

**MEETING SCHEDULE**  
**PIERPONT COMMUNITY & TECHNICAL COLLEGE**  
**BOARD OF GOVERNORS MEETING**

**Tuesday, May 12, 2026**

**Pierpont's Advanced Technology Center (ATC)**  
**500 Galliher Drive**  
**Fairmont, WV 26554**  
**Room 216A**

---

<b>11:00 AM</b>	<b>IT and Data Reporting Committee</b>
<b>12:00 PM</b>	<b>Lunch</b>
<b>1:00 PM</b>	<b>Finance and Administration Committee</b>
<b>2:00 PM</b>	<b>Full Board Meeting</b>

\*All meetings will be held in room 216A unless otherwise noted.



**Mission Statement:** To provide accessible, responsive, comprehensive education that works  
**Vision:** To empower individuals and strengthen communities through exceptional training and educational pathways  
**Tagline:** Education that works!

**PIERPONT COMMUNITY & TECHNICAL COLLEGE  
BOARD OF GOVERNORS MEETING**

**Regular Meeting**

**Tuesday, May 12, 2026  
2:00 PM**

**Pierpont's Advanced Technology Center (ATC)  
500 Galliher Drive  
Fairmont, WV 26554  
Room 216A**

---

**AGENDA**

- I. Call to Order**
- II. Conflict of Interest**
- III. Roll Call**
- IV. Constituent Comments**
  - A. Classified Staff **Tab 1**  
*Memori Dobbs*
- V. \*Consent Agenda** **Tab 2**
  - A. Minutes of the April 28, 2026 Board of Governors Meetings
- VI. IT and Data Reporting Committee**  
*(Jeffrey Powell, Chair)*
- VII. Finance and Administration Committee**  
*(Jeffrey Powell, Chair)*
  - A. April 30, 2026, Combined Finance Report **Tab 3**  
*(Dale Bradley, VP of Finance and Administration)*
  - B. Capital Projects Expenditure Report as of April 30, 2026 **Tab 4**  
*(Dale Bradley, VP of Finance and Administration)*
  - C. \*Resolution for Approval - FY 2027 E&G Capital Projects Budget **Tab 5**  
*(Dale Bradley, VP of Finance and Administration)*

*\*Denotes possible action item*

**VIII. Committee of the Whole**

- A. \*Resolution for Approval – Comments and Final Draft of Policy  
PP-2059 Furlough and Reduction in Employee Workforce  
(George Perich, VP of HR and Organizational Development)

**Tab 6**

**IX. Board Members' Reflections (3-minute limit)**

**X. Adjournment**

*\*Denotes possible action item*



Mission Statement: To provide accessible, responsive, comprehensive education that works  
Vision: To empower individuals and strengthen communities through exceptional training and educational pathways  
Tagline: Education that works!

# **Tab**

# **1**

**TO:** Board of Governors  
**FROM:** Memori Dobbs  
**DATE:** May 15, 2026  
**SUBJECT:** Classified Staff Council Report

---

### **April 22, 2026 Meeting Summary**

Good afternoon,

Please accept this report from the Classified Staff Council regarding our meeting held on April 22, 2026.

The meeting was called to order by Chairperson Memori Dobbs, with members present representing a strong attendance. The March meeting minutes were reviewed and approved.

### **Committee Updates**

There were no new reports this month from Legislative Affairs, Elections, Staff Development, or Website committees.

Under Special Events, the Employee of the Year Committee continues its work. Juanita Nickerson is serving as chair due to several original committee members being nominated. The committee is meeting to finalize the selection process, after which the recommendation will be submitted to the Classified Staff Chairperson and Marketing. Additional recognition items, including a winner plaque and possible gift card options within policy limits, are also being explored.

### **Old Business**

The Classified Staff Council participated in the Day of Giving on April 1. At the close of the campaign, \$350 was raised for the Classified Staff Scholarship Fund. It was clarified that this scholarship fund is designated specifically for Classified Staff employees and their dependents.

# **New Business**

## **Board of Governors Update**

Juanita Nickerson reported that fee increases previously discussed were approved in March. At this time, tuition has not increased. The institutional budget has been presented to the Board of Governors and is expected to be revisited for approval at the next meeting.

The 3% state-funded salary increase is expected to be implemented on July 1, 2026. Human Resources representatives were invited to attend this meeting for additional discussion and will be invited again.

## **ACCE Update**

Chip Hawkins reported that the 3% state-funded increase is accompanied by a 3% PEIA increase. In addition, the previously proposed 2% reduction has been revoked.

## **President's Council Update**

Recent President's Council discussions focused heavily on finance, revenue, campus infrastructure, and student services.

For fiscal year 2026–27, revenue projections are approximately \$196,000 short due primarily to a slight decrease in full-time enrollment. The institutional budget has now been finalized.

A pre-bid meeting has also taken place for updates to the security system at the Caperton Center, including cameras, doors, and related systems.

Within Student Services, Dr. Suzan Clemens has resigned from her position. The institution is currently evaluating ways to manage her existing caseload, and the position will not be refilled at this time. Students requiring mental health support will be referred to BetterMynd for telehealth counseling services.

## **Staff Recognition & Announcements**

Several spring events and student celebrations are scheduled across campus locations through May, including career fairs, student awards, workshops, graduation, and community engagement events.

Employees were also reminded about the Pierpont Praises initiative. Recognition drop boxes have been placed across campuses, allowing students, faculty, staff, and visitors to acknowledge outstanding employee service. Monthly drawings for a \$25 Walmart gift card will be held, and submitted praise cards will be shared with recognized employees.

## **Additional Discussion**

Deferred maintenance meetings are ongoing to address facility improvement needs across multiple campuses.

## **Next Meeting**

The next regular Classified Staff Council meeting will be held on May 27, 2026 at 1:00 PM via Teams.

Thank you for your continued support of Classified Staff and the institution.

# **Tab**

# **2**

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS**  
**Meeting of May 12, 2026**

**ITEM:** Consent Agenda

**COMMITTEE:** Committee of the Whole

**RECOMMENDED RESOLUTION:** Resolved, that the Pierpont Board of Governors approve the Consent Agenda as proposed.

**STAFF MEMBER:** Dr. Michael Waide, Interim President

**BACKGROUND:**

The Consent Agenda is a board meeting practice that groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately. The items on the consent agenda are non-controversial items or routine items that are discussed at every meeting. They can also be items that have been previously discussed at length where there is group consensus.

The following items are included in the Board book and listed on the proposed consent agenda.

1. Minutes of the April 28, 2026 Regular Board of Governors Meeting

**PIERPONT COMMUNITY & TECHNICAL COLLEGE  
BOARD OF GOVERNORS**

**Board of Governors Meeting**

**Tuesday, April 28, 2026  
2:00 PM**

**Pierpont's Advanced Technology Center (ATC)  
500 Galliher Drive  
Fairmont, WV 26554  
Room 216A**

---

**MINUTES**

**Notice of Meeting**

A meeting of the Pierpont Community & Technical College (Pierpont) Board of Governors was held on April 28, 2026, beginning at 2:00 PM. The meeting was conducted in person at the Advanced Technology Center in Fairmont, WV. Advanced announcement of this meeting was posted on the WV Secretary of State's Meeting Notices Webpage.

**I. Call to Order**

Lisa Lang, Chair, called the meeting to order in open session at 2:03 PM.

**II. Conflict of Interest**

Lisa Lang requested Board members to examine the agenda and disclose any potential conflicts of interest.

**III. Roll Call**

Amanda Hawkinberry conducted a roll call:

<b>Name</b>	<b>Present/Not Present</b>
Thomas Cole	Present
David Hinkle	Present
Anthony Hinton	Not Present
Lisa Lang	Present
Christine Miller	Present
Juanita Nickerson	Not Present
Jeffrey Powell	Present
Hayes Raudenbush	Present
Joanne Seasholtz	Present
Nathan Weese	Present

Amanda Hawkinberry announced there was a quorum present.

*Others Present:*

Members of President's Cabinet, faculty, staff, and others

**IV. Consent Agenda**

Christine Miller moved to accept the meeting minutes from the March 19, 2026 Regular Board meeting. Jeffrey Powell seconded the motion. All agreed. Motion carried.

**V. Committee of the Whole**

**A. President's Report**

Dr. Michael Waide provided Board members with a written report (Attachment A) and highlighted three key items.

1. A working group drafted a retreat agenda for the Board to occur this summer, which will include a review of labor market data, an assessment of the current degree inventory, and a panel discussion. The intent is to use data to inform forward planning and decision-making, including the development of innovative new programs.
2. The institution is approaching the end of the current two-year strategic plan. The pillars, mission, vision, and values will be retained. Following the retreat, work will begin on the next strategic plan to incorporate new initiatives.
3. The search for the Provost is underway, with the position posted regionally. While not as extensive as the presidential search, the process includes three steps: a screening interview; a second-round behavioral interview that includes a 20-minute presentation; and a third-level interview with the President and the Executive Assistant to the Provost. A decision is expected before June 30.

**B. March 31, 2026 Combined Finance Report and Capital Projects Report as of March 31, 2026**

Dale Bradley presented and reviewed the March 31, 2026 Combined Finance Report and Capital Projects Report as of March 31, 2026 (Reports provided in Agenda packet).

**C. Resolution for Approval - FY 2027 Unrestricted Budget**

Christine Miller moved to approve the FY 2027 Unrestricted Budget as presented in the resolution. Thomas Cole seconded the motion. All agreed. Motion carried.

**D. Resolution for Approval - FY 2027 Pay Raise**



Mission Statement: To provide accessible, responsive, comprehensive education that works  
Vision: To empower individuals and strengthen communities through exceptional training and educational pathways  
Tagline: Education that works!

Nathan Weese moved to approve FY 2027 Pay Raise as presented in the resolution. Joanne Seasholtz seconded the motion. All agreed. Motion carried.

E. Enrollment Management/Persistence & Retention

Nancy Parks presented and reviewed the Student Services Updates Report (**Attachment A**).

F. Career and Corporate Training (CCT)

Dr. Joni Gray presented and reviewed the Career & Corporate Training April Update Report (Report provided in Agenda packet).

**VI. Adjournment**

There being no further business, Jeffrey Powell moved to adjourn the meeting. Christine Miller seconded the motion. All agreed. Meeting adjourned.

*Respectfully submitted by Amanda N. Hawkinberry*



Mission Statement: To provide accessible, responsive, comprehensive education that works  
Vision: To empower individuals and strengthen communities through exceptional training and educational pathways  
Tagline: Education that works!

**TO:** Board of Governors

**FROM:** Nancy W. Parks

**DATE:** April 28, 2026

**SUBJECT:** Student Services Updates

## Enrollment Update

*Points-in-time as of the final Friday in April*

### Spring 2026

**Overall change:** -286 students (-9.83%).

First-time and re-admitted students increased compared to the prior year; however, returning students, transfer students, and dual-enrollment high schoolers declined.



Enrollment Comparison Summary by Student Type

Student Type	Previous Term		Current Term		Differences			
	202520 - Spring Semester 2025		202620 - Spring Semester 2026		Count	Percent	FTE	Percent
	Count	FTE	Count	FTE				
1 - First-time Freshman	52	45.40	56	44.33	4	7.69	-1.07	-2.35
2 - Returning Student	737	654.27	707	610.13	-30	-4.07	-44.13	-6.75
3 - Readmitted Student	19	13.80	22	14.53	3	15.79	0.73	5.31
6 - Transfer Student	40	29.07	33	22.87	-7	-17.50	-6.20	-21.33
9 - Other	16	8.93	16	6.13	0	0.00	-2.80	-31.34
W - CE - Workforce Education	0	0.00	1	0.27	1	0.00	0.27	0.00
	864	751.47	835	698.26	-29	-3.36	-53.20	-7.08
8 - HS Student Taking College Crs	711	210.00	454	168.67	-257	-36.15	-41.33	-19.68
	1,575	961.47	1,289	866.93	-286	-18.16	-94.53	-9.83

## Summer 2026

**Overall change:** +9 students (-7.0%).

Returning, transfer, and “other” student enrollments increased. First-time, re-admitted, and high school enrollments declined. As indicated in the bar chart, the Office of Institutional Effectiveness reports that summer enrollment is on track relative to prior summers.

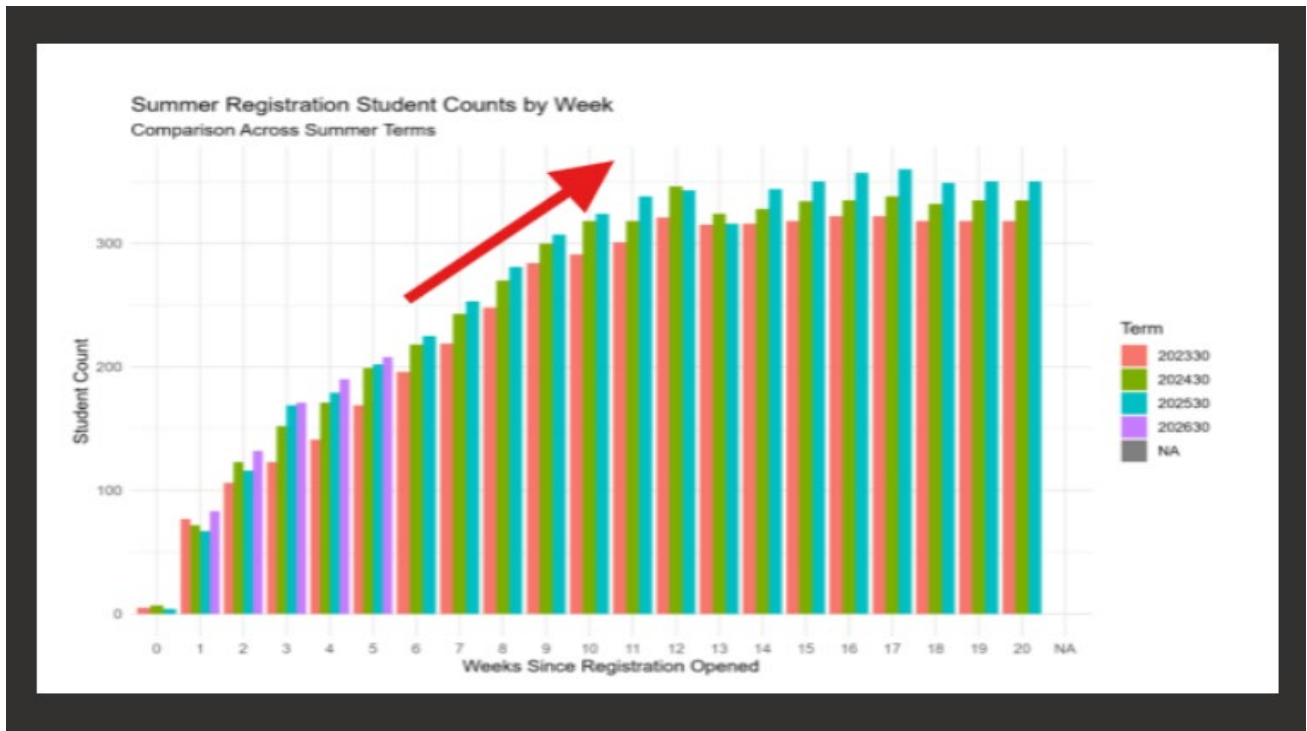
As indicated in the bar chart, the Office of Institutional Effectiveness reports that summer enrollment is on track relative to prior summers.

The Office of Admissions has partnered with the Director of Marketing to launch a Summer School campaign targeting transient and transfer students, focusing on general education courses such as College Algebra and Chemistry that are often sought by four-year college students in the summer.



Enrollment Comparison Summary by Student Type

Student Type	Previous Term		Current Term		Differences			
	202530 - Summer Semester		202630 - Summer Semester 2026		Count	Percent	FTE	Percent
	As of 4/27/2025		As of 4/26/2026					
	Count	FTE	Count	FTE				
1 - First-time Freshman	16	7.60	11	5.40	-5	-31.25	-2.20	-28.95
2 - Returning Student	171	75.73	181	68.13	10	5.85	-7.60	-10.04
3 - Readmitted Student	6	2.27	4	2.20	-2	-33.33	-0.07	-2.94
6 - Transfer Student	4	1.53	10	5.47	6	150.00	3.93	256.52
9 - Other	5	1.47	10	3.27	5	100.00	1.80	122.73
	<u>202</u>	<u>88.60</u>	<u>216</u>	<u>84.47</u>	<u>14</u>	<u>6.93</u>	<u>-4.13</u>	<u>-4.67</u>
8 - HS Student Taking College Crs	19	8.20	14	5.47	-5	-26.32	-2.73	-33.33
	<u>221</u>	<u>96.80</u>	<u>230</u>	<u>89.94</u>	<u>9</u>	<u>4.07</u>	<u>-6.87</u>	<u>-7.09</u>



**Fall 2026**

**Overall change:** +8 students (-1.6%).

All student types show increases compared to the prior year — including dual-enrollment high schoolers — except for returning students.

**Applications to date:** 15% above Fall 2024 levels; 18% above Fall 2025.

Programs with notably increased applications include Aviation Maintenance Technology (AVMT), Emergency Medical Services (EMMS), Medical Billing & Coding (MBC), and Health Information Technology (HIT).



Enrollment Comparison Summary by Student Type

Student Type	Previous Term		Current Term		Differences			
	202610 - Fall Semester 2025		202710 - Fall Semester 2026					
	As of 4/27/2025		As of 4/26/2026		Count	Percent	FTE	Percent
	Count	FTE	Count	FTE				
1 - First-time Freshman	95	100.00	114	112.93	19	20.00	12.93	12.93
2 - Returning Student	224	187.80	184	147.33	-40	-17.86	-40.47	-21.55
3 - Readmitted Student	14	10.87	11	9.20	-3	-21.43	-1.67	-15.34
6 - Transfer Student	27	23.80	44	38.87	17	62.96	15.07	63.31
9 - Other	1	0.07	0	0.00	-1	0.00	-0.07	-100.00
	<u>361</u>	<u>322.54</u>	<u>353</u>	<u>308.33</u>	<u>-8</u>	<u>-2.22</u>	<u>-14.20</u>	<u>-4.40</u>
8 - HS Student Taking College Crs	89	40.87	105	49.13	16	17.98	8.27	20.23
	<u>450</u>	<u>363.41</u>	<u>458</u>	<u>357.46</u>	<u>8</u>	<u>1.78</u>	<u>-5.93</u>	<u>-1.63</u>

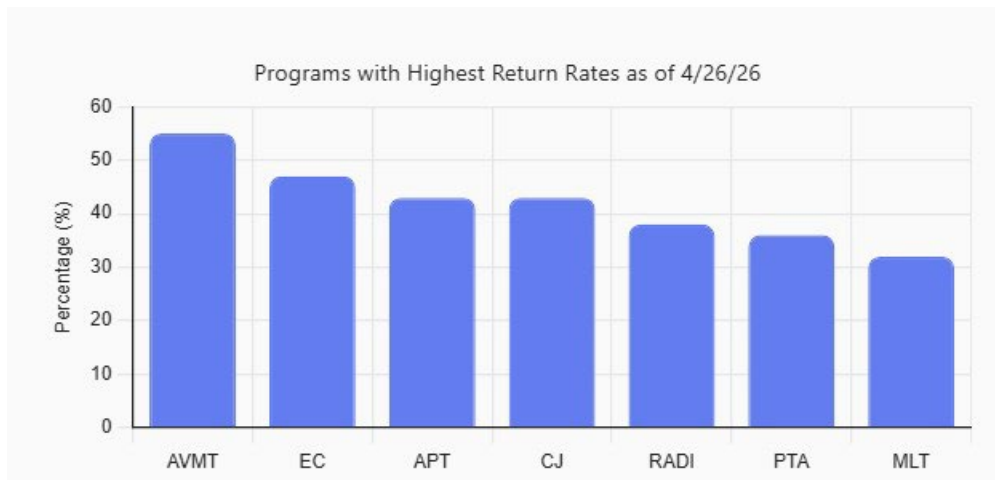
## Strategies to Increase Returning Student Enrollment — Fall 2026

---

- **Classroom visits** for program cohorts to encourage re-enrollment.
- **Outreach** to students with outstanding WV Invests community service obligations so students will not be prevented from registering due to financial “holds” on accounts
- **Concentrated advising for Health Sciences majors:** Student Services and the Assistant Dean of Health Sciences have developed a coordinated advising outreach plan. Three large group advising sessions are scheduled — including an evening session offering food and direct access to Health Sciences faculty and admissions/advising specialists. These events supplement ongoing phone and email outreach campaigns, including personal contact from the Office of the Associate Vice President.

*Health Sciences is the largest degree program at Pierpont, with 128 potential returning students.*

**Programs with Highest Return Rates, Spring 2026 to Fall 2026 (as of 4/26/26)**



## Strategies to Improve Overall Enrollment, Retention, and Student Satisfaction — Fall 2026

---

- **Orientation redesign:** Smaller, more frequent orientation and registration events across all campuses this summer, offering more in-depth information and a more personalized experience.
- **HEPC CollegeAPP initiative:** Participation in the Higher Education Policy Commission’s Adult Process Pipeline (CollegeAPP) program; training June 9–10 for the AVP of Student Services, Executive Director of Admissions, and Director of Marketing.
- **Financial Aid efficiency improvements:** The Financial Aid Office, in collaboration with the Office of Institutional Effectiveness, implemented a streamlined reporting process that substantially reduces the time staff spend adjusting aid based on enrolled credit hours. This allows staff to redirect effort toward compliance with new federal student loan regulations, including required reductions to loan maximums tied to a student’s actual credit-hour enrollment.

- **Revised Financial Aid communications:** Reader-friendly, student-specific Financial Aid Fact Sheets and an updated Financial Aid Success Guide incorporating WV Invests and HEAPS revisions.
- **Co-curricular learning opportunities:** Continued offerings to help students satisfy WV Invests grant obligations. Approximately 5% of eligible students participated during this year's pilot.
- **Disabilities Accommodations transition:** Accommodations services are being integrated as an embedded function of Retention and Tutorial Services.
- **24/7 mental health resources:** Continued provision of around-the-clock mental health support access for students.
- **“Tutoring, then Re-Test” expansion review:** Evaluating expansion of this opportunity for additional courses, building on the Biology 1170/1171 pilot.
- **Transcript processing:** Continued prioritization of recording incoming transcripts; the reduced backlog is expected to support increased enrollment of transfer applicants.

---

## Q & A

**Tab**

**3**

**Board of Governors**  
**Budget/Finance Report FY 2026**  
**Pierpont Community & Technical College**  
**as of April 30, 2026**

Pierpont’s overall financial structure consists of four primary fund types: unrestricted, auxiliary, restricted, and plant/capital funds.

**Unrestricted Funds** – Includes those economic resources of the institution which are expendable for any purpose in performing the primary objectives of the institution, i.e., instruction, research, extension, and public service, and which have not been designated by the governing board for other purposes. These funds consist of State Appropriations, not designated for a specific purpose, and general tuition and fees revenues. For fiscal management purposes Pierpont segregates Unrestricted funds into two subgroups; President Controlled Funds and Fund Manager Controlled Funds.

- President Controlled Funds consist of State Appropriations and general tuition and fees revenues.
- Fund Manager Controlled Funds consist primarily of program fees and lab/course fee funds that are used to cover program specific operational costs.

**Auxiliary Funds** – Auxiliary funds are a subsection of unrestricted funds. Auxiliary enterprises are activities conducted primarily to provide facilities or services to students, faculty, and staff. Such activities could include residence halls, food services, bookstore, parking, etc. At Pierpont these activities are reported as a separate fund type for fiscal management. Currently parking is the only Auxiliary fund activity and is used to support maintaining parking resources and campus security.

**Restricted Funds** - The restricted fund group consists of those funds expendable for operating purposes but restricted by donors or other outside agencies as to the specific purpose for which they may be expended. Restricted funds primarily consist of contracts and grants received from federal or state governments for financial aid, research, public service or other restricted purposes.

**Plant/Capital Funds** – Plant/Capital Funds are a subsection of unrestricted funds used for debt service, capital projects, facilities maintenance, and renewal.

**SUMMARY UNRESTRICTED FUNDS:**

As of the April 30, 2026, Budget/Finance Report, the Unrestricted Budget Balance is \$61,875 which includes the remaining amount of a Board approved spend down of a One-Time Supplemental Appropriation received in FY 24 of \$31,311 (Update to BANNER Self-Service 9).

As of this report date, the YTD Actuals for Unrestricted Funds reflect the following:

- The institution has realized approximately 98% of projected operating revenue.
- The institution has incurred approximately 75% of operating expenses.
- The institution has realized approximately 99% of nonoperating revenues.
- The Year-To-Date Actual Budget Balance is \$4,386,400.

**SUMMARY RESTRICTED FUNDS:**

As of the April 30, 2026, Budget/Finance Report, the Restricted Budget Balance is \$133,387.

As of this report date, the YTD Actuals for Restricted Funds reflect the following:

- The institution has realized approximately 69% of projected operating revenue.
- The institution has incurred approximately 82% of operating expenses.
- The institution has realized approximately 121% of nonoperating revenues.
- The Year-To-Date Actual Budget Balance is \$153,409.

**Pierpont Community & Technical College**  
**Actual vs Budget Statement of Revenues and Expenses**  
**Current Unrestricted**  
**March 31, 2026**

		<b>Current Budget</b>	<b>Actual YTD</b>	<b>YTD Actual to Current Budget</b>
<b>OPERATING REVENUE</b>	Tuition and Fees	7,611,863	7,042,897	92.53%
	Auxiliary enterprise revenue	183,000	168,168	91.90%
	Other Operating Revenues	55,833	41,234	73.85%
	Sales and Services of Educational Activities	5,000		0.00%
	<b>Total:</b>	<b>7,855,696</b>	<b>7,252,299</b>	<b>92.32%</b>
<b>OPERATING EXPENSE</b>	Salaries	8,073,159	5,051,979	62.58%
	Benefits	1,998,125	1,211,216	60.62%
	Student financial aid - scholarships	248,252	51,226	20.63%
	Utilities	364,063	279,200	76.69%
	Supplies and Other Services	5,005,010	4,040,637	80.73%
	Equipment Expense	113,636	111,402	98.03%
	Fees retained by the Commission	109,660	82,245	75.00%
	Loan cancellations and write-offs	100,000	0	0.00%
	<b>Total:</b>	<b>16,011,906</b>	<b>10,827,905</b>	<b>67.62%</b>
<b>OPERATING INCOME / (LOSS)</b>		<b>(8,156,210)</b>	<b>(3,575,606)</b>	
<b>NONOPERATING REVENUE (EXPENSE)</b>	State appropriations	8,461,049	6,345,786	75.00%
	Gifts	101,600	0	0.00%
	Investment Income	300,000	254,103	84.70%
	<b>Total:</b>	<b>8,862,649</b>	<b>6,599,889</b>	<b>74.47%</b>
<b>TRANSFERS &amp; OTHER</b>	Capital Expenditures	0	(28,858)	0.00%
	Construction Expenditures	0	0	0.00%
	Transfers for Financial Aid Match	(30,875)	0	0.00%
	Indirect Cost Recoveries	0	0	0.00%
	Transfers for Capital Projects	0	0	0.00%
	Transfers to Plant Reserves	(645,000)	0	0.00%
	Transfers - Other	0	0	0.00%
	<b>Total:</b>	<b>(675,875)</b>	<b>(28,858)</b>	<b>4.27%</b>
<b>BUDGET BALANCE UNRESTRICTED</b>		<b>30,564</b>	<b>2,995,425</b>	
<b>One-Time Supplemental Appropriation (Received in FY 24)</b>		<b>31,311</b>		
<b>BUDGET BALANCE (Adjusted for Use of One-Time Supplemental Approp)</b>		<b>61,875</b>	<b>2,995,425</b>	

**Pierpont Community & Technical College**  
**Actual vs Budget Statement of Revenues and Expenses**  
**Current Restricted**  
**March 31, 2026**

		Current Budget	YTD Actual	YTD Actual to Current Budget
<b>OPERATING REVENUE</b>	Federal Grants and Contracts	3,679,444	2,515,681	68.37%
	State/Local Grants and Contracts	5,447,548	3,548,872	65.15%
	Private Grants and Contracts	344,308	214,295	62.24%
	Other Operating Revenues	259	0	0.00%
	<b>Total:</b>	<b>9,471,558</b>	<b>6,278,848</b>	<b>66.29%</b>
<b>OPERATING EXPENSE</b>	Salaries	1,885,778	441,129	23.39%
	Benefits	348,743	101,554	29.12%
	Student financial aid - scholarships	7,547,956	7,309,829	96.85%
	Supplies and Other Services	540,304	277,718	51.40%
	Equipment Expense	147,138	67,050	45.57%
	<b>Total:</b>	<b>10,469,919</b>	<b>8,197,279</b>	<b>78.29%</b>
<b>OPERATING INOCME / (LOSS)</b>		<b>(998,361)</b>	<b>(1,918,431)</b>	
<b>NONOPERATING REVENUE (EXPENSE)</b>	Federal Pell Grant Revenues	2,250,000	2,729,230	121.30%
	Gifts	485	0	0.00%
	<b>Total:</b>	<b>2,250,485</b>	<b>2,729,230</b>	<b>121.27%</b>
<b>TRANSFERS &amp; OTHERS</b>	Capital Expenditures	(1,076,171)	(473,785)	44.03%
	Transfers for Financial Aid Match	30,875	0	0.00%
	Transfers - Indirect Cost (Chan Indirect Cost Recoveries	(73,443)	(10,494)	14.29%
	<b>Total:</b>	<b>(1,118,738)</b>	<b>(484,279)</b>	<b>43.29%</b>
<b>BUDGET BALANCE</b>		<b>133,386</b>	<b>326,520</b>	

**Tab**

**4**

**Pierpont Community and Technical College  
Board of Governors  
Meeting of May 12, 2026**

**ITEM:** FY 2026 Capital Projects Update.

**COMMITTEE:** Finance and Administration Committee

**INFORMATION ITEM:** FY 2026 Capital Project Budgets, Expenditures, and Cash Balances as of April 30, 2026.

**STAFF MEMBER:** Dale Bradley

Pierpont Community & Technical College  
 Project Summary  
**Capital Plant Funds**  
 As of April 30, 2026

Projects			
Projects - Funds Transferred	Approved Budget	Recorded Expenditures and Commitments to Date	Unexpended Budget Balance
Caperton Center Expansion - Vet Tech	2,094,326	2,103,666	(9,340)
ATC 3rd Floor Furniture, Fixtures & Inform. Tech.	200,000	97,623	102,377
HVAC Building Controls All 2026	45,000	40,200	4,800
Caperton Parking Lots Repair 2026	18,000	15,205	2,795
ATC HVAC Controls Contract 2026	7,200	0	7,200
Small Capital Projects	150,000	136,836	13,164
<b>TOTALS</b>	<b><u>2,514,526</u></b>	<b><u>2,393,531</u></b>	<b><u>120,995</u></b>

Plant Funds Cash Balances as of April 30, 2026		
Fund Title	Fund	Cash Balance
Caperton Center Expansion-Vet Tech	3510	\$26,365.43
ATC 3rd Floor Furniture, Fixtures & Inform. Tech.	3518	\$158,441.34
HVAC Building Controls All 2026	3519	\$6,600.00
Caperton Parking Lots Repair 2026	3520	\$0.00
ATC HVAC Controls Contract 2026	3521	\$7,200.00
Small Capital Projects	3570	\$13,163.68
HEPC Debt Service	3573	\$0.00
Pierpont - E&G Cap & Infrastructure*	3575	\$790,165.24
<b>Total Cash in Plant Funds on April 30, 2026</b>		<b><u>1,001,935.69</u></b>

Cash Balances Available For Capital Projects as of April 30, 2026		
Fund Name	Fund	Cash Balance
Pierpont - E&G Cap & Infrastructure*	3575	\$790,165.24
Pierpont Facilities Fee	3170	\$553,126.02
<b>Total Cash Balances Available For Capital Projects</b>		<b><u>\$1,343,291.26</u></b>

Unrestricted Facilities Fee Fund Projected Cash Balance at June 30, 2026		
Fund 3170		Cash Balance
Beginning Balance		76.00
Estimated Revenues		645,000.00
<b>Projected Cash in Unrestricted Facilities Fee Fund at June 30</b>		<b><u>\$ 645,076.00</u></b>

# Tab

# 5

**Pierpont Community and Technical College  
Board of Governors  
Meeting of May 12, 2026**

- ITEM:** FY 2027 Pierpont Education and General Capital Project Budget Approval
- COMMITTEE:** Finance/Audit and Administration Committee to Committee of the Whole
- RECOMMENDED RESOLUTION:** Be it resolved that the Board of Governors approve continued funding of \$150,000 for Small Projects and \$271,889 for HEPC Debt Service with additional funding of \$20,000 for HB 4592 Campus Safety Mapping, \$41,000 for an Caperton Center maintenance projects, and \$15,000 for ATC maintenance projects in the FY 2027 Capital Project Budget totaling \$497,889 from Pierpont Education and General Capital Funds.
- STAFF MEMBER:** Dale Bradley
- BACKGROUND:** As of April 30, 2026, Pierpont’s Education and General Capital Fund has an uncommitted cash balance of \$790,165. During the current fiscal year Pierpont has assessed \$603,806 in Capital Fees through April 30, 2026. It is estimated that at least \$553,126 in cash from the FY 26 Capital Fees assessment will be transferred to the Education and General Capital Fund at fiscal year-end increasing the uncommitted cash balance of Education and General Capital Fund to a minimum of \$1,343,291.

# CAPITAL PROJECT REQUEST

FY 2027

Project	E&G Capital
<i>Reoccurring Annual Funding Requests</i>	
Small Projects	\$150,000
HEPC Debt Service	\$271,889
<i>New Funding Requests for FY 27</i>	
<b>HB 4592 Campus Safety Mapping</b>	<b>\$20,000</b>
<b>Caperton Maintenance Projects</b>	
- Waste Line Repair 1st Floor Small Bathrooms	\$20,000
- Hot Water System Surge Tank	\$12,000
- Outside Air Controls Motors and Actuators for Day Care	\$3,000
- 3rd Floor Actuator	\$2,500
- Office Carpet Replacement	\$3,500
<b>Caperton Maintenance Projects Total</b>	<b>\$41,000</b>
<b>ATC Maintenance Projects</b>	
- Hot Water Mixing Valve	\$9,000
- New Entrance to Veterans Lounge Office	\$6,000
<b>ATC Maintenance Projects Total</b>	<b>\$15,000</b>
<b>Total</b>	<b>\$497,889</b>

# Tab

# 6

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS  
MEETING OF MAY 12, 2026**

- ITEM:** Policy PP-2059: Furlough and Reduction in Employee Workforce
- COMMITTEE:** Committee of the Whole
- RECOMMENDED RESOLUTION:** Resolved that the Pierpont Board of Governors approve the changes to Policy PP-2059: Furlough and Reduction in Employee Workforce.
- STAFF MEMBER:** George H. Perich; Vice President, Human Resources & Org. Dev.
- BACKGROUND:** The language in the existing policy requires language changes to reflect changes in operations and WV Statute.

The last revision of the Pierpont Community & Technical College’s Furlough and Reduction in Employee Workforce was approved in April 2015 and does not reflect the institution’s revised institutional guidelines.

**PIERPONT COMMUNITY & TECHNICAL COLLEGE**  
**Board of Governors Policies and Procedures**  
**PP-2059**

**Short Title:** ~~Furloughs~~ Layoffs and Reduction in Employee Workforce

**Reference:** W. Va. Code § 18B-7-3 and ~~Title 133, West Virginia Council for Community and Technical College Education, Series 8, Personnel Administration, and Series 135 C.S.R. 9, Academic Freedom, Professional Responsibility, Promotion, and Tenure~~

**Effective Date:** April 28, 2015

**Amended:** September 17, 2024

**Repealed:**

**Reviewed:**

## **SECTION 1. PURPOSE**

- 1.1 The purpose of this policy is to establish uniform procedures that will provide a means to address employee ~~furloughs~~ layoffs and reductions-in-force within the ranks of regular full-time employees at Pierpont Community & Technical College (Pierpont) in response to ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity.

## **SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy shall apply to all regular full-time (.53 FTE and above) employees and positions, to include faculty, classified, non-classified, and faculty equivalent/academic professional (FEAP) employees.
- 2.2 ~~This policy is intended to apply only to full-time regular employees, i.e., those at .53 FTE and above.~~ Employees at less than .53 FTE, i.e., part-time regular ("1039") or temporary, casual, or project employees are not included in this policy, ~~as they are considered "at will" employees whose positions may be abolished if deemed necessary.~~

## **SECTION 3. DEFINITIONS ~~OF EMPLOYEES (from Title 133, Series 8, 2.1)~~**

- 3.1 **Full-Time Regular (FTR) Employee:** Any employee in a classified permanent position created to last a minimum of nine months of a 12-month period and in which period such employee is expected to work no less than 1,040 hours ~~during said period~~. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Personnel who fail to meet the work threshold for designation as full-time ~~classified personnel~~ shall hold no seniority ~~and will be considered "at will" employees~~.

- 3.2 **Full-Time Faculty:** Employment as a faculty member for a full academic year (at least a nine-month contract basis) for at least six (6) semester credit hours teaching per semester or the equivalent in teaching, research, public service, and/or administrative responsibilities. Faculty are not considered classified employees or subject to the classification program.
- 3.3 **Non-Classified Employee:** An employee, designated by the President, who is responsible for policy formation at the department or institutional level or reports directly to the President of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits.
- 3.4 **Part-Tim Regular (PTR) Employee:** An employee in a position created to last less than 1,040 hours during a 12-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program.
- 3.5 **Temporary Employee:** An employee hired into a position expected to last fewer than nine months of a 12-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program.
- 3.6 **Casual Employee:** Position created to meet specific operational needs at an institution Pierpont for no more than 225 hours in a 12-month period. Individuals in a casual employee position are not eligible for benefits and are not covered by the classification program.
- 3.7 **Furlough Layoff:** ~~A furlough is mandatory time off work for no pay for an employee or employees, a program typically implemented in lieu of reductions in force and the permanent loss of jobs and positions. A reduction in the number of employees resulting in involuntary separation from employment or reduction in work schedule due to business necessity. Employees who are laid off may be subject to recall.~~
- 3.8 **Reduction-in-Force (RIF):** ~~The termination of employees and/or positions due to lost funding or unmet revenues; or due to institutional or programmatic changes; or due to the reorganization of business operations~~ business necessity without the expectation of recall. Reduction-in-force for classified employees shall be in accordance with W. Va. Code § 18B-7-3.
- 3.9 **Seniority** ~~(for classified employees): For purposes of reduction in force, "seniority" means uninterrupted service in the higher education system. The total number of months or years an employee is employed with Pierpont. Uninterrupted service means the continuous period of time that an employee is in payroll status — i.e., being paid for time worked regardless of when the payment occurs. Therefore, persons on unpaid leaves of absence (regardless of the reason) do not accrue seniority service for purposes of reduction in force. An employee hired at Pierpont who previously worked at another institution under the jurisdiction of the Higher Education Policy Commission or the Council for Community and Technical College Education must have no break in service between the two institutions in~~

~~order to have the previous institutional service counted toward seniority calculations for reduction-in-force purposes at Pierpont.~~

3.9.1 For regular employees, this excludes adjunct teaching experience and part-time temporary and/or casual work experience. Temporary and casual employees do not earn or carry seniority.

3.9.2 ~~Seniority for faculty employees:~~ For regular faculty employees, seniority may apply in some circumstances, as detailed in Section 5 following.

3.9.3 ~~Seniority~~ For non-classified and FEAP employees, seniority generally is not a mitigating factor or consideration ~~for non-classified and FEAP employees, who are considered "at-will" employees.~~

3.10 **Full-Time Equivalency (FTE):** ~~Full-time equivalency is~~ The percentage of time for which a position is established; ~~a 1.0 FTE is with~~ a full-time position assigned to working 1,950 hours per ~~during the twelve (12) months of the fiscal year being~~ 1.00 FTE.

3.11 **Business Necessity:** The reason or cause for any of a variety of personnel actions based upon the condition of the College, in whole or in part, or specific program components that may include, but are not limited to, lack of funds or work; abolishment of positions; materials changes in mission, duties, or organization; loss of budgeted, allocated, or available positions; reinstatement of eligible employees returning from military duty or temporary total disability; reinstatement of an employee in compliance with a legal order; and for recall of employees previously laid off.

3.12 **Credentials:** The employee's current academic degree(s), such degree(s) application to the program in which the employee is employed, and employee evaluations.

3.13 **Longevity:** The total number of years an employee is employed at a State institution of higher education as that term is defined in W. Va. Code § 18B-1-2 and other agencies of State government in West Virginia.

3.14 **Recall:** The reemployment from a recall list of former full-time employees separated due to layoff.

#### **SECTION 4. FURLOUGH POLICY GENERAL PROVISIONS**

4.1 It is the policy of the Board of Governors to undertake reductions in the workforce through either layoff or reduction-in-force in a consistent and fair manner. The primary consideration in any decision to eliminate positions and/or reassign affected personnel will be in the interest of the preservation of the quality and effectiveness of the College's programs. Consequently, those personnel who are deemed to have the most relevant credentials in accordance to a specific

program being reduced, reorganized, or eliminated will be retained in preference to other personnel.

4.2 After the ~~decision~~ Board of Governors, in consultation with the President, determines that a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity exists and that such business necessity requires either a reduction-in-force or a layoff of College personnel, the President shall ~~have the authority to determine~~ develop and implement a ~~feasible furlough~~ plan appropriate to the determined personnel action, which shall be applied to all regular employees equitably and in a manner appropriate to their FTE's and employment type as described above in Section 3. Such a plan must be approved by the Board of Governors in a regular meeting ~~or by another method of voting approved by the Board~~ conducted in accordance with the Open Governmental Proceedings Act.

~~4.2 The furlough plan must be designed such that it minimizes the financial impact on employees.~~

4.3 Teaching faculty will be provided work-release with a corresponding reduction in salary as the method of ~~their furlough~~ layoff.

4.4 Seniority is generally not a consideration in ~~furloughing a reduction-in-force~~.

## SECTION 5. REDUCTION-IN-FORCE ~~POLICY OR LAYOFF~~ – FACULTY

5.1 ~~It shall be the policy of the Board of Governors to undertake reductions in the workforce or personnel in a consistent and equitable manner.~~ Following the decision that a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity exists, the President shall undertake reviews of program, curriculum, reviews administrative, and service requirements to consider pertinent program/curriculum or administrative information what is in the best interest of the institution. The President may recommend to the Board of Governors the elimination or reduction of programs/curricula deemed appropriate, given financial and enrollment considerations, ~~and~~ or what may be in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number of affected faculty positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission.

5.2 ~~Basis for Elimination of Faculty Positions:~~ The President shall make recommendations by the President to the Board of Governors concerning the elimination of any faculty position ~~will be made~~ on the basis of need within each discipline, as ~~defined~~ determined by the President after consultation with the Chief Academic Officer, the deans, and the department chairs.

5.2.1 **Elimination of Positions with Equal Rank in Same Discipline / Department:** In the event all other factors are considered to be equal and a choice must be made concerning the elimination of the position of more than one ~~of~~

~~two or more~~ faculty members holding the same rank and teaching the same discipline, the College will retain the faculty member with the greater seniority will be retained. ~~Also, in the event of a conflict between rank and seniority, such as when an assistant professor has substantially more seniority than his or her equally qualified counterpart who is an associate professor, the department chair, the dean, and the Chief Academic Officer will jointly review the any annual evaluations of both the faculty members for the previous three years, as well as any other relevant data, and make a recommendation to the President concerning which of the positions better serves the vital interests of the College~~ In the event of a conflict in seniority, the College will retain the faculty member with the more relevant credentials.

- 5.2.2 **Order of Elimination of Faculty Positions:** Non-tenured faculty members within the discipline to be reduced will may be terminated prior to the termination of the employment of tenured faculty members. Employment terminations of faculty members will generally follow the order specified below unless there is an identified need to retain faculty members who are deemed to be of key importance to a particular program:

**Non-Tenured:**

- 1 Adjunct Faculty
- 2 Lecturer and Temporary Faculty
- 3 Instructor
- 4 Assistant Professor
- 5 Associate Professor
- 6 Associate Professor, Senior
- 7 Professor
- 8 Professor, Senior

**Tenured**

- 1 Assistant Professor
- 2 Associate Professor
- 3 Associate Professor, Senior
- 4 Professor
- 5 Professor, Senior

- 5.3 **President's Recommendation:** In addition to recommendations made in response to a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity, the President may recommend the termination of the employment of faculty members to the Board of Governors at any time for reason of lack of funds, lack of work, reduction in enrollment, or abolition of position. Recommendations of the President to the Board of Governors relative to the termination of the employment of faculty members shall not be made until affected faculty members have been afforded a hearing as provided herein. Nothing in this policy shall be interpreted as restricting the right of the College to terminate the employment of any faculty member for reasons related to performance or conduct in accordance with College policy.

5.3.1 **Notice and Hearing for Tenured Faculty Members:** The President shall provide written notice to any full-time tenured faculty member of the intent to recommend termination of employment based upon a reduction-in-force. The notice shall contain a description of the reasons for the intended recommendation. The President must make every effort to give as much notice as is practical in light of ~~a financial condition necessitating the reduction in the institution's labor budget exists~~ the business necessity to each affected faculty member in advance of the effective date of the ~~layoff termination~~. ~~Yet, the legislative appropriation process or the recognition of a reduction in revenues and the subsequent analysis needed before a decision that a financial condition necessitating a reduction in the institution's labor budget exists may allow little time for formal notice to the employees who are to be laid off.~~ Upon receipt of such notice, the affected faculty member may request a hearing to be conducted by the President or his or her designee. A request for hearing must be made within five ~~(5) calendar~~ (working) days of a notice of recommended termination. Among the issues ~~to be considered by~~ the President or designee may consider are:

5.3.1.a ~~Ensuring Providing that reductions-in-force do not arbitrarily~~ Actions that may be perceived to violate the principles of academic freedom or ~~established the laws prohibiting discrimination~~ on the basis of ~~individual qualifications such as~~ race, ethnicity, color, marital status, gender, sex, sexual orientation, gender identity, gender expression/association, national origin, age, ~~height, weight~~, religion, creed, genetic information, disability, or veteran's status, ~~as identified and defined by relevant and appropriate employment law~~ in the dismissal of a faculty member.

5.3.1.b Adherence to relevant institutional policies, i.e., financial exigency, program review, program reduction or elimination, etc.

5.3.1.c Material deviations from procedural requirements, if any, by the institution or by the faculty member.

5.3.1.d The burden of proof in ~~position or employee~~ termination proceedings rests with the faculty member. The decision that a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity exists rests solely within the President's ~~authority and discretion with the approval of~~ and the Board and is not subject to contest by any faculty member.

5.3.1.e The hearing ~~shall be recorded by mechanical means and a written transcript provided to all participating and appropriate parties to be included with the final response as described in subdivision 5.3.1.e below.~~ The strict rules of evidence shall not, however, be applied

during the hearing may be recorded at the request of either party and a transcript of such recording shall be provided to both parties.

5.3.1.f Following the hearing, the President or designee shall prepare a written decision upon any matters raised by the appealing faculty member ~~who requested the hearing~~. The decision shall contain a description of the concerns raised by the faculty member and a response to each thereto. ~~A copy of the decision and transcript shall accompany any subsequent recommendation made by the President to the Board of Governors~~ The College shall provide a copy of the decision to the affected employee and to Human Resources. These actions will all be completed within ~~ten (10)~~ working days of the appeal ~~meeting hearing~~, unless extension is mutually agreed upon by the faculty member and ~~an approved~~ the President or his or her designee ~~of the College~~.

5.3.1.g Use of the appeal procedure does not delay the effective date of employment termination of the faculty member.

5.3.1.h Use of this appeal procedure does not replace or supersede any affected faculty member's right to file a grievance with the West Virginia Public Employees Grievance Board in accordance with W. Va. Code § 6C-2-1, et seq. related to the reduction-in-force.

5.3.2 **Non-Tenured Faculty Members:** In ~~most~~ many instances, a reduction-in-force of faculty members under fixed-term appointments will be accomplished by non-reappointment rather than by reduction-in-force or layoff during the term of employment. Non-renewal under these circumstances does not entitle a faculty member to notice and hearing under the terms of this policy. However, in the event a faculty member serving under a fixed-term appointment is recommended for employment termination reduction-in-force during the prior to the expiration of the current term of employment because of a reduction-in-force resulting from a decision that a financial condition necessitating a reduction in the institution's labor budget business necessity, that faculty member ~~shall be~~ is entitled to use the appeal procedure described in Section 5.3.1. The College must make every effort to give as much notice as is practical in light of the business necessity to each affected faculty member in advance of the effective date of the termination. The affected faculty member shall be provided with a copy of the instructions and form for filing a grievance with the West Virginia Public Employees Grievance Board.

5.3.3 **Action by the Board of Governors:** Upon receipt of a recommendation by the President, the Board of Governors may approve the termination of employment of a faculty member. No separate hearing shall be afforded to affected faculty members by the Board of Governors. The affected faculty member shall be provided with written notice of the action taken by the Board of Governors and shall also be provided with a copy of the

instructions and form for filing an appeal with the West Virginia Public Employees Grievance Board.

- 5.3.4 **Transfers / Refusals to Transfer:** In some cases, the President may decide ~~(as a result of the above-described review process)~~ to abolish or combine certain programs or curricula, or to close certain physical campuses or locations, whether for purposes of ~~a financial condition necessitating a reduction in the institution's labor budget~~ business necessity, or for a reorganization, or a reallocation of resources. In such case, ~~an employee faculty member~~ may be reassigned to a new program, school, or physical location. If a faculty member refuses the reassignment to a program, school, or physical location, the President may then terminate that faculty member's employment and, if the position is deemed vital to a particular program or campus, the College will post it as a vacancy.; ~~as~~ Since an equitable offer has been made and refused, the College is under no further obligation to maintain the employee's job or employment.
- 5.3.5 **New Faculty Positions:** New positions will not be created while a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity is in effect unless a serious disruption in the functioning of the College or a loss of grant funds or other program revenue would otherwise result, as determined within the sole discretion of the President. New academic programs or faculty positions may be created only when it can be demonstrated that these programs or positions will help the College extricate itself from the ~~financial conditions necessitating the reduction in the institution's labor budget~~ business necessity and/or program and curriculum performance. Priority for filling these positions will be given to existing, qualified faculty ~~whose positions are slated for abolishment or to faculty who have already been terminated or laid off due to business necessity.~~
- 5.3.6 **Reemployment Following ~~Financially Based or Other Termination Reduction-in-Force or Layoff:~~** Notwithstanding any other recall rights contained in this policy, in the case of the ~~termination of the employment reduction-in-force or layoff~~ of a tenured faculty member occupying a permanent faculty position, the position concerned may not be filled by replacement within a period of two ~~(2)~~ years from the effective date of the termination of employment, unless the faculty member has been offered a return to employment in that position and has not accepted the offer within ~~30~~ 10 calendar days after the offer is extended the College shall recall such faculty to the position from which the faculty member was terminated in reverse order from the order in which the reduction in force occurred. The College shall create and maintain a recall list of all faculty reduced in force due to Financial Exigency, and such faculty shall remain on the recall list for the length of his or her service with the College on the date of the reduction in force or for two years, whichever period is shorter. If a faculty member does not accept the College's offer of recall within 30 calendar days after

the College extends the offer, then the faculty member may be removed from the recall list.

5.3.7 **Termination of Exigency:** The conclusion of a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity will not imply does not mean that employment terminations that were made during that period are automatically withdrawn, revoked, or otherwise invalid. Faculty may be recalled only in accordance with this policy.

5.3.8 **Process for Reemployment of Affected Personnel:** The College shall following the process ~~shall be observed~~ outlined herein for ~~determination of determining~~ recall and reassignment of affected faculty members following ~~their termination during a financial condition necessitating a reduction in the institution's labor budget~~ termination of the business necessity:

5.3.8.a When filling academic positions, the highest ranking qualified tenured faculty member whose employment has been terminated as part of a ~~financial condition necessitating a reduction in the institution's labor budget~~ the business necessity reduction-in-force, ~~(and who has not been employed in an academic position elsewhere),~~ shall be offered the position.

5.3.8.b If ~~the position is refused, it shall be offered~~ the faculty member declines or refuses such offer, the College shall offer the position to other similarly affected faculty members in rank order.

5.3.8.c Any refusal of an offer of reemployment by a faculty member shall extinguish any further rights to recall. However, a refusal to accept a position shall not preclude a faculty member from making an application for other posted position openings.

5.3.8.d The Office of Human Resources shall notify faculty members whose employment has been terminated of position openings in accordance with the terms of this policy. The notice shall be sent by certified mail, return receipt requested, to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status. The Pierpont email system may be substituted for the certified mail requirement provided that if the faculty member has provided a viable personal email address to Human Resources in writing prior to the recall. The recalled employee shall have 10 calendar days from the date of the notice to notify Human Resources that they accept the recall assignment. Failure to notify Human Resources within the 10-calendar day period will forfeit any future right to employment with Pierpont.

- 5.3.9 **Assumption of Responsibilities:** ~~The duties of a faculty member terminated under the provisions of this policy will be assumed by his/her remaining colleagues in so far as is feasible. A terminated faculty member's duties will, under no circumstances, be assumed by adjunct faculty. The College may make it a priority to rehire faculty members who have been reduced-in-force or laid off due to business necessity into adjunct positions before posting such adjunct positions externally. Additionally, as soon as a full-time faculty position becomes available or an eliminated program has been reestablished, affected faculty members shall be offered full-time reemployment under the guidelines of this policy.~~
- 5.3.10 **Rights of Returning Faculty Members:** A tenured faculty member who has been ~~terminated and who accepts reemployment with the College reduced-in-force or laid off~~ under the terms of this policy will resume tenure, if applicable, and the rank held at the time of the employment termination, be paid a salary commensurate with the rank and length of previous service, be credited with any sick leave accrued as of the date of employment termination, and be credited with any annual leave accrued as of the date of the employment termination for which payment has not been made. ~~Annual increment service time will begin accruing upon reinstatement; no annual increment or other service time accrues during the period of reduction-in-force~~ Additionally, the recalled faculty member will not lose earned credit for years of service in relation to annual increment pay or faculty promotions.

## SECTION 6. REDUCTION-IN-FORCE POLICY OR LAYOFF – CLASSIFIED STAFF

- 6.1 ~~It shall be the policy of the Board of Governors to undertake reductions in the workforce or personnel in a consistent and equitable manner, in adherence to the provisions of W. Va. Code § 18B-7-3. The President, however, following the decision that a financial condition necessitating a reduction in the institution's labor budget exists, shall undertake program administrative, and service reviews to consider pertinent program, administrative, or service information. The President may recommend to the Board of Governors the elimination or reduction of programs or services deemed appropriate, given financial, enrollment, and other pertinent considerations, and what is in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions and to reassign or reduce the number of affected staff positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission. When due to business necessity it becomes necessary implement a reduction-in-force or layoff of classified staff, the College shall develop a plan prior to the implementation of such RIF or layoff, including the separation, involuntary reduction in work schedule, or demotion without prejudice of any employee, which shall include a statement of the circumstances requiring the RIF or layoff; the organizational unit(s) in which the proposed action will take place; and a list of employees in each class affected by the action in order of retention. The plan shall be available, upon request in writing, to any employee or adversely affected former employee.~~

6.2 **Basis for Elimination of Classified Staff Positions:** ~~It shall be the policy of the Board of Governors to undertake reductions in the workforce of classified personnel in a consistent and fair manner and in accordance with W. Va. Code § 18B-7-3, insofar as the needs of the institution, its mission, and its students are met first. Following a reduction in workforce in the ranks of classified personnel,~~ The continuation of services and programs with appropriately trained and qualified personnel shall be afforded primary consideration in all decisions related to elimination of positions and the reassignment of affected classified personnel. The order of separation in which employees shall be reduced-in-force or laid off shall be applied in the following manner and order:

6.2.1 ~~Part-time regular (1039), casual, project, and/or temporary classified positions and employees are not covered under the provisions of this policy. Employees without permanent status in the same class or classes identified for RIF or layoff in the following order: contract, temporary, exempt part-time professional, provisional, and probationary; Provided, That an employee in the organizational unit(s) to which the RIF or layoff will apply may volunteer to be separated through layoff in place of a probationary or permanent employee with less seniority.~~

6.2.2 ~~A reasonable reduction in the number of hours an employee works (FTE) is NOT considered a reduction in force; i.e., altering the FTE of a position or employee's job by .20 or less does not trigger the provisions for "bumping" as outlined in W. Va. Code § 18B-7-3.~~

6.3 **Calculation of Seniority:** Seniority accumulation for regular full-time employment ~~(i.e., .53 FTE and higher)~~ begins on the date the employee enters regular full-time employment ~~duties~~ and continues until such regular full-time employment with the College is severed ~~with the College~~. Full-time service will be prorated by FTE. Part-time or temporary service performed prior to becoming a full-time regular employee will not be counted in the seniority calculation. Only full-time, benefit eligible service will be counted. ~~Additional seniority shall be given for full-time service in the West Virginia system of higher education; however, an entitlement to credit for service earned at another eligible institution of higher education requires an uninterrupted transition to service at Pierpont. Such additional seniority~~ Longevity shall be applied to adjust the total months of service. Employees shall accrue seniority while on paid sick leave ~~or~~ annual leave, while receiving temporary total disability benefits under the workers' compensation system, while on approved military leave, or on any authorized paid leave. Employees shall not accrue seniority during periods of disciplinary suspension without pay, leave without pay, or unauthorized absences. Any loss of seniority occasioned by disciplinary suspension or unauthorized absences shall result in an adjustment to an employee's total months of service for seniority purposes.

6.3.1 An employee who voluntarily terminates service through resignation or who is terminated for cause shall permanently lose all accumulated seniority. An employee who is subject to a layoff or reduction-in-force shall, upon

reemployment, receive credit for previously accumulated seniority, but shall not accumulate seniority during the period of absence prior to reemployment.

6.3.2 If two or more employees accumulate identical seniority and longevity, the priority shall be determined by ~~a random selection established by the employees and approved by the Office of Human Resources. Priority shall be established anew in the context of each personnel decision where a tie in seniority must be broken comparing the last four digits of each employee's Social Security Number, considered as a total number. The lower numbers shall determine the priority ranking as to which employee shall be terminated.~~

6.4 **Correction of Erroneous Total Months of Seniority:** It ~~shall be~~ is the responsibility of all classified personnel to ~~validate the correctness of~~ bring to the attention of the Human Resources Office any perceived erroneous calculation in their total months of service and adjustments thereto. ~~An employee who fails to correct erroneous total months of service and who is subject to adverse personnel action by virtue of erroneous seniority shall be prohibited from raising the error in the context of the adverse personnel action. However, Human Resources will verify an employee's erroneous seniority calculation and shall be~~ will be corrected for all purposes other than the adverse personnel action in question if it confirms the error.

~~6.5 **Specific Qualifications or Training:** Any specific qualifications or training associated with a classified position shall be set forth in the Position Information Questionnaire (PIQ). If specific qualifications or training are set forth in the PIQ, such positions shall only be available to more senior employees whose positions have been eliminated if such more senior employees hold the specified required qualifications or have acquired such training. Specific qualifications and training shall be reviewed annual by the supervisor in the context of PIQ reviews during the performance appraisal process. Any significant changes recommended by supervisors or by the Office of Human Resources shall be submitted to the President for approval. The lack of qualifications or training by a more senior employee whose position has been eliminated shall be regarded as conclusive evidence that the more senior employee cannot perform the duties and responsibilities of a position where such specific qualifications or training is included in the PIQ.~~

~~6.5.1 No pretextual PIQ's are to be submitted to, nor will they be reviewed by, Human Resources, if it is perceived or determined by the President or HR that such submission is intended solely or in the main to protect an individual's position or employment from abolishment. PIQ's to be used in the review process are those that were in effect 90 days or more before the announcement of a reduction in force.~~

6.5 **President's Authority and/or Recommendation:** The President may eliminate classified positions without prior recommendation to the Board of Governors for reasons other than ~~financial conditions necessitating a reduction in the institution's~~

~~labor budget~~ business necessity. These reasons may include, but are not limited to, lack of funds, expirations of special grants or revenue streams, lack of work, material changes in duties, or changes in organization. In the event of a decision that a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity exists, the President shall eliminate filled or vacant part-time (1039), casual, project, ~~or~~ temporary, and non-critical ~~vacant~~ positions prior to recommending the elimination of positions held by regular full-time classified personnel.

- 6.6 **Affected Personnel:** Personnel who are serving in positions that have been designated for elimination shall be considered for reassignment based upon their seniority, classification, and any relevant specific qualifications or training they may possess. Once positions have been designated for elimination, the affected employees must update their record of credentials and specific qualifications and training within ~~a reasonable timeframe as determined by~~ 10 working days with the Office of Human Resources.
- 6.7 **Consideration of FTE Status:** FTE status shall be considered in evaluating the suitability of positions for reassignment. Notwithstanding the fact that employees with FTEs between .53 and 1.0 are considered full-time, vacancies and other potential positions for an employee's reassignment must not vary more than .20 of the affected employee's FTE status to be considered suitable. However, if there are no suitable vacancies or other available suitable positions held by employees with less seniority, an employee may be reassigned to a position that would otherwise be considered non-suitable for reason of FTE disparity.
- 6.8 **Process for Reassignment of Affected Personnel:** The following process shall be observed for determination of reassignment of affected personnel. In all cases, employees whose jobs have been identified for abolishment must meet the stated qualifications for and be able to perform the duties ~~(as described in the PIQ)~~ of the position into which they would be slated on the basis of seniority to move. Human Resources ~~is to~~ shall make such determinations.
- 6.8.1 **Priority One:** Qualified affected employees will be transferred to current vacant positions, without regard to seniority, in order to avoid a layoff ~~situation by the institution. Attempts will be made~~ The College will attempt to transfer affected employees to vacancies in the same classification. If a vacancy does not exist in the same classification, the College will ~~attempts~~ will be made to transfer employees to vacant positions for which they are qualified in lower classifications ~~for which they are qualified~~.
- 6.8.2 **Priority Two:** In the event that the College cannot avoid a layoff ~~situation has not been avoided~~ through application ~~and the terms~~ of Priority One, the College will transfer qualified affected employees ~~will be transferred~~ to other positions within the same classification, displacing the least senior employees in that classification.

6.8.3 **Priority Three:** After exhaustion of available positions in the same classification, the College will transfer qualified affected employees ~~will be transferred~~ to other positions in a lower classification, displacing the least senior employees in that classification.

6.8.4 **Priority Four:** Transfer to a part-time vacancy within the same classification, if any are available.

6.8.5 **Priority Five:** Transfer to a position held by a part-time employee within the same classification, if any are available.

6.8.6 **Priority Six:** Transfer to a position held by a part-time employee in a lower classification.

6.9 **Application of Seniority in Reassignment Determinations:** If the employee ~~holding in a~~ position that has been identified for elimination has more seniority than other employee(s) within the employee's classification, the employee shall displace the least senior employee within the classification who ~~holds is in~~ a position for which the more senior employee qualifies, so long as the displaced employee has the same qualifications and can perform the same work as delineated in the PIQ for the position held by the less senior employee(s) within that classification. In the event a PIQ for positions held by less senior employees ~~contain requires~~ specific qualifications or training necessary to provide the services identified by the President as critical to the mission, operations, and needs of students or the institution as a whole, the positions will only be available to a more senior employees if the more senior employees ~~held has~~ such specific qualifications and ~~are is~~ able to perform such duties. If an employee refuses reassignment to a position in an equivalent classification, the employee forfeits all rights of recall.

6.9.1 If there are no positions within the displaced employee's classification, the College will consider positions in lower classification (in descending rank order of pay grade) ~~shall be considered~~ as potential assignments in the same manner as described in the foregoing sections; *Provided, however,* that an employee may elect not to accept reassignment to a lower classification and to be placed on the recall list instead.

6.9.2 Employees who have been displaced by a more senior employee whose position has been eliminated shall have the same rights to reassignment as described in the foregoing sections.

6.9.3 If more than one position in a particular classification is eliminated, the College will consider reassignments ~~shall be considered~~ in order beginning with the most senior affected employee.

6.10 **Preferred Recall List:** All employees who lack sufficient seniority to retain employment in a layoff or reduction-in-workforce or who have been displaced as a result of the elimination of their positions and who elect to refuse reassignments to lower classifications shall be placed on a preferred recall list. Employees on the

preferred recall list shall be recalled to any position opening by the institution within the classification in which the employee had previously been employed or to any position in a lower classification for which the employee is qualified on the basis of seniority and ability to perform the required duties of the job.

6.10.1 An employee on the preferred recall list shall not forfeit the right to recall if compelling reasons, as ~~defined~~ determined by the President, require the employee to refuse an offer of reemployment. The President and Human Resources, in consultation, will review an employee's ~~opined~~ stated compelling reasons and decide on their merits whether the employee should or should not forfeit the right to recall.

6.10.2 The Office of Human Resources shall notify all employees on the preferred recall list of all position openings that exist from time to time. The notice shall be sent by certified mail, return receipt requested, to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status and to be contacted. The Pierpont email system may be substituted for the certified mail requirement provided that if the faculty member has provided a viable personal email address to Human Resources in writing prior to the recall. The recalled employee shall have 10 calendar days from the date of the notice to notify Human Resources that they accept the recall assignment. Failure to notify Human Resources within the 10-calendar day period will forfeit any future right to employment with Pierpont recall.

6.10.3 An employee's listing shall remain active for a period of one year. However, employees ~~must annually~~ may request in writing that their listing be renewed for ~~the succeeding one additional~~ year. An employee who fails to renew listing on the recall list prior to the anniversary date of placement on the list or last renewal shall be removed from the list.

6.10.4 No position openings shall be filled by the institution, whether temporary or permanent, until all employees on the preferred recall list who are qualified to perform the available work and who have been properly notified of existing vacancies and have been given an opportunity to accept reemployment.

## **SECTION 7. REDUCTION-IN-FORCE POLICY OR LAYOFF – NON-CLASSIFIED AND FEAP STAFF**

7.1 Seniority of employees in non-classified or FEAP positions is neither a factor nor a consideration in determining layoff or reduction-in-force of such positions, ~~in which employees are considered "at-will."~~ However, following the decision that a ~~financial condition necessitating a reduction in the institution's labor budget~~ business necessity exists, the President shall undertake reviews of program, administrative, and service ~~reviews to consider pertinent program, administrative, or service information requirements to determine what is in the best interest of the institution.~~ The President may recommend to the Board of Governors the

elimination or reduction of programs or services deemed appropriate given financial, enrollment, and other pertinent considerations, ~~and or is~~ in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions ~~and or~~ to reassign or reduce the number affected non-classified or FEAP positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission. Consequently, those employees who are deemed to be of key importance to a specific program or service ~~will may~~ be retained in preference to other staff members, whatever their status or seniority.

## SECTION 8. RESPONSIBILITIES AND PROCEDURES

- 8.1 **Faculty:**—The President and the Chief Academic Officer shall have primary responsibility for making recommendations to the Board of Governors regarding elimination of faculty positions. ~~Human Resources will be guided in process and implementation by the decisions provided by the President and the Chief Academic Officer.~~
- 8.2 **Classified, Non-Classified, and FEAP Employees:**—The Office of Human Resources shall have primary responsibility for the implementation of the provisions of this policy.

**PIERPONT COMMUNITY & TECHNICAL COLLEGE**  
**Board of Governors Policies and Procedures**  
**PP-2059**

**Short Title:** Layoffs and Reduction in Workforce

**Reference:** W. Va. Code § 18B-7-3 and 135 C.S.R. 9, *Academic Freedom, Professional Responsibility, Promotion, and Tenure*

**Effective Date:** April 28, 2015

**Amended:** May 12, 2026

**Repealed:**

**Reviewed:**

### **SECTION 1. PURPOSE**

- 1.1 The purpose of this policy is to establish uniform procedures that will provide a means to address employee layoffs and reductions-in-force within the ranks of regular full-time employees at Pierpont Community & Technical College (Pierpont) in response business necessity.

### **SECTION 2. SCOPE AND APPLICABILITY**

- 2.1 This policy shall apply to all regular full-time (.53 FTE and above) employees and positions, to include faculty, classified, non-classified, and faculty equivalent/academic professional (FEAP) employees.
- 2.2 Employees at less than .53 FTE, i.e., part-time regular ("1039") or temporary, casual, or project employees are not included in this policy.

### **SECTION 3. DEFINITIONS**

- 3.1 **Full-Time Regular (FTR) Employee:** Any employee in a classified permanent position created to last a minimum of nine months of a 12-month period and in which period such employee is expected to work no less than 1,040 hours. The full-time equivalent (FTE) of such a position must be reported at no less than .53 FTE. Personnel who fail to meet the work threshold for designation as full-time shall hold no seniority.
- 3.2 **Full-Time Faculty:** Employment as a faculty member for a full academic year (at least a nine-month contract basis) for at least six (6) semester credit hours teaching per semester or the equivalent in teaching, research, public service, and/or administrative responsibilities. Faculty are not considered classified employees or subject to the classification program.

- 3.3 **Non-Classified Employee:** An employee, designated by the President, who is responsible for policy formation at the department or institutional level or reports directly to the President of the institution. Non-classified employees are not subject to the classification program but are eligible for benefits.
- 3.4 **Part-Time Regular (PTR) Employee:** An employee in a position created to last less than 1,040 hours during a 12-month period. An employee in a PTR position is not eligible for benefits, but is covered under the classification program.
- 3.5 **Temporary Employee:** An employee hired into a position expected to last fewer than nine months of a 12-month period regardless of hours worked per week. A temporary employee is not eligible for benefits, but is covered by the classification program.
- 3.6 **Casual Employee:** Position created to meet specific operational needs at Pierpont for no more than 225 hours in a 12-month period. Individuals in a casual employee position are not eligible for benefits and are not covered by the classification program.
- 3.7 **Layoff:** A reduction in the number of employees resulting in involuntary separation from employment or reduction in work schedule due to business necessity. Employees who are laid off may be subject to recall.
- 3.8 **Reduction-in-Force (RIF):** The termination of employees and/or positions due to business necessity without the expectation of recall. Reduction-in-force for classified employees shall be in accordance with W. Va. Code § 18B-7-3.
- 3.9 **Seniority** The total number of months or years an employee is employed with Pierpont.
- 3.9.1 For regular employees, this excludes adjunct teaching experience and part-time temporary and/or casual work experience. Temporary and casual employees do not earn or carry seniority.
- 3.9.2 For regular faculty employees, seniority may apply in some circumstances, as detailed in Section 5 following.
- 3.9.3 For non-classified and FEAP employees: seniority generally is not a mitigating factor or consideration.
- 3.10 **Full-Time Equivalency (FTE):** The percentage of time for which a position is established with a full-time position working 1,950 hours per year being 1.00 FTE.
- 3.11 **Business Necessity:** The reason or cause for any of a variety of personnel actions based upon the condition of the College, in whole or in part, or specific program components that may include, but are not limited to, lack of funds or work; abolishment of positions; materials changes in mission, duties, or organization; loss of budgeted, allocated, or available positions; reinstatement of eligible

employees returning from military duty or temporary total disability; reinstatement of an employee in compliance with a legal order; and for recall of employees previously laid off.

- 3.12 **Credentials:** The employee's current academic degree(s), such degree(s) application to the program in which the employee is employed, and employee evaluations.
- 3.13 **Longevity:** The total number of years an employee is employed at a State institution of higher education as that term is defined in W. Va. Code § 18B-1-2 and other agencies of State government in West Virginia.
- 3.14 **Recall:** The reemployment from a recall list of former full-time employees separated due to layoff.

#### **SECTION 4. GENERAL PROVISIONS**

- 4.1 It is the policy of the Board of Governors to undertake reductions in the workforce through either layoff or reduction-in-force in a consistent and fair manner. The primary consideration in any decision to eliminate positions and/or reassign affected personnel will be in the interest of the preservation of the quality and effectiveness of the College's programs. Consequently, those personnel who are deemed to have the most relevant credentials in accordance to a specific program being reduced, reorganized, or eliminated will be retained in preference to other personnel.
- 4.2 After the Board of Governors, in consultation with the President, determines that a business necessity exists and that such business necessity requires either a reduction-in-force or a layoff of College personnel, the President shall develop and implement a plan appropriate to the determined personnel action, which shall be applied to all regular employees equitably and in a manner appropriate to their FTE's and employment type as described above in Section 3. Such a plan must be approved by the Board of Governors in a meeting conducted in accordance with the Open Governmental Proceedings Act.
- 4.3 Teaching faculty may be provided work-release with a corresponding reduction in salary as the method of layoff.
- 4.4 Seniority or longevity are generally not a consideration in a reduction-in-force.

#### **SECTION 5. REDUCTION-IN-FORCE OR LAYOFF – FACULTY**

- 5.1 Following the decision that a business necessity exists, the President shall undertake reviews of program, curricula, administrative, and service requirements to what is in the best interest of the institution. The President may recommend to the Board of Governors the elimination or reduction of programs/curricula deemed appropriate, given financial and enrollment considerations, or what may be in the best interest of the College in general. The primary consideration in any resulting

decision to eliminate positions and to reassign or reduce the number of affected faculty positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission.

5.2 **Elimination of Faculty Positions:** The President shall make recommendations to the Board of Governors concerning the elimination of any faculty position on the basis of need within each discipline, as determined by the President after consultation with the Chief Academic Officer, the deans, and the department chairs.

5.2.1 **Elimination of Positions with Equal Rank in Same Discipline / Department:** In the event all other factors are considered to be equal and a choice must be made concerning the elimination of the position of more than one faculty member holding the same rank and teaching the same discipline, the College will retain the faculty member with the greater seniority. In the event of a conflict in seniority, the College will retain the faculty member with the more relevant credentials.

5.2.2 **Order of Elimination of Faculty Positions:** Non-tenured faculty members within the discipline to be reduced may be terminated prior to the termination of the employment of tenured faculty members. Employment terminations of faculty members will generally follow the order specified below unless there is an identified need to retain faculty members who are deemed to be of key importance to a particular program:

**Non-Tenured:**

- 1 Adjunct Faculty
- 2 Lecturer and Temporary Faculty
- 3 Instructor
- 4 Assistant Professor
- 5 Associate Professor
- 6 Associate Professor, Senior
- 7 Professor
- 8 Professor, Senior

**Tenured**

- 1 Assistant Professor
- 2 Associate Professor
- 3 Associate Professor, Senior
- 4 Professor
- 5 Professor, Senior

5.3 **President's Recommendation:** In addition to recommendations made in response to a business necessity, the President may recommend the termination of the employment of faculty members to the Board of Governors at any time for reason of lack of funds, lack of work, reduction in enrollment, or abolition of position. Recommendations of the President to the Board of Governors relative to the termination of the employment of faculty members shall not be made until affected faculty members have been afforded a hearing as provided herein.

Nothing in this policy shall be interpreted as restricting the right of the College to terminate the employment of any faculty member for reasons related to performance or conduct in accordance with College policy.

**5.3.1 Notice and Hearing for Tenured Faculty Members:** The President shall provide written notice to any full-time tenured faculty member of the intent to recommend termination of employment based upon a reduction-in-force. The notice shall contain a description of the reasons for the intended recommendation. The President must make every effort to give as much notice as is practical in light of the business necessity to each affected faculty member in advance of the effective date of the termination. Upon receipt of such notice, the affected faculty member may request a hearing to be conducted by the President or his or her designee. A request for hearing must be made within five working days of a notice of recommended termination. Among the issues the President or designee may consider are:

5.3.1.a Actions that may be perceived to violate the principles of academic freedom or the laws prohibiting discrimination on the basis of race, ethnicity, color, marital status, gender, sex, sexual orientation, gender identity, gender expression/association, national origin, age, religion, creed, genetic information, disability, or veteran's status in the dismissal of a faculty member.

5.3.1.b Adherence to relevant institutional policies, i.e., financial exigency, program review, program reduction or elimination, etc.

5.3.1.c Material deviations from procedural requirements, if any, by the institution or by the faculty member.

5.3.1.d The burden of proof in termination proceedings rests with the faculty member. The decision that a business necessity exists rests solely with the President and the Board and is not subject to contest by any faculty member.

5.3.1.e The hearing may be recorded at the request of either party and a transcript of such recording shall be provided to both parties.

5.3.1.f Following the hearing, the President or designee shall prepare a written decision upon any matters raised by the appealing faculty member. The decision shall contain a description of the concerns raised by the faculty member and a response to each thereto. The College shall provide a copy of the decision to the affected employee and to Human Resources. These actions will all be completed within 10 working days of the appeal hearing unless an extension is mutually agreed upon by the faculty member and the President or his or her designee.

5.3.1.g Use of the appeal procedure does not delay the effective date of employment termination of the faculty member.

5.3.1.h Use of this appeal procedure does not replace or supersede any affected faculty member's right to file a grievance with the West Virginia Public Employees Grievance Board in accordance with W. Va. Code § 6C-2-1, et seq. related to the reduction-in-force.

5.3.2 **Non-Tenured Faculty Members:** In many instances, a reduction-in-force of faculty members under fixed-term appointments will be accomplished by non-reappointment rather than by a layoff during the term of employment. Non-renewal under these circumstances does not entitle a faculty member to notice and hearing under the terms of this policy. However, in the event a faculty member serving under a fixed-term appointment is recommended for reduction-in-force prior to the expiration of the current term of employment because of a business necessity, that faculty member is entitled to use the appeal procedure described in Section 5.3.1. The College must make every effort to give as much notice as is practical in light of the business necessity to each affected faculty member in advance of the effective date of the termination. The affected faculty member shall be provided with a copy of the instructions and form for filing a grievance with the West Virginia Public Employees Grievance Board.

5.3.3 **Action by the Board of Governors:** Upon receipt of a recommendation by the President, the Board of Governors may approve the termination of employment of a faculty member. No separate hearing shall be afforded to affected faculty members by the Board of Governors. The affected faculty member shall be provided with written notice of the action taken by the Board of Governors and shall also be provided with a copy of the instructions and form for filing an appeal with the West Virginia Public Employees Grievance Board.

5.3.4 **Transfers / Refusals to Transfer:** In some cases, the President may decide to abolish or combine certain programs or curricula, or to close certain physical campuses or locations, whether for purposes of business necessity, a reorganization, or a reallocation of resources. In such case, a faculty member may be reassigned to a new program, school, or physical location. If a faculty member refuses the reassignment to a program, school, or physical location, the President may then terminate that faculty member's employment and, if the position is deemed vital to a particular program or campus, the College will post it as a vacancy.

5.3.5 **New Faculty Positions:** New positions will not be created while a business necessity is in effect unless a serious disruption in the functioning of the College or a loss of grant funds or other program revenue would otherwise result, as determined within the sole discretion of the President. New academic programs or faculty positions may be created only when it can be demonstrated that these programs or positions will help the College

extricate itself from the business necessity and/or program and curriculum performance. Priority for filling these positions will be given to existing, qualified faculty or to faculty who have already been terminated or laid off due to business necessity.

- 5.3.6 **Reemployment Following Reduction-in-Force or Layoff:** Notwithstanding any other recall rights contained in this policy, in the case of the reduction-in-force or layoff of a tenured faculty member occupying a permanent faculty position, the position concerned may not be filled by replacement within a period of two years from the effective date of the termination of employment, unless the faculty member has been offered a return to employment in that position and has not accepted the offer within 10 calendar days after the offer is extended. The College shall recall such faculty to the position from which the faculty member was terminated in reverse order from the order in which the reduction in force occurred. The College shall create and maintain a recall list of all faculty reduced in force due to Financial Exigency, and such faculty shall remain on the recall list for the length of his or her service with the College on the date of the reduction in force or for two years, whichever period is shorter. If a faculty member does not accept the College's offer of recall within 30 calendar days after the College extends the offer, then the faculty member may be removed from the recall list.
- 5.3.7 **Termination of Exigency:** The conclusion of a business necessity does not mean that employment terminations that were made during that period are automatically withdrawn, revoked, or otherwise invalid. Faculty may be recalled only in accordance with this policy.
- 5.3.8 **Process for Reemployment of Affected Personnel:** The College shall follow the process outlined herein for determining recall and reassignment of affected faculty members following termination of the business necessity:
- 5.3.8.a When filling academic positions, the highest ranking qualified tenured faculty member whose employment has been terminated as part of the business necessity reduction-in-force shall be offered the position.
- 5.3.8.b If the faculty member declines or refuses such offer, the College shall offer the position to other similarly affected faculty members in rank order.
- 5.3.8.c Any refusal of an offer of reemployment by a faculty member shall extinguish any further rights to recall. However, a refusal to accept a position shall not preclude a faculty member from making an application for other posted position openings.
- 5.3.8.d The Office of Human Resources shall notify faculty members whose employment has been terminated of position openings in accordance with the terms of this policy. The notice shall be sent by certified mail, return receipt requested, to the last known address of the employee. It is the

responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status. The Pierpont email system may be substituted for the certified mail requirement if the faculty member has provided a viable personal email address to Human Resources in writing prior to the recall. The recalled employee shall have 10 calendar days from the date of the notice to notify Human Resources that they accept the recall assignment. Failure to notify Human Resources within the 10 day period will forfeit any future right to employment with Pierpont.

5.3.9 **Assumption of Responsibilities:** A terminated faculty member's duties will, under no circumstances, be assumed by adjunct faculty. The College may make it a priority to rehire faculty members who have been reduced-in-force or laid off due to business necessity into adjunct positions before posting such adjunct positions externally. Additionally, as soon as a full-time faculty position becomes available or an eliminated program has been reestablished, affected faculty members shall be offered full-time reemployment under the guidelines of this policy.

5.3.10 **Rights of Returning Faculty Members:** A tenured faculty member who has been reduced-in-force or laid off under the terms of this policy will resume tenure, if applicable, and the rank held at the time of the employment termination, be paid a salary commensurate with the rank and length of previous service, be credited with any sick leave accrued as of the date of employment termination, and be credited with any annual leave accrued as of the date of the employment termination for which payment has not been made. Additionally, the recalled faculty member will not lose earned credit for years of service in relation to annual increment pay or faculty promotions.

## **SECTION 6. REDUCTION-IN-FORCE OR LAYOFF – CLASSIFIED STAFF**

6.1 When due to business necessity it becomes necessary implement a reduction-in-force or layoff of classified staff, the College shall develop a plan prior to the implementation of such RIF or layoff, including the separation, involuntary reduction in work schedule, or demotion without prejudice of any employee, which shall include a statement of the circumstances requiring the RIF or layoff; the organizational unit(s) in which the proposed action will take place; and a list of employees in each class affected by the action in order of retention. The plan shall be available, upon request in writing, to any employee or adversely affected former employee.

6.2 **Basis for Elimination of Classified Staff Positions:** The continuation of services and programs with appropriately trained and qualified personnel shall be afforded primary consideration in all decisions related to elimination of positions and the reassignment of affected classified personnel. The order of separation in which employees shall be reduced-in-force or laid off shall be applied in the following manner and order:

- 6.2.1 Employees without regular status in the same class or classes identified for RIF or layoff in the following order: contract, temporary, exempt part-time professional, provisional, and probationary; Provided, that an employee in the organizational unit(s) to which the RIF or layoff will apply may volunteer to be separated through layoff in place of a probationary or permanent employee with less seniority.
- 6.3 **Calculation of Seniority:** Seniority accumulation for regular full-time employment begins on the date the employee enters regular full-time employment and continues until such regular full-time employment with the College is severed. Full-time service will be prorated by FTE. Part-time or temporary service performed prior to becoming a full-time regular employee will not be counted in the seniority calculation. Only full-time, benefit eligible service will be counted. Longevity shall be applied to adjust the total months of service. Employees shall accrue seniority while on paid sick leave or annual leave, while receiving temporary total disability benefits under the workers' compensation system, while on approved military leave, or on any authorized paid leave. Employees shall not accrue seniority during periods of disciplinary suspension without pay, leave without pay, or unauthorized absences. Any loss of seniority occasioned by disciplinary suspension or unauthorized absences shall result in an adjustment to an employee's total months of service for seniority purposes.
- 6.3.1 An employee who voluntarily terminates service through resignation or who is terminated for cause shall permanently lose all accumulated seniority. An employee who is subject to a layoff or reduction-in-force shall, upon reemployment, receive credit for previously accumulated seniority, but shall not accumulate seniority during the period of absence prior to reemployment.
- 6.3.2 If two or more employees accumulate identical seniority and longevity, the priority shall be determined by comparing the last four digits of each employee's Social Security Number, considered as a total number. The lower numbers shall determine the priority ranking as to which employee shall be terminated.
- 6.4 **Correction of Erroneous Total Months of Seniority:** It is the responsibility of all classified personnel to bring to the attention of the Human Resources Office any perceived erroneous calculation in their total months of service and adjustments thereto. Human Resources will verify an employee's seniority calculation and will correct it if it confirms the error.
- 6.5 **President's Authority and/or Recommendation:** The President may eliminate classified positions without prior recommendation to the Board of Governors for reasons other than business necessity. These reasons may include, but are not limited to, lack of funds, expirations of special grants or revenue streams, lack of work, material changes in duties, or changes in organization. In the event of a decision that a business necessity exists, the President shall eliminate filled or

vacant part-time (1039), casual, project, temporary, and non-critical positions prior to recommending the elimination of positions held by regular full-time classified personnel.

- 6.6 **Affected Personnel:** Personnel who are serving in positions that have been designated for elimination shall be considered for reassignment based upon their seniority, classification, and any relevant specific qualifications or training they may possess. Once positions have been designated for elimination, the affected employees must update their record of credentials and specific qualifications and training within 10 working days with the Office of Human Resources.
- 6.7 **Consideration of FTE Status:** FTE status shall be considered in evaluating the suitability of positions for reassignment. Notwithstanding the fact that employees with FTEs between .53 and 1.0 are considered full-time, vacancies and other potential positions for an employee's reassignment must not vary more than .20 of the affected employee's FTE status to be considered suitable. However, if there are no suitable vacancies or other available suitable positions held by employees with less seniority, an employee may be reassigned to a position that would otherwise be considered non-suitable for reason of FTE disparity.
- 6.8 **Process for Reassignment of Affected Personnel:** The following process shall be observed for determination of reassignment of affected personnel. In all cases, employees whose jobs have been identified for abolishment must meet the stated qualifications for and be able to perform the duties of the position into which they would be slated on the basis of seniority to move. Human Resources shall make such determinations.
  - 6.8.1 **Priority One:** Qualified affected employees will be transferred to current vacant positions, without regard to seniority, in order to avoid a layoff. The College will attempt to transfer affected employees to vacancies in the same classification. If a vacancy does not exist in the same classification, the College will attempt to transfer employees to vacant positions for which they are qualified in lower classifications.
  - 6.8.2 **Priority Two:** In the event that the College cannot avoid a layoff through application of Priority One, the College will transfer qualified affected employees to other positions within the same classification, displacing the least senior employees in that classification.
  - 6.8.3 **Priority Three:** After exhaustion of available positions in the same classification, the College will transfer qualified affected employees to other positions in a lower classification, displacing the least senior employees in that classification.
  - 6.8.4 **Priority Four:** Transfer to a part-time vacancy within the same classification, if any are available.
  - 6.8.5 **Priority Five:** Transfer to a position held by a part-time employee within the same classification, if any are available.

6.8.6 **Priority Six:** Transfer to a position held by a part-time employee in a lower classification, if any are available.

6.9 **Application of Seniority in Reassignment Determinations:** If the employee in a position that has been identified for elimination has more seniority than other employee(s) within the employee's classification, the employee shall displace the least senior employee within the classification who is in a position for which the more senior employee qualifies, so long as the displaced employee has the same qualifications and can perform the same work for the position held by the less senior employee(s) within that classification. In the event a position held by less senior employees requires specific qualifications or training necessary to provide the services identified by the President as critical to the mission, operations, and needs of students or the institution as a whole, the positions will only be available to a more senior employee if the more senior employee has such specific qualifications and is able to perform such duties. If an employee refuses reassignment to a position in an equivalent classification, the employee forfeits all rights of recall.

6.9.1 If there are no positions within the displaced employee's classification, the College will consider positions in lower classification (in descending rank order of pay grade) as potential assignments in the same manner as described in the foregoing sections; *Provided*, that an employee may elect not to accept reassignment to a lower classification and to be placed on the recall list instead.

6.9.2 Employees who have been displaced by a more senior employee whose position has been eliminated shall have the same rights to reassignment as described in the foregoing sections.

6.9.3 If more than one position in a particular classification is eliminated, the College will consider reassignments in order beginning with the most senior affected employee.

6.10 **Preferred Recall List:** All employees who lack sufficient seniority to retain employment in a layoff or reduction-in force or who have been displaced as a result of the elimination of their positions and who elect to refuse reassignments to lower classifications shall be placed on a preferred recall list. Employees on the preferred recall list shall be recalled to any position opening by the institution within the classification in which the employee had previously been employed or to any position in a lower classification for which the employee is qualified on the basis of seniority and ability to perform the required duties of the job.

6.10.1 An employee on the preferred recall list shall not forfeit the right to recall if compelling reasons, as determined by the President, require the employee to refuse an offer of reemployment. The President and Human Resources, in consultation, will review an employee's stated compelling reasons and

decide on their merits whether the employee should or should not forfeit the right to recall.

6.10.2 The Office of Human Resources shall notify all employees on the preferred recall list of all position openings that exist from time to time. The notice shall be sent by certified mail, return receipt requested, to the last known address of the employee. It is the responsibility of the employee on the recall list to notify the Office of Human Resources of any change in address in order to retain recall status and to be contacted. The Pierpont email system may be substituted for the certified mail requirement if the faculty member has provided a viable personal email address to Human Resources in writing prior to the recall. The recalled employee shall have 10 calendar days from the date of the notice to notify Human Resources that they accept the recall assignment. Failure to notify Human Resources within the 10-day period will forfeit any future right to recall.

6.10.3 An employee's listing shall remain active for a period of one year. However, employees may request in writing that their listing be renewed for one additional year. An employee who fails to renew listing on the recall list prior to the anniversary date of placement on the list or last renewal shall be removed from the list.

6.10.4 No position openings shall be filled by the institution, whether temporary or permanent, until all employees on the preferred recall list who are qualified to perform the available work have been properly notified of existing vacancies and have been given an opportunity to accept reemployment.

## **SECTION 7. REDUCTION-IN-FORCE OR LAYOFF – NON-CLASSIFIED AND FEAP STAFF**

7.1 Seniority of employees in non-classified or FEAP positions is neither a factor nor a consideration in determining layoff or reduction-in-force of such positions. However, following the decision that a business necessity exists, the President shall undertake reviews of program, administrative, and service requirements to determine what is in the best interest of the institution. The President may recommend to the Board of Governors the elimination or reduction of programs or services deemed appropriate given financial, enrollment, and other pertinent considerations, or is in the best interest of the College in general. The primary consideration in any resulting decision to eliminate positions or to reassign or reduce the number affected non-classified or FEAP positions and personnel will be the preservation of the quality and effectiveness of the College's programs and overall mission. Consequently, those employees who are deemed to be of key importance to a specific program or service may be retained in preference to other staff members, whatever their status or seniority.

## **SECTION 8. RESPONSIBILITIES AND PROCEDURES**

- 8.1 The President and the Chief Academic Officer shall have primary responsibility for making recommendations to the Board of Governors regarding elimination of faculty positions.
- 8.2 The Office of Human Resources shall have primary responsibility for the implementation of the provisions of this policy.