

| | |
|--|-----------------------------------|
| System-wide Policy: HR0145 - Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours | |
| Version: 6 | Effective Date: 10/01/2017 |

HR0145 – Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours

Topics:

[Related Policies](#)[Procedures](#)

Objective:

To provide a consistent and equitable method of eliminating positions as the result of reorganization, curtailment of operations, or lack of funding. This policy does not apply to faculty positions or limited duration appointments.

Policy:

Reductions in Force

1. A layoff of one or more employees resulting from the elimination of one or more positions funded by unrestricted funds due to lack of funding, reorganization, restructuring, or similar reason is a reduction in force (RIF). Any campus, institute, college, department or other budgetary unit may implement a RIF pursuant to this policy. A budgetary unit proposing to implement a reduction in force must consult with Human Resources during preparation for and implementation of the RIF.
2. The determination of which positions to eliminate and which employees to lay off should be based on the following factors: department or area that is being affected, any functions that will be eliminated, the functional needs of the budgetary unit, job title, position title, continuous service date, the skills, competencies and qualifications needed to perform the required work, and any documented history of poor performance or disciplinary action.
3. The budgetary unit, in consultation with Human Resources and the Office of the General Counsel, must provide a written explanation for the proposed RIF that includes both the rationale for the RIF and the reasons why the positions

| | |
|--|-----------------------------------|
| System-wide Policy: HR0145 - Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours | |
| Version: 6 | Effective Date: 10/01/2017 |

- proposed for elimination were selected. Human Resources must forward the completed written explanation to the Office of the General Counsel for review.
4. After review by the Office of the General Counsel, Human Resources must obtain written approval for the RIF from the appropriate (1) unit head, (2) chief business officer, (3) Human Resources Officer or designee and (4) chancellor or vice president, or designee. The budgetary unit, the chief business officer, or the chancellor/vice president may require that additional written approvals be obtained.
 5. Prior to their termination date, employees must be given as much written notice as is reasonable under the circumstances. Human Resources will make reasonable efforts to assist affected employees in identifying vacancies in other departments for which they are qualified. All affected employees will be provided information on how to apply for vacant positions. Positions eliminated by a RIF cannot be restored for one year after the effective date of the layoff (i.e., the employee's termination date) unless the employee laid off is offered the opportunity to be reinstated into the position. (See Policy No. HR0150 Restoration of Force.)

Elimination of Externally-funded Positions

6. Position eliminations due to the reduction, termination, or expiration of funds from one or more grants, contracts, or other external funding sources are not subject to the RIF procedures. If a budgetary unit finds it necessary to terminate one or more externally-funded employees as the result of the reduction, termination, or expiration of the external funding source, the unit must notify Human Resources. Human Resources will review the proposed position elimination and determine what, if any, additional review is required. The review by Human Resources will consider (i) the amount of discretion to be exercised by the department; (ii) compliance with applicable law and University policy; (iii) the funding source(s) for the impacted employee(s), including whether salary is internally funded in part; (iv) the number of employees funded by the external funding source; and (v) any potential alternatives to position elimination.

| | |
|--|-----------------------------------|
| System-wide Policy: | |
| HR0145 - Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours | |
| Version: 6 | Effective Date: 10/01/2017 |

7. Employees terminated due to loss of external funding must receive written notice as far in advance of the effective date as is reasonable under the circumstances.

Reduction in Hours

8. Before a budgetary unit involuntarily reduces the hours of one or more employees (regardless the source of salary funding), the unit should consult with Human Resources so that Human Resources may review the decision for compliance with HR policies, advise as to the effects of the decision on employee benefits, and ensure compliance with the Patient Protection and Affordable Care Act.

PROCEDURES:

| | |
|---------------------------|---|
| Health Science Center: | https://uthsc.policymedical.net/policymed/home/index?ID=de47aa28-16aa-408b-9c96-cb04f232964f& |
| Space Institute: | http://www.utsi.edu/index.php/utsi-procedures/ |
| Institute of Agriculture: | ag.tennessee.edu/Pages/UTIApolicies.aspx |

Related Policies: [HR0150 - Restoration of Force](#), [HR0160 - Termination of Employment](#)