

REDUCTION IN WORK FORCE

When the Board determines that a reduction in the work force is necessary due to a decline in enrollment, reduction in funding, discontinuance of special programs, or other reason, every effort will be made to retain as many staff positions as possible and accomplish the reduction by attrition.

SERVICE PERSONNEL

All decisions by the Board concerning reduction in work force of service personnel shall be made on the basis of seniority, as hereinafter provided.

Should the Board be required to reduce the number of employees within a particular job classification, the employee with the least amount of seniority within that classification or grades of classification shall be properly released and employed in a different grade of that classification if there is a job vacancy. If there is no job vacancy for employment within such classification or grades of classification, he/she shall be employed in any other job classification which he/she previously held with the Board if there is a vacancy and shall retain any seniority accrued in such job classification or grade of classification.

If two or more employees accumulate identical seniority, the priority shall be determined by a random selection system established by the employees and approved by the Board.

All employees whose seniority with the Board is insufficient to allow their retention by the Board during a reduction in work force shall be placed upon a preferred recall list and shall be recalled to employment by the Board on the basis of seniority.

Employees placed upon the preferred list shall be recalled to any position opening by the Board within the classification(s), where they had previously been employed, or to any lateral position for which the employee is qualified or to a lateral area for which an employee has certification and/or licensure.

Employees on the preferred recall list shall not forfeit their right to recall by the Board if compelling reasons require an employee to refuse an offer of reemployment by the Board.

The Board shall be required to notify all employees on the preferred recall list of all position openings that from time to time exist. Such notice shall be sent by certified mail to the last known address of the employee; it shall be the duty of each such employee to notify the Board of any change in the address of such employee.

## PROFESSIONAL PERSONNEL

Whenever a county Board is required to reduce the number of professional personnel in its employment, the employee with the least amount of seniority shall be properly notified and released from employment pursuant to the provisions of Section 18A -2-2; Provided, that all persons employed in a certification area to be reduced who are employed under a temporary permit shall be properly notified and released before a fully certified employee in such a position is subject to release: Provided, however, that an employee subject to release shall be employed in any other professional position where such employee is certified and was previously employed, or to any lateral area for which such employee is certified and/or licensed, if such employee's seniority is greater than the seniority of any other employee in that area of certification and/or licensure.

All professional personnel whose seniority with the Board is insufficient to allow their retention by the Board during a reduction in work force shall be placed upon a preferred recall list. As to any professional position opening within the area where they had previously been employed or to any lateral area for which they have certification and/or licensure, such employee shall be recalled on the basis of seniority if no regular, full-time professional personnel, or those returning from leaves of absence with greater seniority, are qualified, apply for and accept such position. Before position openings that are known or expected to extend for 20 consecutive employment days or longer for professional personnel may be filled by the Board, the Board shall be required to notify all qualified professional personnel on the preferred list and give them an opportunity to apply, but failure to apply shall not cause such employee to forfeit any right to recall. The notice shall be sent by certified mail to the last known address of the employee, and it shall be the duty of each professional personnel to notify the Board of continued availability annually of any change in address or of any change in certification and/or licensure.

When the total number of classroom teaching positions in any elementary school needs to be reduced, such reduction shall be made on the basis of seniority with the least senior classroom teacher being recommended for transfer: Provided, That a specified grade level needs to be reduced and the least senior employee in the school is not in that grade level, the least senior classroom teacher in the grade level that needs to be reduced shall be reassigned to the position made vacant by the transfer of the least senior classroom teacher in the school without that position being posted: Provided, however, that the employee is certified and/or licensed and agrees to the reassignment.

SOURCE: Board of Education Minutes

DATE: March 11, 1991 - June 18, 2001

LEGAL REFERENCE: W V State Code §18A -4-7a, §18A -4-8b

REDUCTION.IN.WORKFORCE

