

DEPARTMENT: Superior Court Adult Probation Dept. Juvenile Court Clerk of Superior Court	DIVISION: ALL
RULE NAME: Judicial Merit Rules RULE: Separations RULE NUMBER: 12	DATE ADOPTED: March 1, 2002 DATE AMENDED: February 25, 2016

RULE 12 - SEPARATIONS

12.01 Reduction in Force (RIF)

- A. An Appointing Authority may lay off (RIF) an employee in the court service whenever it is necessary by reason of shortage of funds or work, or by reason of a bona fide abolishment of or change in the duties of a position, or when the Court Department is reorganized and the need for the position is eliminated.
- B. When a reduction-in-force (RIF) is deemed necessary, the Appointing Authority may limit the RIF to a functional or organizational unit, or classification, in order to maintain work production an essential services.
- C. The Appointing Authority will notify the Court Administrator who will establish, in consultation with the Appointing Authority, the order of preference of RIF for as many employees as are to be separated. In any event, the Appointing Authority will transfer all affected employees in other positions, if possible; the Court Administrator will attempt to place the remaining employees, if any, in other vacancies in the court service.
- D. No employee with regular status is to be separated by RIF while there are temporary, on-call, or probationary employees serving in the court department in the same, equal or lower level positions for which such regular status employee or employees are qualified and available for reassignment or transfer.
- E. In determining the order of RIF's employees with regular status, the Court Administrator and the Appointing Authority will consider on a consistent and equitable basis such factors as qualifications, performance, appraisals, work record, conduct and seniority.
- F. The same rules and procedures will apply to regular status employees in positions funded by a grant or separate funding source, but limited to the grant or separate funding source, unless the employees were not apprized in writing of the funding status at the time of placement in the position, in which case employees will be ranked together with other employees to determine the order of RIF.

12.02 Resignations

An employee who desires to terminate employment with any Court Department is expected to submit a written resignation to the Appointing Authority at least ten (10) working days prior to the effective date of resignation. An employee who submits a resignation may not retract the resignation unless the Appointing Authority finds that a retraction is in the best interest of the court department.

12.03 Retirement

A regular status employee who retires under the state retirement plan (or system) is deemed separated without prejudice and does not have the right to appeal.