

**COUNTY OF ORANGE, VIRGINIA  
PERSONNEL POLICIES MANUAL**

**LAYOFF AND REDUCTION IN FORCE**

**POLICY NO.: 6.2**

**EFFECTIVE: 10/1/96**

**REVISED: 2/03/09**

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**OVERVIEW:** The County Administrator has been charged with management of the workforce to best serve the interests of the County as determined by the Board of Supervisors. Circumstances, including lack of work, lack of funds, policy decisions by the Board of Supervisors or program modifications resulting in elimination of functions, may require the County to reduce its workforce. This policy describes the administrative procedures to be used when the Board of Supervisors determines, upon consideration of the County Administrator's recommendations, that positions are to be eliminated resulting in the layoff or RIF, i.e., termination of County employees.

**SCOPE:** This policy applies to all regular full and part time positions.

**PROVISIONS:**

A. Order of Layoffs and Reduction in Force (RIF):

As dictated by the business and operational needs and financial resources of the County, and when authorized by the Board of Supervisors, the County Administrator may reduce the workforce. In making layoffs or RIFs, the County Administrator will adhere to the following order:

1. The order of the layoff or RIF shall be inverse to the relative value of the employees to the County, based on the circumstances which require the layoff or RIF. In determining relative value of the employee to the County, the County Administrator will consider normal attrition, seniority in the affected position class, most recent performance evaluation, and disciplinary actions.

“Seniority” is defined as the sum of the employee’s continuous length of service with the County.

Orange County Policy 6.2 (p.2)

2. Temporary employees shall be terminated first, i.e. no satisfactorily performing, regular full-time or part-time, non-probationary employee shall be terminated from any position while any temporary employee is continued in a position of the same class in that Department.

“Temporary employee” is defined in Policy No. 1.1.

B. Written Notification:

Each employee terminated shall be given written notice. Whenever practical, the notice should be given at least two (2) weeks prior to the effective date. The written notice should include the reason(s) for the layoff or RIF, the effective date of the layoff or RIF and any other information deemed pertinent or necessary by the County Administrator. Copies of the notices shall be maintained by the Human Resources Office and in the employee’s personnel file.

C. Recall of Employees:

The Human Resources Office shall maintain a recall list of all employees terminated in accordance with this policy. The list will identify the employees' names, position classifications, and the department from which they were terminated. The County will consider employees on the recall list for appropriate job openings. The recall list will be maintained for one year after the layoff or RIF.

1. Employees recalled to the same position in the same department from which they were originally terminated or to another department in the same classification will be restored to regular employment status and not serve a probationary period.
2. Employees who are recalled but not pursuant to C.1., will have their employment status restored to include pay appropriate to the new position classification, length of employment service, and applicable fringe benefits. The employee will be subject to a probationary period in the new position pursuant to Policy No. 2.2.
3. If an employee is offered and rejects an opportunity for re-employment, the employee’s name will be stricken from the recall list.
4. Employees who have been terminated pursuant to this policy may apply for County vacancies.

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D. Employee Assistance:

Employees, who are terminated pursuant to a layoff or RIF directive, are entitled to unemployment compensation as provided by the Code of Virginia. These employees will be paid for earned leave pursuant to the County Personnel Policies.

The County will attempt to assist employees with obtaining other employment and applying for unemployment compensation.

E. Employee Responsibility:

Any employee terminated and placed on a recall list will be responsible for notifying the Human Resources office of any change in address or telephone number. Employees will be notified of any request to return to work by certified mail. Any individual who fails to report to work as directed within ten (10) workdays following receipt of notification to return to work will forfeit all further recall or employment rights under this policy.

F. State Funding/State Funded Positions:

1. Any State funded position, which is supplemented by the County, may be subject to a reduction or elimination of the County supplement. This loss of county supplement may not ultimately result in a position layoff or RIF.
2. This policy applies to locally funded positions that are subject to a layoff or RIF in the offices of constitutional officers, who have agreed to be subject to the Personnel Policies. However, in implementing the layoff or RIF, the constitutional officer shall be first charged with determining the employee(s) to be terminated. If no determination is made by the constitutional officer, the determination of employee(s) to be terminated will be made by the County Administrator.

Constitutional officers may determine in their own discretions whether to use this policy in implementing other layoffs or RIF's as a result of a reduction or elimination of Sate Funding.