

## REDUCTION IN FORCE SUMMARY OF REVISIONS

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02-26-2020	North Carolina General Statute has been updated to reflect that no loss of funds shall be required as a precondition for a reduction in force (N.C.G.S. § 126-7.1 (b)). The policy revisions reflect this change, as well as adding some clarification regarding retention factors.
10-01-2014	<ul style="list-style-type: none"><li>• Changed trainee eligibility period from 6 months to 24 months to align with the legal definition of probationary period.</li><li>• Notification requirements were moved from “agency responsibility” and put in an independent section to place emphasis on the requirement.</li><li>• Removed the requirement for agencies to send applications of RIF employees to OSHR.</li><li>• Added a clarifying statement in the “leave” section that one year time period for reinstating excess leave is from the date of separation and not the date of notification of separation.</li></ul>
12-01-2013	Section on “Appeals” changed to refer RIF employees to Employee Grievance Policy found in Section 7 of the HR Manual.
03-01-2011	The paragraph on Appeals was changed (per Lynn Floyd) to include appeal if it is alleged that the separation is a denial of the veteran’s preference granted in connection with a reduction in force. (This change is simultaneous with the publication of the new Manual; therefore, no revision was sent out separately.)
01-01-2009	A decision of the N. C. Court of Appeals said that an issue regarding the manner in which a reduction in force is carried out is no longer considered a contested case issue; therefore, the paragraph on Appeals is changed to recognize the impact of that decision. (The rule will be changed to reflect this change also.)
06-01-2008	(1) Under the paragraph on Leave, added provision that leave in excess of 240 shall be reinstated if reemployed within one year. (This provision has been in the Reinstatement Policy since 2002. It is added here for clarity.) (2) Changed policy to allow an employee who is reduced in force to exhaust vacation leave after their last day of work and still be paid for up to 240 hours of leave in a lump sum.
12-01-1995	Revised to conform to reduction-in-force statutory provisions
04-01-1995	Note about veteran preference added for clarification
03-01-1994	Changed “permanent” to “career.”
04-01-1993	Priority Reemployment Consideration – revised to allow a new probation period in certain situations involving the reemployment of a person involved in reduction-in-force.

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- 11-01-1990 Leave Without Pay Option deleted since no longer needed
- 08-01-1988 Reinstatement of sick leave changed to five years (5) instead of three (3).
- 02-01-1987 Agency responsibility clarified (1) guideline must be openly available for review (2) must inform employees in writing of reasons of RIF, eligibility for priority, appeal rights, and other benefits (3) must give two weeks notice.
- Affirmative Action changed to state all decisions must be analyzed to determine impact on departmental utilization goals and to avoid adverse.
- 07-01-1985 Section on Appeals revised to conform to Legislation requiring years of service in certain pay grades before becoming a permanent employee.
- 06-01-1985 Revised maximum distance factor on retaining priority from 20 to 35 miles
- Allowed greater retention status for trainees who have completed six months or more of their training progression; before, had no more status than probationary or temporary.
- 06-01-1985 Deleted competitive service provisions.
- 10-01-1984 Amendments to AA Policy and RIF.
- 08-01-1981 Policy changes due to Governor and Legislature requesting reduction in work force.
- 06-01-1981 Revision in the wording of the policy to include “neither temporary, probationary nor trainee employees shall be retained in cases where permanent employees must be separated in the same or related classes.” AND that type of appointment, length of service and relative efficiency do not necessarily have to be considered in that order.
- 03-04-1981 Emergency regulation on reduction in force.
- 07-01-1979 Severance pay equivalent to two weeks approved by 1979 GA.
- 08-01-1978 Reduction in force – priority consideration defined.
- 03-01-1978 If an employee with five years of service is either transferred to an exempt position or occupies one that is declared exempt, upon leaving that position for reasons other than just cause, such employee shall have priority to any position that becomes available for which the employee is qualified.
- A permanent employee, who has been or is scheduled to be separated due to reduction in force, shall have priority to any position that becomes available for which the employee is qualified.
- 01-01-1976 Includes provisions for competitive service positions and provides that all reductions in force be based on systematic consideration of time of appointment, length of service, relative efficiency.

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- 01-25-1974 A permanent employee who is separated due to reduction in force shall have the right to appeal to the State Personnel Board for a review to assure that systematic procedures were applied equally and fairly.
- 08-03-1973 Established procedure for lay-off and demotion to effect reduction in force in the Employment Security Commission.
- 07-28-1949 Establishment of a policy stating that employees separated from State service through no fault of their own would retain accumulated sick leave if reinstated within one year.