policy and procedure, but is intended only as a tool to assist the appointing authority.
- L. Prior to the effective date of separation from county employment due to RIF, regular status employees are eligible for special placement assistance as provided in the Referral Placement Program (HR2404).

**NOTE:** The procedures described herein may be modified in writing by the Human Resources Director in specific instances where it is deemed unnecessary to comply with all provisions of this Administrative Personnel Procedure.

**ATTACHMENT A**

**RETENTION CRITERIA RATING MATRIX**

**EMPLOYEE'S NAME:**

\_\_\_\_\_

<b>A. JOB/WORKING TITLE and PAY GRADE:</b>		
<b>B. CRITERIA</b>	<b># POINTS*</b>	<b>x WEIGHT** = WEIGHTED SCORE</b>
1. (FACTOR)		x =
2. (FACTOR)		x =
3. (FACTOR)		x =
4. (FACTOR)		x =
5. (FACTOR)		x =
<b>TOTAL SCORE</b>		
6. Tie Breaker*** (describe)		TOTAL SCORE =

**C.** \_\_\_\_\_  
Rater/Supervisor Date

**D.** \_\_\_\_\_  
Employee's Initials Date

**E.** \_\_\_\_\_  
Appointing Authority Date

\* Insert corresponding numbers from Rating Criteria Worksheet.

\*\* Assign a weight value to each criteria. Weights **MUST** total 100%. No individual criteria category can be assigned a weight of over 50%; nor may any category be assigned a weight of less than 5%.

\*\*\* Include in calculation only in case of a tie.

**SAMPLE RATING CRITERIA WORKSHEET**

**EMPLOYEE NAME:**

**1. QUALIFICATIONS (Pick one):**

# POINTS	CRITERIA DEFINITION
1	High school graduate <u>or</u> GED certificate <u>or</u> less than 2 years relevant* experience
2	Any college education <u>or</u> 2 to 3 years relevant* experience
3	Any Bachelor's Degree <u>or</u> 4 years relevant* experience
4	Any postgraduate degree <u>or</u> evidence of continuing postgraduate education <u>or</u> 5 or more years of relevant* experience

\* Department can define, but must be consistent within scope of RIF plan.

# of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

**2. PERFORMANCE APPRAISAL(s) (Pick one):**  
(From the Performance Management Program "Performance Management Evaluation Form"(s). Performance Evaluation Rating must have been determined prior to the RIF.)

# POINTS	CRITERIA DEFINITION
1	Needs Improvement (NI) overall rating on most recent evaluation
2	Full Performance - Base (FP - base) overall rating on most recent evaluation
3	Full Performance (FP - high) overall rating on more recent evaluation
4	Exceptional (EX) overall rating on most recent evaluation

# of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

**3. WORK RECORD (Maximum of 5 points): Department can define parameters.**

# POINTS	CRITERIA DEFINITION
+1	Attendance at required meetings and training
+1	Work products are completed on time
+1	High quality of work products
+1	Willingness to put in the needed time to complete goals or tasks
+1	Dependability (reliable, trustworthy, can count on employee)

Add for # of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

4. **CONDUCT:** (Everyone starts with "Satisfactory" conduct -- a rating of 2 -- then, add or subtract as needed. Possible scores can range from -1 to +5.) This category is limited to documents received prior to   (date)  \*

VALUE	CRITERIA DEFINITION
+2	Satisfactory conduct
+1	Letters of commendation (within last 3 years). Any number of letters from 1 to 2,000 still counts as +1
+2	Recognition for outstanding accomplishments (within last 3 years)
-1	Any written reprimands (within last 3 years)
-2	Any disciplinary actions: Suspensions or Demotions (within last 3 years)

\* Date identified should be at least 30 days prior to date of RIF.

Add for # of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

5. **SENIORITY** (Pick one): Calculate from most recent hire date into a regular status position.

RATING	CRITERIA DEFINITION
1	Less than 1 year with the County
2	At least 1 year, but less than 6 years with the County
3	At least 6 years, but less than 10 years with the County
4	10 years or more with the County

# of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

6. **TIE BREAKER:** (Include in calculation **ONLY** in case of a tie. Department can decide on time frames and on the definitions.)

VALUE	CRITERIA DEFINITION
+1	Evidence of self improvement/professional development
+1	Special skills
+1	(Other factor identified by department)

Add for # of points to transfer to Retention Criteria Rating Matrix = \_\_\_\_\_

**Documentation should be available for items 1, 2, 4, 5 and 6 (if used)**

**ATTACHMENT B**

**EXPERIENCE & EDUCATION INVENTORY (EEI)**

Please print or type

NAME: \_\_\_\_\_ ID \_\_\_\_\_

CURRENT JOB/WORKING TITLE & PAY GRADE \_\_\_\_\_  
\_\_\_\_\_

**EXPERIENCE**

(Begin with most recent position with Maricopa County)

Department: \_\_\_\_\_ Organization: \_\_\_\_\_  
Position Title: \_\_\_\_\_ Yrs of Experience: \_\_\_\_\_  
Description of Duties: \_\_\_\_\_

Department: \_\_\_\_\_ Organization: \_\_\_\_\_  
Position Title: \_\_\_\_\_ Yrs of Experience: \_\_\_\_\_  
Description of Duties: \_\_\_\_\_

Department: \_\_\_\_\_ Organization: \_\_\_\_\_  
Position Title: \_\_\_\_\_ Yrs of Experience: \_\_\_\_\_  
Description of Duties: \_\_\_\_\_

**EDUCATION**

(List all education whether or not a degree was obtained)

School Attended	# Hrs Completed	Type of Degree/ Diploma Awarded*	Major	Minor

\*HS, AA, BA, BS, BSE, MBA, PhD, etc.

**TRAINING, LICENSES OR CERTIFICATIONS**

\_\_\_\_\_

**EVIDENCE OF SELF IMPROVEMENT/PROFESSIONAL DEVELOPMENT and/or SPECIAL SKILLS**

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets as necessary)

**ATTACHMENT C**

**SAMPLE NOTICE OF AVAILABLE EMPLOYMENT**

**TO:** (Employee's Name)  
**FROM:** (Appointing Authority)  
**DATE:**  
**SUBJECT: NOTICE OF AVAILABLE EMPLOYMENT**

As we discussed, your current position is scheduled to be eliminated. However, prior to any reduction-in-force action and in compliance with Merit System Rule 9.02.C., I would like to advise you of the availability of the following employment opportunity:

Indicate position title/assignment,  
status (regular, contract, or temporary),  
number of hours per week, pay grade, description of job duties and position qualifications

Please mark your selection below, then sign, and indicate date.

\_\_\_\_\_ I am available and believe I am qualified for this position and would like to be considered.

\_\_\_\_\_ I choose to decline consideration for this position because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ Employee's Signature

Date

Completed form must be returned by \_\_\_\_\_ to

\_\_\_\_\_ Date

Dept Rep. Name

**Failure to return completed form by deadline results in employee's forfeiture of consideration for listed available employment.**

cc: Human Resources Department

**ATTACHMENT D1**

SAMPLE\*  
REDUCTION IN FORCE NOTIFICATION  
(Regular Status/Classified Employee)

**TO:** (Employee's Name)  
**FROM:** (Appointing Authority)  
**DATE:**  
**SUBJECT: REDUCTION IN FORCE**

Due to (reason), the position you currently occupy is being eliminated. Your work assignment will end at the end of your regular shift as of (date). As of that date you are assigned to (the Career Center\*). On the next regular work day (M-F) following the end of your work assignment date, please report to (place) at (time), where you will receive information regarding your assignment to (the Career Center\*).

The (Center\*) to which you will be assigned will provide a variety of services designed to assist you in locating other employment, both inside and outside the County organization. Please take this notice with you to (the Career Center\*).

If you elect to participate in the (Career Center program\*) under the terms which shall be explained to you at the initial information meeting, you will remain on the payroll until (30 calendar days) or until you are placed in a job, whichever occurs first.

You are entitled to the following re-employment rights as outlined in Employee Merit System Rules 5.02.C and 7.02.A.

5.02.C. "Upon written request, former regular status employees separated as a result of a formal reduction in force shall be entitled within three months from the date of separation to have their names placed on registers for positions for which they qualify on the same or lower pay grade as the salary held at the time of separation. Their names shall remain on the register(s) for a period of six months from the date of separation."

7.02.A. "A new or rehired employee, including those who previously served as temporary, unclassified and/or contract employees, selected for a regular status position through certification from a register, in accordance with these Rules, must serve the established initial probationary period upon his/her most recent hire into a classified position."

Employees who have been subject to a reduction in force may file an appeal with the Merit Commission only on the grounds that the calculation of the employee's retention points was inaccurate and resulted in the employee being selected for separation before another. No other factors regarding the reduction in force are appealable to the Commission. Any such appeal must be submitted in writing within 10 business days of [DEPENDING ON METHOD OF DELIVERY, select one of the following: (your personal receipt of OR the date of certified mailing)] of this letter. Your appeal must state the facts upon which it is based and the action requested of the Commission. Address any requests to: **VP Human Resources, 2611 E. Pierce Street, Second Floor, Phoenix, AZ 85008**

cc: Human Resources Director

\* Sample letter for use when Career Center(s) are being offered.

**ATTACHMENT D2**

**SAMPLE\***  
**REDUCTION IN FORCE NOTIFICATION**  
**(Unclassified Employee)**

**TO:** (Employee's Name)  
**FROM:** (Appointing Authority)  
**DATE:**  
**SUBJECT: REDUCTION IN FORCE**

Due to (reason), the position you currently occupy is being eliminated. Your work assignment will end at the end of your regular shift as of (date). As of that date, you are assigned to (the Career Center\*.)

On the next regular work day (M-F) following the end of your work assignment date, please report to (place) at (hour), where you will receive information regarding your assignment to (the Career Center\*.) (The Career Center\*) to which you will be assigned will provide a variety of services, assisting you in locating other employment, both inside and outside the County organization. Please take this notice with you to (the Career Center\*.)

If you elect to participate in (the Career Center program\*) under the terms which shall be explained to you at your initial information meeting, you will remain on the payroll until (30 calendar days) or until you are placed in a job, whichever occurs first.

cc: Human Resources Director

\* Sample letter for use when Career Center(s) are being offered.

**ATTACHMENT D3**

**SAMPLE  
TEMPORARY, CONTRACT, OR INITIAL PROBATIONARY EMPLOYEE,  
WHO WILL BE RELEASED AS A RESULT OF A RIF OF  
REGULAR STATUS EMPLOYEES**

(Date)

(Employee Name)  
(Address)  
(City, State Zip Code)

Dear (Employee's Name):

This letter is to confirm that as of (date and time) you are being released from your [initial probationary, contract, or temporary] appointment with Maricopa County.

Sincerely,

(Appointing Authority)

cc: Human Resources Director

**ATTACHMENT E**

**SAMPLE SECURITY CHECKLIST\***

ITEM	DATE	EMPLOYEE SIGNATURE	RECEIVER SIGNATURE
Keys: - desks - doors - vehicles - parking area (parking card) - other _____			
Tools/Equipment: - computers, printers - cellular phones - beeper - communications radios - diskettes - software - other _____			
ID Badge			
Check E-mail account		NA	
Check voice mail account		NA	
Closure of voice mail account		NA	
Notify system administrator to remove computer access on all platforms that apply and close E-mail account		NA	
County Driver's license			
Vital materials, records, documents, software documentation			

cc: Employee

<b>Maricopa County Policies and Procedures</b>	<b>Subject:</b> Reductions In Force	<b>Number:</b> HR2403 <b>Issue Date:</b> 7/98
--	-------------------------------------	--

\* Department tailors to meet specific needs.

**ATTACHMENT E**

**REDUCTION IN FORCE CHECKLIST**

(Enter date when step has been completed)

- \_\_\_ 1. Letter of justification.
  - \_\_\_ Reason for RIF
  - \_\_\_ Statement of scope of RIF
  - \_\_\_ Number (and description) of positions affected
  - \_\_\_ List (and description) of available vacant positions
  - \_\_\_ List (and description) of positions occupied by initial probationary employees
  - \_\_\_ List of temporary and contract employees
  - \_\_\_ List of "Special Work Assignments" and leaves of absence
  - \_\_\_ Grant information, if applicable
  - \_\_\_ Approval by Elected Official/applicable Chief Officer or CEO
  
- \_\_\_ 2. Proposed Retention Criteria and Weights, if applicable.
  
- \_\_\_ 3. Organizational charts.
  
- \_\_\_ 4. Review the above material with the Human Resources Department.
  
- \_\_\_ 5. Regular status employees within scope of RIF complete EEI's, if necessary.
  
- \_\_\_ 6. Apply criteria to regular status employees within the scope of the RIF, review with employee and have employee initial form.
  
- \_\_\_ 7. Forward the original employee Matrix/Worksheet to HR for review and verification of math calculations by the HR representative. Department retains a copy of each employee's Matrix and Worksheet.
  
- \_\_\_ 8. Provide HR with list of employees to be RIFed: name, job/working title, pay grade, position control number, date of hire, low org, and Merit Rule status.
  
- \_\_\_ 9. Oral notification to employees of RIF and distribution of Notice of Available Employment.
  
- \_\_\_ 10. HR reviews EEI's (and additional documentation, if necessary) for qualifications and provides list(s) of employees to be interviewed.
  
- \_\_\_ 11. Appointing authority interviews all qualified employees and makes offer(s) of employment.
  
- \_\_\_ 12. Appointing authority provides list of RIFed employees to HR. List includes name, job/working title, low org, pay grade, hire date, Merit Rule status and position control number.
  
- \_\_\_ 13. Appointing authority prepares RIF Notifications and Security Checklists, addressing computer security, if applicable.
  
- \_\_\_ 14. Appointing authority, with HR representative, meets with affected employees. Notifies employees in writing of RIF, completes security checklist, and provides HR with copies of each employee's Notice of RIF letter and completed Notice of Available Employment form.
  
- \_\_\_ 15. HR representative notifies HR staff assigned to counsel affected employees.

Appointing Authority/Designee's signature:

---