



<b>Policy Number and Title:</b>	109.04 Reduction in Force
<b>Policy Section and Chapter:</b>	Human Resources – Standards of Conduct for Employees
<b>Policy Owner &amp; Contact:</b>	Human Resources – (940) 349-8355
<b>Policy or Directive:</b>	Policy
<b>Last Revision Date:</b>	06/03/2025

## **POLICY STATEMENT**

The City of Denton is committed to maintaining sufficient staffing levels to ensure the effective and efficient delivery of quality services to the community while exercising fiscal responsibility. When economic conditions or budget constraints occur, the City may take appropriate actions regarding staff, including position eliminations to adjust staffing levels.

The City Council will provide direction regarding areas for continued service emphasis and areas for reduction. Based on this guidance, the City Manager will recommend, as part of the budgetary process, specific positions for elimination. Employees in affected positions may be separated from employment. The City will make reasonable efforts to reassign affected qualified employees to other available positions. However, reassignment is not guaranteed. Nothing in this policy alters the at-will employment status of employees.

## **ADMINISTRATIVE PROCEDURES**

### **I. Basis for Reduction**

Positions may be eliminated, and employees may be separated due to organizational restructuring, lack of work, or lack of funding. Transfers to comparable positions may be offered when available, but the City cannot guarantee reassignment. Affected employees will receive a minimum of 14 working days' advance written notice, unless dictated otherwise by federal guidelines. A reduction in force action is not a corrective action.

### **II. Appeal Rights**

Employees separated through a reduction in force are not eligible to file an appeal under Policy 109.03 – Appeals.

### **III. Severance Benefits and Accrued Leave**

Severance pay and the payout of accrued vacation leave, sick leave, and floating holidays for employees separated through a reduction in force are subject to budgetary constraints.

During a reduction in force, the City Manager will determine, based on available funding and budgetary considerations, whether affected employees will receive any severance pay, or accrued leave payouts. If severance or leave payouts are not authorized, affected employees will be informed in writing at the time of separation.

This policy supersedes any conflicting provisions contained in Policy 107.03 – Vacation Leave.

If severance pay or accrued leave payouts are authorized, the following will apply:

1. Employees may receive payment for any accrued vacation, sick leave, and floating holidays, consistent with City policies and any applicable agreements.
2. Severance pay will be based on the employee's continuous service with the City according to the following schedule, up to a maximum of 200 hours:

Continuous Service (Months)	Severance Pay (Hours)
0 – 12	0 Hours
13 – 60	40 Hours
61 – 120	80 Hours
121 – 180	120 Hours
181 – 240	160 Hours
241+	200 Hours

#### **IV. Reduction in Force Decision-Making Criteria**

##### **A. Organizational Mission and Service Delivery Needs**

Reduction in force decisions will primarily focus on maintaining essential public services. Positions critical to achieving the City's mission, goals, and objectives will be prioritized for retention. Efforts will be made to minimize disruption to public service delivery wherever possible.

The City Council will identify general areas of public service emphasis or reduction. Based on this guidance, the City Manager will determine the positions to be eliminated and the employees to be separated, if applicable.

##### **B. Departmental Responsibility and Planning**

Department Directors will be responsible for:

1. Reviewing departmental and divisional staffing needs,
2. Recommending specific positions for elimination, and
3. Recommending employees for separation, if applicable.

Each Department must develop a Reduction in Force Plan using the criteria outlined below. The Plan must be reviewed and approved by the Assistant City Manager or Deputy City Manager and the Director of Human Resources before submission to the City Manager.

##### **C. Criteria for Selection**

Department Directors will evaluate and recommend position eliminations using the following criteria, in the order listed:

1. Departmental and Divisional Needs
  - a. Review departmental goals and identify critical staffing needs based on the adopted or proposed budget.
  - b. Prioritize the retention of positions essential to service delivery.
  - c. Identify positions least critical to sustaining service levels.

- d. Consider workforce restructuring options (e.g., reducing temporary positions, work-sharing, or temporary furloughs) to minimize involuntary separations.
2. Employee Productivity
  - a. Review employee performance evaluations from the last five years, with emphasis on quality and quantity of work.
  - b. Consider attendance, corrective action, and safety records.
3. Employee Skills, Knowledge, and Abilities
  - a. Evaluate whether employees possess the necessary skills, knowledge, and abilities to perform restructured or remaining job functions within the department.
4. Length of Service
  - a. Consider employee seniority based on: Time in the current work unit, Overall time with the City, and Time in the current classification.

**D. Equal Employment Opportunity Compliance**

All reduction in force decisions must fully comply with Policy 100.01 – Equal Employment Opportunity and all applicable federal, state, and local laws. Decisions will not be based on age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, race, religion, sexual orientation, socio-economic status, veteran status, and any other characteristic protected by law or City policy.

**E. Coordination and Reassignment Efforts**

Once reduction in force decisions are approved, the Director of Human Resources will be responsible and coordinate with the Department Director for:

1. Coordinating employee notifications;
2. Communicating available separation benefits (if applicable); and
3. Facilitating outplacement support

Additionally, the City will make reasonable efforts to place separated employees with satisfactory performance into other positions through transfer or reassignment as appropriate for operations.

**F. Reemployment Consideration**

The City will maintain a roster of employees separated due to a reduction in force for twelve (12) months. Employees may be considered for reemployment in the same or a lower classification if the employee meets minimum qualifications and business needs allow for rehiring.

Employees recalled will have their employment date adjusted forward to account for the separation period. Retirement service credit and other accruals will be adjusted accordingly.

**G. Civil Service Employees**

Civil Service Employees are subject to this policy. A reduction in force of Civil Service Employees shall be in accordance with Section 143.085 of the Texas Local Government Code (TLGC), and where a provision of this policy conflicts with TLGC §§ 143.001 – 143.090, the provisions of TLGC Chapter 143 shall supersede.

## DEFINITIONS

**Civil Service Employees-** for purposes of this Policy are police officers and firefighters entitled to civil service status under Section 143.005 or 143.084 of the Texas Local Government Code.

## REFERENCES

- WARN Act of 1988
- Policy 109.03 – Appeals
- Policy 107.03 – Vacation Leave
- Policy 100.01 – Equal Employment Opportunity

## REVISION HISTORY

Revision Date	Policy Owner	Summary
11/01/1994	Human Resources	• Initial Policy Adoption
06/03/2025	Human Resources	• Revised Policy Statement • General Updates to Administrative Procedures