

PEACE OFFICER MERIT COMMISSION POLICY AND PROCEDURE
REDUCTION-IN-FORCE/RANK AND RE-APPOINTMENT REGISTERS

DEFINITIONS

CATEGORY: A group of employees who have been selected and appointed under the Merit Commission system. There are currently three categories Peace Officer, Correctional Officer, and Protective Service Officer. A category may consist of one or more ranks.

RANK: An appointment made on the basis of a merit examination or an emergency appointment.

PROCEDURE

- 1.0 The Sheriff may implement a reduction-in-force/rank (RIF/R) because of lack of work or funds pursuant to the following procedures:
 - 1.1 The Sheriff shall initially propose which categories and/or ranks are designated for reduction. Such designation shall be set forth in writing, specifying the reasons, the approximate number of employees to be reduced in force, and a time frame for the RIF to occur.
 - 1.2 The Sheriff will forward the RIF/R proposal to the Merit Administrator who will initiate a public meeting for all interested parties. Interested parties will be allowed an opportunity to respond to the Sheriff's proposal.
 - 1.3 Within ten (10) business days following the public meeting, the Merit Commission shall notify the Sheriff and the designated representatives of employee organizations requesting notification of its recommendation and shall establish the RIF/R register(s).
 - 1.4 Merit Commission staff shall identify the employees to be reduced in force or rank based on the positions identified in the Sheriff's proposal and establish RIF/R registers based on adjusted category or rank service times.
 - 1.5 Upon receipt of the Merit Commission's recommendations, the Sheriff may proceed with the reduction-in-force proposal based on the established RIF/R register(s).
- 2.0 **ADJUSTED CATEGORY OR RANK SERVICE TIME CALCULATION**
 - 2.1 An adjusted category or rank service time shall be calculated for the relevant category or rank of employees, including probationary employees. Said calculation shall be based on the total number of cumulative years, months, and days within the employee's current agency. Adjusted service time granted shall include prior service of members absorbed pursuant to an inter-local agreement.
 - 2.2 When two or more employees have equal adjusted category or rank service time, the employee who was positioned higher on the hiring or promotional register shall be

given preference. If a tie exists, the random selection procedure of flipping a coin will be used.

2.3 Employees are treated as a single category regardless of their assignment.

3.0 REDUCTION-IN-FORCE/RANK ACTIONS

3.1 Employees shall be reduced in force or rank according to their adjusted category or rank service time, i.e. the employee with the least time first, the employee with the next least second, etc.

3.2 The sequence for identifying reductions in rank shall be as follows. The number of positions will be designated for the highest rank. The employees with the lowest adjusted rank service time will be "bumped" to the next lower rank. The procedure is repeated within this rank. The adjusted rank service time of the employees reduced from the higher rank will be recalculated to include adjusted rank service time at the higher rank and the rank to which they bumped. This procedure is repeated at each rank.

EXAMPLE: Assume that all of the positions in the example below are filled. Fifty employees are to be reduced in force, including the following reductions in rank:

Rank	Current	Future	RIF/RIR
Captain	10	8	2
Lieutenant	25	19	6
Sergeant	45	34	11
Sworn Officer	250	219	31
TOTAL	330	280	50

Two captains would be reduced to lieutenant creating a temporary pool of twenty-seven lieutenants. Eight lieutenants would be reduced to sergeant creating a temporary pool of fifty-three sergeants (forty-five current plus the eight lieutenants who were reduced in rank). Nineteen sergeants would be reduced to sworn officers. The fifty sworn officers with the lowest adjusted category service time would be RIF'd. This could possibly include a sergeant who was reduced in rank and had less adjusted category service time than a sworn officer.

4.0 BUMPING ACROSS CATEGORIES

The intent of the bumping privilege is to allow employees who have encumbered other categories the opportunity to return to those previously encumbered categories. Such bumping is allowed across Sheriff's Office categories. Employees who have encumbered a

different category may bump back to that category during a reduction in force, with the adjusted category service time that includes the time served in the category from which they were RIF'd:

EXAMPLE: An employee has one year adjusted category service time as a Protective Services Officer and two years adjusted category service time as a Correctional Officer. The adjusted category service time for a Protective Services Officer RIF action would be one year. If an employee chooses to bump, the adjusted category service time for a Correctional Officer RIF action would be three years.

5.0 RE-APPOINTMENT REGISTERS

5.1 All employees, including probationary employees, who are reduced in force or rank, shall be placed on a re-appointment register in the inverse order (last out first in) of the reduction in force or rank list. A reappointment register shall be created for each category and rank reduced. Said register(s) shall take precedence over hiring/promotional register(s) for each category or rank reduced.

5.2 Promotional testing and certification of registers shall continue as scheduled by policy, however, the re-appointment register(s) shall take precedence over those registers.

6.0 REINSTATEMENT OF RIF'D EMPLOYEES

6.1 Offer of Employment

If a RIF'd employee is offered reinstatement, the employee must accept that offer either verbally or in writing within seven (7) days following the receipt of such notice; otherwise, the RIF'd employee's name will be removed from the register. Such offer of employment will include an effective date which allows a minimum of two weeks' notice to any current employer.

6.2 Order of Reinstatement

When a vacancy occurs, the Sheriff is required to offer employment to the former employees on the RIF/R reappointment register(s) in the exact order in which the RIF'd employee's name appears on the register, except that the Sheriff may exercise the option of not offering reinstatement to those employees who were RIF'd while on probationary status. In addition, the Sheriff may request in writing that the Merit Commission remove from the RIF/R reappointment register(s), for cause, any RIF/Red employee who had achieved merit status provided that the RIF/Red employee is entitled to appeal such request to the Merit Commission.

7.0 RESTORATION OF PAY AND BENEFITS

7.1 Rate of Pay

RIF'd employees who are reinstated shall be placed in the Public Safety Pay Plan consistent with Merit Commission Policy: Pay Practices.

7.2 Sick Leave

Upon reinstatement, any unused sick leave hours accumulated prior to the RIF may be restored as authorized by each agency's policy.

8.0 EXPIRATION OF RIF/R REGISTERS

8.1 Each RIF/R re-appointment register shall expire when:

8.1.1 Every RIF/Red employee on the re-appointment register(s) has been offered employment or promoted to the rank from which he/she was reduced, or otherwise removed, or

8.1.2 After a one (1) year period, except that a RIF'd employee may retain his/her position on the re-appointment register for an additional three years provided that the employee maintains the appropriate P.O.S.T. certification(s) required for re-appointment.

8.2 All re-appointment promotional registers shall expire four (4) years from the date of the reduction-in-rank.

9.0 DURATION OF CURRENT HIRING REGISTERS

Following the expiration of RIF re-appointment register(s), the Merit Commission may opt not to reactivate the currently certified hiring register(s). The maximum duration of the hiring register(s) shall be three (3) years exclusive of the time that the RIF re-appointment register was in effect.

EXAMPLE

- (1) The hiring register is in effect for one year four months.
- (2) At this point, the RIF register is activated thereby causing the current hiring register to be placed in abeyance.
- (3) The RIF register is in effect two years four months.
- (4) The hiring register may now be reactivated for a period of one year eight months.


Note: The prior one year four month period added to the one year eight month period equals three years, the maximum legal limit.

10.0 EMPLOYEES NOT ENTITLED TO REINSTATEMENT

The provisions of this policy do not apply to employees who resign their position prior to, during, or in anticipation of a RIF/R proposal or implementation. Such employees may be eligible for rehire consistent with Merit Commission Policy: Rehire of Former Employees.

APPROVED AND PASSED THIS 26 DAY OF May, 2016

SALT LAKE COUNTY
PEACE OFFICER-MERIT COMMISSION

By: 
KENNETH WALLENTINE, Chair