

## **6Hx19-2.64            REDUCTION IN FORCE**

The purpose of this Board Rule is to establish Board policy for necessary reductions in workforce.

In the event that the District Board of Trustees determines it is necessary to reduce its workforce, such reductions shall be based on objective, reasonable, and non-discriminatory standards that (1) shall not be arbitrary or capricious and (2) shall not deprive employees of other rights conferred by the laws of the State of Florida or the United States.

Reduction in force may be necessary due to a decline in enrollment, a lack of funds, consolidation or reduction of programs, or other reasons as determined by the Board. In determining which employees will be affected, due consideration will be given to such factors as efficiency in performance as determined by existing evaluations, educational qualifications and/or expertise in assigned position, compatibility, character and capacity to meet the educational and service needs of the College and the community. If all factors are equal, length of service at the College will be the determining factor.

Whenever the Board is required to consolidate or eliminate regularly funded positions (excluding grant- funded positions) resulting in a reduction in force, the following will apply:

1. Personnel who are to be released will be notified as soon as possible. At least a one-month notice will be provided when feasible, and a minimum of two weeks shall be required.
2. Affected employees will receive severance compensation calculated at their current rate of pay based upon their length of service with PHCC. Employees with less than three (3) years of service at the College will receive two (2) weeks of pay. Those employees with at least three (3), but less than five (5), years of service will receive four (4) weeks of pay. Those employees with five (5) or more years of service will receive six (6) weeks of pay. Accrued vacation leave will be paid with the final paycheck in accordance with Board Rule 6Hx19-2.19, *Vacation Leave*. The College will also pay the premium for the employee's individual group health insurance coverage under the provisions of COBRA for a period of three (3) months. (This insurance benefit is not convertible to a cash equivalent.)
3. The affected employees will have the right to continue to participate in the group health insurance program under the provisions of COBRA for a total of 15 additional months subsequent to the College paid COBRA benefit (total COBRA period is 18 months).

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4. Employees affected by a reduction in force will, for a period of one year, be given first consideration for any future vacant positions that become available. These employees must meet the minimum qualifications of the position and must make application for the position to be given consideration.
5. When it is apparent that a reduction in force is inevitable, the College will seek to identify employees who are willing to resign voluntarily or, if eligible, retire. These employees will be granted the same benefits and compensation designated in this Board Rule as an employee whose position is included in the reduction in force action. If the employee is retiring (eligible for retirement with FRS or the CCORP) he/she will also be entitled to terminal pay benefits at retirement in accordance with Board Rule 6Hx19-2.53 *Payment of Accumulated Leave at Retirement or Death*.

The decision of the Board shall be final.

Rule Adopted: 5/21/02; ■9/29/08

Effective Date: 5/21/02; ■9/29/08

Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65

Other References: Florida Administrative Code: 6A-14.0411 (5)

Law Implemented: Florida Statutes: 1001.64(1)(2)(4)(5)(6)(18)(43)(44);  
1001.65(1)(3)(6)(12)(16)(25)

Proposer: Katherine M. Johnson., President

■President's Cabinet Approval - Non-Substantive/Editorial