

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 7.3

**LAYOFF OF MANAGEMENT EMPLOYEES**

**PURPOSE:**

The purpose of this policy shall be to reduce the number of employees with management contracts only when a clearly definable programmatic need exists. It shall be expressly contrary to this policy and its intent to arbitrarily or capriciously devise a layoff that targets specific employees as opposed to positions being reduced for an otherwise legitimate reason.

**POLICY:**

In accordance with ORC 5126.21, management employees, as defined in ORC 5126.22(A) and as designated in accordance with ORC 5126.22(D), shall be covered by this policy.

The Superintendent shall determine the need for a layoff when one or more of the following conditions are present, and documentable:

1. A lack of funds necessitating layoff in at least one program area.
2. The current number of employees in a department is not needed to accomplish the mission of that department due to increased efficiencies or decreased overall work load.
3. Reorganization of the management employee table of organization based upon a clearly recognizable programmatic need.
4. Changes to Federal or State laws, rules, or regulations that require changes to programs or services provided by the Board.

The Superintendent will recommend to the Board the number of positions and classifications that have been identified as requiring a reduction in force based on the conditions noted above. The Board shall give final approval prior to implementation of any layoff procedure.

Should a layoff be determined to be necessary to reduce the number of management employees, the following shall apply:

1. The Superintendent shall determine the classification(s) and the number of employees within the designated classification(s) to be affected by the layoff.
2. Any management employee within the designated classification(s) may volunteer to be laid off first.

3. Employee(s) in the designated classification(s) will be chosen as first-laid-off by having the lowest total rating on the most recent "Management Evaluation Tool" when compared to all other employees in the classification. Layoff will continue from lowest to highest total ratings until the number of employees is reached.
4. In the event of a tie, the tie breaker will give the advantage to the tied employee with the longest tenure with the Board.

**Notice of Layoff:**

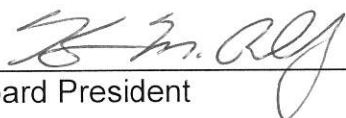
The Superintendent shall notify the affected employee(s) in writing with the reason for the layoff. Notification shall be hand delivered with a receipt or by certified mail, return receipt requested, to the last address on file in the Human Resource Department, as soon as practicable, but no less than thirty (30) calendar days from the effective date of the layoff.

Should delivery, either by hand or by certified mail, fail to effect notification, the employee shall be considered to have abandoned their employment with Board, and will be separated, ninety (90) days after the initial documented attempt fails.

**Contract Termination:**

Consistent with the affected employee's(s') "Employment Contract for Management Employees," layoff shall constitute a termination of the current contract. The affected employee(s) may re-apply for employment should a vacancy occur for which an employee is qualified and consistent with the Employer's application process.

Applicability:  
Board Policy Manual



Board President



Superintendent

Adopted: 5/26/93  
Revised: 10/27/97  
5/26/98  
Updated: 7/24/2012  
Revised: 3/27/2017