

**1. Title**

Reduction in Force

**2. Policy**

Sec. 1 Purpose. This Policy shall govern a reduction in force that affects employees of the U. T. System Administration.

Sec. 2 Policy Statement. The U. T. System Administration strives to provide a stable environment in which to work, but may occasionally be required to eliminate positions due to re-prioritization of work, re-organization of work, elimination of work, budgetary needs, legislative enactments, directives from the U. T. System Board of Regents, or other business reasons. Highest priority will be given to retaining positions constituting critical and essential functions. Decisions to implement a reduction in force may originate at the department level or at a higher level. This policy establishes a process for the reduction of regular full-time and part-time positions in these situations.

Sec. 3 Reduction in Force Report. When seeking or instructed to eliminate positions for the reasons stated in Section 2, a department head shall prepare a report that:

3.1 Identifies the reasons for implementing a reduction in force.

3.2 Identifies positions recommended for elimination.

3.3 Describes why the particular positions recommended for elimination were selected.

3.4 Discusses how the department's work will be re-organized, re-prioritized, or otherwise managed as a result of the reduction in force.

Sec. 4 Review of Report. The department head shall submit a draft Reduction in Force Report to the Office of Human Resources and Office of General Counsel for review.

Sec. 5 Approval of Report. After review under Section 4 is complete, the department head shall submit a Reduction in Force Report to the Deputy Chancellor. The Deputy Chancellor shall approve, modify, or disapprove the report and notify the department head.

- Sec. 6 Re-employment Support. The Office of Human Resources will provide re-employment support and assistance for any employees affected by elimination of their position, inclusive of information about job openings within the U.T. System Administration for which the employee might qualify and assistance in seeking other employment.
- Sec. 7 Notice and Appeal for Affected Employees.
- 7.1 During a reduction in force, an employee occupying a terminated position shall be notified in writing as soon as possible, and preferably at least 60 days before termination. (Additional requirements may apply in situations that involve the federal Worker Adjustment and Retraining Notification Act).
- 7.2 The Deputy Chancellor shall execute this termination notice and the department head shall provide it to the employee.
- 7.3 To appeal, the employee may appeal in writing to the Deputy Chancellor or the Deputy Chancellor's designee no later than 5 business days after the written notice of termination is issued. The appeal should state the reasons for appeal and include any relevant documentation.
- 7.4 The Deputy Chancellor shall issue a written decision to the employee, generally no later than 10 business days after receiving the appeal. This decision shall be final.
- Sec. 8 Nondiscrimination. All decisions under this policy shall be made without regard to race, color, national origin, religion, sex, age, sexual orientation or disability of the employee.

### **3. Definitions**

Critical [function]: a function required by law, Regents' Rule, or highest-priority business requirements of the U. T. System Administration or its institutions.

Essential [function]: a function that is an essential function for the U. T. System Administration or its institutions and one in which lack of functionality could have severely negative consequences for the System Administration or its institutions.

Reduction in force: a reduction in regular full-time and part-time positions due to re-prioritization of work, re-organization of work, elimination of work, budgetary needs, legislative enactments, directives from the U. T. System Board of Regents, or other business reasons with no likelihood or expectation that terminated positions will be reinstated or affected employees will be recalled because the positions themselves are eliminated.

Regular employee: an employee appointed to work 20 hours or more per week for a period of four and one-half consecutive months or longer (135 calendar days).

**4. Relevant Federal and State Statutes, Policies, and Standards**

[Texas Government Code § 651.006, General Provisions: Reductions in Force](#)

[Texas Government Code § 657.007, Veteran's Employment Preferences: Preference Applicable to Reduction in Workforces](#)

[Texas Government Code § 672.002, Employment Preference for Former Foster Children: Employment Preference](#)

[29 U.S.C § 2101, et seq., Worker Adjustment and Retraining Notification Act](#)

**5. System Administration Office(s) Responsible for Policy**

Office of Human Resources

**6. Dates Approved or Amended**

February 1, 2006

January 19, 2010

October 29, 2012

March 16, 2017