When necessary to achieve a reduction in force, departments may terminate or reduce from full to part-time or hours worked of any staff employee due to an organizational or procedural change, diminished workload, lack of funds, or other exigency. The following guidelines should be followed when eliminating a position or reducing a position from full to part time:

- Departments shall conduct reductions in force in a non-discriminatory manner and shall not use such actions as a substitute for disciplinary measures.
- Departments shall not subject regular staff employees to a reduction in force while there are temporary or probationary employees engaged in the same work and serving in the same department.

Prior to proceeding with a reduction in force, the department shall determine which employees will be subject to the reduction in force, based upon departmental need and work to be performed.

New staff employees, who are in a probationary status, are employed “at will” and may be terminated with one week's notice with no right to appeal. One week's pay may be given in lieu of notice.

In determining which non-probationary employees shall be affected, the department must complete a Reduction in Force (RIF) or Mandatory Furlough Worksheet, located at: [http://und.edu/finance-operations/human-resources-payroll/_files/docs/rif-analysis-worksheet.docx](http://und.edu/finance-operations/human-resources-payroll/_files/docs/rif-analysis-worksheet.docx)

The department shall consider the following while completing the worksheet:

1. The acquired knowledge, demonstrated skills, and versatility of employees, compared to the work to be done and the available funding: Employees lacking the necessary skills and versatility should be considered for reduction.
2. The level of demonstrated work performance: Employees having a consistently low level of performance should be considered for reduction.
3. The length of service of employees: Employees with the fewest years of service should be considered for reduction.
4. The extent of training needed to train a reassigned employee to full productivity in a different position: Employees requiring substantial retraining should be considered for reduction.
5. Any documented understandings concerning the position in place at the beginning of employment.

The completed worksheet must be submitted to Human Resources, for review and approval, prior to notifying affected employees.
Employees subject to a reduction in force (excluding probationary employees, addressed on the previous page):

1. Shall be given at least two weeks written notice of the reduction. At the institution’s discretion, employees who are terminated may be given 2 weeks’ pay in lieu of the two-week notice.
   a. **Special Note:** Due to special circumstances of the current budget cuts, impact on our employees, and recognition of years of service, UND will provide written notice of the reduction at least 3 weeks prior for those employees with 10-19 years of service and 4 weeks for those employees with 20 or more years of service. At institution’s discretion, employees may be given pay in lieu of these notices.

2. Shall be rehired or hours increased in the reverse order of the reduction in force, when a similar job becomes available in their former department within two years from the date of the action.

3. Employees not on probation when terminated as a result of reduction in force and rehired within two years shall be credited with:
   a. Previous service for the purpose of determining annual leave accrual rates.
   b. Sick leave hours accumulated prior to the reduction, less the amount paid pursuant to Section 7.5 of the NDUS HR Policy Manual.

4. Will be assisted by Human Resources, to the extent possible, in searching for other employment.

5. May continue to use the employee tuition waiver for a period of two years following the reduction in force.

Any regular staff employee who has been dismissed due to a reduction in force may request a hearing with the Staff Personnel Board by filing a written notice, accompanied by a specification of the reasons or the grounds upon which the appeal is based, with Human Resources. Such appeal must be filed within five working days following such action. The Staff Personnel Board shall hear both sides of the appeal and, after weighing all evidence presented to the Board, consider whether adequate cause for the institution's action existed, reporting its findings of fact, conclusions, and recommendation to the institution’s President.

If an employee is offered a reduced work schedule, the rate of pay per hour must remain unchanged. If the employee accepts the reduced schedule offer, they must sign an agreement to the conditions of the offer. They will have five (5) working days from notice that their position will be reduced from full to part-time to request an appeal or to return the signed agreement. Contact Human Resources for sample agreements.