

143 – REDUCTION IN FORCE

- A. A reduction in force (RIF) is the reduction in the number of employees. Some RIF reasons may be a reduction in funding, lack of work, curtailment of work, or reorganization.
- B. Procedures
1. If the Supreme Court determines a reduction in force is necessary, the State Court Administrator will work with the appointing authority to develop a reduction in force plan which includes an analysis of business needs to determine the appropriate job-related criteria to use. The Supreme Court must receive the plan within 60 days of notification and may approve, reject, or amend the plan.
 2. If a judgeship is eliminated, the reduction of one district court support staff position for each judgeship eliminated is required unless unique circumstances are demonstrated by the affected district.
 - a. The presiding judge of any district in which a judgeship is eliminated will submit the reduction in force plan within 60 days notification of abolishment of the judgeship.
 - b. If the judgeship eliminated is in a single judge chamber, the court recorder or court reporter associated with that judgeship will be identified for reduction in force.
 - c. If the judgeship is in a multi-judge chamber, the presiding judge will identify the classification of the position(s) to be eliminated according to the job-related criteria in the next section.
 - d. If the presiding judge believes that unique circumstances exist and a position should be retained, a request to retain the position with accompanying documentation may be forwarded to the State Court Administrator within 60 days of notification.
- C. Job-Related Criteria
1. In selecting the employees who will remain with the Court System, only job-related criteria will be used. The criteria used will be determined based on the reason for the reduction force and the determination of the business area's needs.
 2. Job-related criteria may include:
 - a. The duties or workload of the employees which have been eliminated or substantially reduced;
 - b. The acquired knowledge and demonstrated skills of the employees;
 - c. The demonstrated work performance of the employees;
 - d. The length of service of the employees; and

- e. The extent of training needed to be fully productive in different jobs.

D. Notice

1. An employee who will be terminated as a result of a reduction in force will be given a written notice at least 60 days prior to termination. The written notice will state:
 - a. The reason the employee's position was selected for elimination;
 - b. The effective date of the termination; and
 - c. Any services provided by the Court System to assist the employee in obtaining another job.
2. The appointing authority may authorize the expenditure of up to \$500 to assist the employee in preparing resumes, or other expenses related to seeking employment.
3. The termination will be recorded as a reduction in force. A copy of the decision and the reasons will be placed in the personnel file.
4. A regular employee who has successfully completed the employee's introductory period may, in accordance with the Court System Conflict Resolution - Dismissal or Reduction in Force policy, file a grievance regarding a reduction in force.

E. Preference for Reemployment

1. Prior to termination, an employee being terminated due to reduction in force has the right to transfer to a vacant position being filled for which the employee is qualified. If more than one employee requests a transfer to a vacant position, the appointing authority will select the candidate.
2. Within two years after an employee has been terminated as a result of a reduction in force, the employee will be considered an internal employee for the purpose of applying for a position for which the employee is qualified.
3. An employee who is transferred or rehired under this section to a lower classification will be placed at a step in the lower classification consistent with the employee's years of service in the terminated position.

Approved by the Supreme Court 4/1/12