

Reduction in Force (RIF)

Frequently Asked Questions

1. What is a Reduction in Force (RIF)?

Under Article 30 of the MCEA-MCPS Collective Bargaining Agreement (CBA), a reduction in professional staff means the termination of a unit member due to:

- Decreased student enrollment
- Changes in curriculum
- Declines in subject or grade-level enrollment
- Budget limitations

2. How are layoff decisions made by MCPS?

Within a certification area, determinations are made in the following order:

1. Unit members holding conditional certificates
2. Nontenured unit members holding provisional certificates
3. Nontenured unit members holding regular certificates
4. Tenured unit members

3. Does seniority control layoff decisions?

No. Article 30 of the CBA requires MCPS to consider both:

- Length of MCPS service
- Quality of job performance
- The article also states that MCPS may consider:
 - The competence of the teacher related to the program needs of the school.

In addition, for unit members with six or more years of MCPS service, length of service receives additional weight unless individuals with demonstrably superior qualifications are available for the positions.

4. Can RIF decisions be challenged?

The Board of Education has the authority to reduce staff, and a decision to implement a RIF cannot be grieved. However, actions taken under the negotiated procedures in Sections B-D of Article 30 may be challenged if the contract was not followed properly.

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5. What are recall rights?

A unit member terminated due to a RIF or elimination of a position receives priority consideration for reemployment for three years if:

- The employee wants to be placed on the recall list, and
- Appropriate vacancies develop
- Recall occurs after involuntary transfers and returning employees from leave have been placed.

6. What if a unit member declines placement on the recall list? Are there severance or compensation provisions?

A unit member who declines placement on the recall list receives payment of earned unused leave. Tenured unit members will also receive additional payments upon leaving the system:

- Less than 12 years of MCPS service:
 - One month's salary per year of service
 - Maximum of six months' salary
- More than 12 years of MCPS service:
 - One month's salary per year of service
 - Maximum of twelve months' salary

7. Are there any opportunities available for tenured unit members impacted by a RIF?

The superintendent will attempt to provide retraining opportunities for tenured members to support their placement in positions for which they would not otherwise qualify. Retraining opportunities are not guaranteed.

8. Will terminated unit members have an opportunity to identify reassignment preferences?

Yes. A Preference for Reassignment Form is completed for each terminated unit member.

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9. How will unit members learn about their recall rights and available benefits following a RIF?

HR will notify affected unit members and explain the reduction-in-force and recall procedures. Information sessions regarding recall rights and benefits will be arranged by MCPS.

10. What about health benefits?

Terminations are in effect after the last duty day of the year. However, insurance coverage remains in effect through September 30 if unit members remain current with all premium payments through the last paycheck of the duty year.

Unit members who would like their insurance to end at the end of June should contact ersc@mcpsmd.org to discuss options, including the possibility of a refund of pre-paid premiums.

Under Article 30 of the union contract, a unit member terminated through a RIF may:

- Be placed on leave without pay for six months immediately following the end of duty, and
- Continue board health coverage during that period by paying the full cost of the plan

Additionally, employees are typically entitled to continue paying for health benefits as provided under COBRA for a longer period of time. For more information, see p. 4 of the [Employee Benefit Summary](#).

11. Are unit members who receive severance pay still eligible for unemployment benefits?

Per [COMAR 09.32.02.12](#), severance pay shall be deducted from benefits. Once the severance allocation period ends, benefits may begin if the employee is otherwise eligible. For more information on eligibility for unemployment benefits, [click here](#).

12. Will the union receive a list of unit members impacted by the RIF process?

Yes. HR must provide MCEA with the list used in the RIF process.