

Title: Employee Reassignment	Procedure Number: 6 - B	Page 1 of 4
Board Policy or Policies: 6.15, 6.21, 6.30	Adopted by: Carrie Besnette Hauser, President Date of Last Revision: July 5, 2016	

The purpose of this procedure is to delineate an orderly process for handling voluntary and involuntary reassignments of college faculty and staff.

Authority and Policy Intent: CMC Board Policies 6.15, 6.21, and 6.30 all provide the CMC president with the authority to reassign personnel from one campus to another and/or from one position to another. Pursuant to Board Policy, the college president’s decision to reassign a CMC employee is final and not subject to review.

Definitions:

Voluntary Reassignment describes the instance when an eligible CMC employee seeks to transfer from one campus to another campus, to/from Central Services, or to/from another division or department either at the same campus (or Central Services). Voluntary reassignments may only occur from and into positions that are identical or virtually identical. Voluntary reassignment is always initiated by the employee and can only be requested when a regular vacancy occurs according to the process described herein.

Involuntary Reassignment describes the instance when a CMC faculty or staff member is reassigned from one campus to another campus (or to/from Central Services) in order to satisfy a staffing need when insufficient demand in the employee’s current position exists or, in the case of non-faculty staff, to more appropriately align the employee’s abilities with a position at the college. Involuntary reassignments may take place into identical or virtually identical positions or, for non-faculty staff, into other positions at the discretion of the college president.

Eligibility:

Voluntary reassignment is available to regular faculty and full-time administrative personnel. All CMC personnel, staff and faculty, considered for a voluntary transfer must possess the skills, competencies, and/or knowledge base necessary for any newly assigned position and have worked in a full-time capacity at the college for two or more consecutive years prior to the date of the reassignment request.

In the case of regular faculty position vacancies, only current CMC regular faculty who are in good standing (i.e., not “provisional” [must have been released from provisional

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status at the time of the request for reassignment], term, adjunct, or currently subject to a performance improvement plan) and teaching in fields commensurate with those required for the vacant position will be considered. Employees in regular staff (non-instructional) positions are not eligible for reassignment into a full-time faculty position regardless of the employee’s credentials or teaching experience. Regular staff who desire to become full-time faculty must participate in the college’s standard search process.

Reassignment requests are not guaranteed and may only be permitted by the college president at his or her discretion.

Compensation and Benefits:

Voluntary reassignments into identical positions authorized pursuant to this policy shall not result in any change in the employee’s compensation or benefits. Involuntary reassignments, if into positions at a lower classification grade, will, pursuant to college policy, be offered at the mid-point of the hiring range. Only the college president may authorize placement at a higher level, which may be considered on a case-by-case basis only. This may result in a loss of total compensation for certain employees. For all transfers, the president may determine if relocation benefits will be awarded to the employee. If relocation benefits are permitted, the president shall determine the amount of funds to be awarded, not to exceed the amount of the college’s standard relocation benefits for new employees.

Process for Voluntary Reassignment

1. All positions must be approved by campus and college management according to standard procedures.
2. If an approved position is available, any eligible CMC employee may request reassignment to the position by writing the college president, copying the Vice President of Human Resources, the employee’s current supervisor or campus administrative head, and the supervisor or campus administrative head for the vacant position. This step must be completed before the initial review of applications is commenced.

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- a. If a request for voluntary reassignment is received by the Department of Human Resources before the initial review of applications commences, the college president will suspend the regular search process and review the candidate’s materials as soon as practicable.
3. The Department of Human Resources shall determine if the candidate for reassignment satisfies the eligibility criteria and thus may be reassigned.
4. In determining a candidate’s suitability for a vacant position, the college president may review any relevant information about the candidate including but not limited to the employees’ personnel records, evaluations from supervisors, tenure with the college, and academic or professional training.

5. Determination

- a. If the college president determines that the candidate employee is suitable for the vacant position, he or she will notify the Department of Human Resources and the administrative heads of the affected campuses.
- b. If the college president determines that the candidate employee is not suitable for the vacant position, he or she will notify the Department of Human resources and the administrative heads of the campuses or departments involved. Employees not approved for voluntary reassignment may apply to participate in the regular search for the vacant position.

6. Offer and Commitment

- a. If the college president determines that a candidate employee is suitable for a vacant position and authorizes voluntary reassignment, the candidate employee will be offered a binding offer of reassignment.
- b. In accepting the offer of reassignment, a final and legally binding decision, the candidate employee is obligated to fulfill that position and will forgo all so-called “retreat rights” to his or her previous position.

Process for Involuntary Reassignment

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1. According to CMC Board Policy 6.15, Colorado Mountain College (CMC) reserves the right to reassign an employee to another position within the College at the discretion of the College President or his or her designee.
2. In making the determination to reassign an employee on an involuntary basis, the college president shall first determine if the employee possesses the skills, competencies, and/or knowledge base necessary for the newly assigned position or if the hiring manager is capable of developing a plan to assist them in obtaining the needed skills, competencies, and/or knowledge base should be created and filed with Human Resources.
3. A staff member offered an involuntary reassignment will be granted ten (10) days to accept the offer, though the actual transfer may take place at a later time.
4. A faculty member offered an involuntary reassignment will be notified of the offer not less than sixty (60) days prior to the expiration of the individual's contract period.
5. In the case of involuntary reassignment, the president's decision is final. If the offer of involuntary reassignment is refused by any college employee, it will result in termination in the case of an employee or a non-renewal for a faculty member.
6. Pursuant to CMC Board Policy 6.30, the college president shall attempt to reassign existing regular faculty (not term or probationary) that have been recommended for non-renewal due to justifiable lack of work related to the discontinuance of a program area, but have otherwise been determined to be competent.
 - a. Faculty who have been offered reassignment due to justifiable lack of work at one CMC campus must be granted first right of refusal for an existing vacant faculty position at another CMC campus that is sufficiently identical to the position she or he held when the she or he received a notice of non-renewal for justifiable lack of work.
 - b. The faculty member will be granted at least 10 days to act on the college president's offer of reassignment. If the faculty member refuses the offer or fails to provide an official response, the faculty member will receive a notice of non-renewal.