

14.4 REDUCTION IN FORCE

Austin County endeavors to provide stable employment to all employees. Situations including, but not limited to, financial necessity such as a budget deficit, an emergency declaration, a lack of work, reorganization, or changes in needs or technologies, may require a reduction in the work force to assure the continued quality and efficiency of the County.

A reduction in force may take the form of elimination of jobs (layoff) or a reduction in percent effort. An employee may be separated when his or her position is abolished, or when there is either a lack of funds or a lack of work.

The provisions of this policy may not be used to dismiss an employee for misconduct or lack of satisfactory performance.

Reduction decisions will be made without regard for the employee's race, age, gender, religion, color, disability, national origin, or any other characteristic protected by law.

When reductions in force are necessary, decisions on individual separations will be made after considering the relative necessity of each position to the organization and qualifications of the employee.

Former Employees shall be eligible to apply for open positions with Austin County as long as the following provisions are met:

- 1) The employee has not worked for at least 3 calendar months
- 2) No prior arrangement or agreement was made between Austin County and the employee for reemployment
- 3) Strict adherence to normal leaving employment procedures were followed at the time of the employee's resignation.

The employee must have a bona fide separation of employment and have been separated for a minimum of 3 calendar months. A bona fide separation means there is no prior agreement or understanding between Austin County and the employee that the employee would be rehired after resigning. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.