

**REVISED POLICY - VOL. 9, NO. 2****REDUCTION IN FORCE – SERVICE PERSONNEL**

Prior to ~~March-May~~ 1<sup>st</sup> of each year, all service personnel employees who are required to be reduced shall be so notified in a timely fashion and provided with an opportunity to be heard by the Board. The Board shall take action on the termination issue on or before ~~March-May~~ 1<sup>st</sup> of the then current year.

If a reduction in service personnel becomes necessary, the ~~County~~District shall make all decisions on the basis of seniority and follow the procedures listed below:

- A. The employee with the least amount of seniority within the classification or grades of classification to be reduced shall be properly released and employed in a different grade of that classification if there is a job vacancy.
- B. If there is no job vacancy for employment within the classification or grades of classification, s/he shall be employed in any other job classification which s/he previously held with the Board if there is a vacancy and shall retain any seniority accrued in the job classification or grade of classification.
- C. All employees whose seniority with the ~~County~~-Board is insufficient to allow their retention by the ~~County~~-Board during a reduction to work force shall be placed upon a preferred recall list and shall be recalled to employment by the ~~County~~-Board on the basis of seniority.
- D. Multi-classified employees are subject to reduction in force in any category of employment contained within their multi-classification title based upon the seniority accumulated within that category of employment: provided, that if a multi-classified employee is reduced in force in one (1) classification category, the employee shall retain employment in any of the other classification categories that s/he holds within his/her multi-classification title. In that case, the ~~County~~-Board shall delete the appropriate classification title or classification category from the contract of the multi-classified employee.

- ~~E. No person employed in the position of an aide, as of August 31, 1990, may be reduced in force or transferred to create a vacancy for the employment of a paraprofessional.~~
- ~~F.E.~~ Any person employed in an aide position on June 8, 2007 may not be transferred or subject to a reduction in force for the purpose of creating a vacancy for the employment of a licensed practical nurse.

If, after the reduction in force or transfer is approved by the Board and later the reason for any particular reduction in force or transfer no longer exists as determined by the Board in its sole and exclusive judgment prior to August 1st, the Board shall follow the following procedures:

- A. Rescind the reduction in force or transfer and shall notify the affected employee in writing of his/her right to be restored to his/her former position of employment.
- B. Within five (5) days of being so notified, the affected employee shall notify the Board of his/her intent to return to his/her former position of employment or the right of restoration to the former position shall terminate.
- C. The Board shall not rescind the reduction in force of an employee until all employees with more seniority in the classification category on the preferred recall list have been offered the opportunity for recall to regular employment.

If there are insufficient vacant positions to permit reemployment of all more senior employees on the preferred recall list within the classification category of the employee who was subject to reduction in force, the position of the released employee shall be posted per Policy 4132 and filled in accordance with State Law.

WV Code ~~18a-4-8~~ 18A-2-6, 18A-4-8b

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