



COLLEGE ADMINISTRATIVE PROCEDURE MANUAL

Procedure Title	Procedure Number	Page(s)	Date Adopted:
Downsizing of Non-Faculty Workforce	DJ - IV	6	08/26/2025

BASED ON BOARD POLICY

Section	Policy Title	Policy Number	Date Adopted:
D – Personnel	Assignment, Work Load, and Schedules	DJ	08/26/2025

I. INTRODUCTION

This procedure establishes a uniform process for implementing a downsizing of the workforce at McLennan Community College. A downsizing implementation would be in accordance with Downsizing of Non-Faculty Workforce for staff and Academic Freedom Responsibility and Tenure for faculty.

DEFINITION

- A. A downsizing of the workforce is an action to reduce the number of College employees within a particular unit, department, division, support area, campus, or location. Circumstances requiring a downsizing may include but are not limited to:

1. Financial exigency
2. Program change or elimination
3. Reorganization or restructuring
4. Legislative directives
5. Declining enrollment
6. Other circumstances affecting efficient operation

A “financial exigency” is an event or occurrence that creates a need for the College to reduce financial expenditures.

GENERAL

- A. A downsizing decision will be made without regard to the employee's race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender identity, genetic information, marital status, or veteran status. Additionally, no downsizing decision shall be based on an employee's exercise of rights guaranteed by the Constitution or rights conferred by statute, including, but not limited to, the Family Medical Leave Act, Uniformed Services Employment and Reemployment Rights Act, and the Texas Whistleblower Act.
- B. Modification in or the elimination of jobs due to changes in funding for grants or external contracts are not subject to this policy.
- C. This policy does not address or govern dismissal of an employee for misconduct, unacceptable performance, or other reasons specified in other College policies.
- D. The President will:
 - 1. Determine when circumstances necessitate a downsizing and present a written recommendation to the Board of Trustees that demonstrates the need.
 - 2. Consider and examine available alternatives that may eliminate the need for a downsizing or limit its scope.
- E. The Board shall determine whether a financial exigency or other circumstance exists that warrants a downsizing under this policy. The Board's determination constitutes sufficient cause for termination of an employment contract during the contract period.
- F. The President shall establish and maintain supporting procedures for this policy. The procedures shall identify the criteria that will be utilized when determining which employees will be dismissed or released.
- G. The President may reassign employees to positions or locations at his or her discretion to meet operational needs.
- H. Eligibility for Rehire
 - 1. A former employee who is dismissed pursuant to this policy may apply for other available positions for which he or she is qualified. A former employee shall be responsible for reviewing posted vacancies and complying with College procedures to be considered for a particular vacancy.
- I. Appeal of Dismissal Due to Downsizing



1. Faculty: Termination or nonrenewal of a contract may be appealed in accordance with Academic Freedom Responsibility and Tenure.
2. Staff: Termination or nonrenewal of a contract may be appealed in accordance with the Downsizing of Non-Faculty Workforce procedure.

PROCEDURE

I. INFORMATION

- A. A downsizing will be considered only after examining available alternatives that may eliminate the need for a downsizing or limit its scope. Alternatives may include, but are not limited to:
 1. Merging programs
 2. Consolidation of services
 3. Voluntary separations
 4. Redeployment of employees
 5. Furloughs or temporary leaves of absence without pay
 6. Attrition
 7. Pay freezes or reduction in pay
- B. Selection criteria will be determined based on the circumstances necessitating the downsizing and shall be articulated prior to implementing a downsizing plan. The criteria to be used for selecting positions and personnel to be affected by a downsizing may include but are not limited to:
 1. Program or departmental needs to support a particular function or operation.
 2. Skills and experience required to support a program or department after a downsizing, reorganization, or restructuring.
 3. Prior written evaluations and documented employee performance and behavior.
 4. Employee credentials, qualifications, and training.
 5. Length of service will be considered after considering the above criteria.



Additionally, to the extent required by law, the College shall consider whether employees are entitled to a preference in retaining employment under Chapter 657 of the Texas Government Code pertaining to veterans.

II. PROCESS

- A. The President, in consultation with the Leadership Team (VP's), will determine the necessity for recommending a downsizing in compliance with section 1 A of this procedure. Existing and future needs of the College will be considered in making the recommendation for the downsizing.
- B. The President, in consultation with the Leadership Team, will develop and present a proposal to the Board of Trustees that specifies:
 - 1. The circumstances and situation necessitating the downsizing;
 - 2. The data and/or other factual information that shows the benefit to be obtained through the proposed downsizing;
 - 3. The alternatives considered that may eliminate or limit the scope of the downsizing in accordance with the Downsizing of the Workforce Policy;
 - 4. The criteria established to accomplish the objectives;
 - 5. A proposed timeline for implementation.
- C. The President and Leadership Team, in conjunction with input from other College leaders, may identify employees subject to reassignment based on the needs of the College.
- D. In the event members of the Leadership Team are subject to a downsizing, the President, in consultation with the Board of Trustees, will determine which positions or job functions may be eliminated or affected.
- E. Employees who are affected by the downsizing will be shown care and dignity during this process and the transition. Employees will be notified in person and the President will provide a written notice to each affected employee. The notice shall provide the effective date of termination and shall include a brief statement of the reasons for the downsizing.



- F. Employees who are affected by the downsizing will be provided as much advance notice as possible in order to ensure an orderly transition for both the affected employees and the College.

III. ELIGIBILITY FOR REHIRE

- A. A former employee who is dismissed due to a downsizing may apply for available positions for which he or she is qualified. A former employee shall be responsible for reviewing posted vacancies and complying with College procedures to be considered for a particular vacancy.
- B. If rehired, the employee will be compensated according to the then current salary schedule established for the position in which the employee is being employed.

IV. APPEAL RIGHTS

- A. Every attempt will be made to conclude the appeals process prior to the employee's last scheduled day of work. The filing of an appeal will not delay the effective date of the downsizing.
- B. Staff Appeals: All administrative staff and support staff whose employment is terminated due to a downsizing may present a written appeal. The employee must file a written appeal to the President within ten (10) work days from when notified of the downsizing. The appeal shall include the full details of the reason for the appeal, specific facts in support of the grounds for appeal, and any evidence on which it is based. The President and Leadership Team will review all appeals and provide a written decision within thirty (30) working days of receipt of the written appeal. If the appeal is successful, the employee will recover any lost pay resulting from the downsizing.

V. EFFECT OF DOWNSIZING ON COMPENSATION AND BENEFITS

- A. Credited service and other benefits such as sick leave and vacation do not accrue during a downsizing. If re-employed, an employee dismissed under the Downsizing of the Workforce Policy will have sick leave and credited service restored if the employee returns to a benefits eligible position within six (6) months of the dismissal.
- B. Life and disability insurance coverage ends as per the plan document.



- C. Medical and dental insurance may continue under the provisions of COBRA if the employee pays the full monthly premium. Otherwise, medical and dental insurance coverage ends on the last day of the month during which the downsizing occurs.