

## UTAH TRANSIT AUTHORITY POLICY

### UTA.05.09

#### **REDUCTION IN FORCE AND SEVERANCE PROCESSES OF ADMINISTRATIVE EMPLOYEES**

1) Purpose

This Utah Transit Authority (UTA) policy provides consistency in process and outlines the circumstances when UTA makes a determination of a reduction in force and Severance Pay is approved.

2) Definitions

“*Administrative Employee*” means an employee of UTA in a position that is not covered by a Collective Bargaining Agreement.

“*Executive*” means Executive Director and Chief Officers.

“*Good Standing*” means not under any corrective measures set forth in UTA policy on Positive People Management.

“*Severance Pay*” means an amount paid to an employee upon dismissal or discharge from employment.

“*Short-Term Temporary*” means temporary employment for administrative positions not to exceed one year.

“*UTA Legal Services*” means an Assistant Attorney General or outside counsel assigned to provide legal services to UTA as directed by the Utah Attorney General's Office.

3) Policy

A. Reduction in Force

Reduction in force will be initiated by lack of work, lack of funds, elimination of a position, reorganization, and/or other business needs. The decision to reduce a position must be approved by the Executive Director after consultation with UTA Legal Services and the Chief People Officer. Positions reduced must be held vacant for at least one year or may be eliminated, unless subject to a recall as outlined in Paragraph 3)A.4. The following procedure will be implemented and applied in conformance with UTA policy on information security.

1. Documentation

Management may identify employees subject to a reduction in force based on past job performance. Documentation will be reviewed by UTA Legal Services and the Chief People Officer.

2. Notice

When the determination of affected employees has been made, the employees' managers will notify the affected employees and provide the reason for the reduction in force. A Human Resource Business Partner will be present for the notification.

3. Preference for Affected Employees

Affected employees in Good Standing will be eligible to apply for any posted, vacant internal position for which they are qualified for a period of six months from the date of reduction in administrative staff. Preference will be given to affected employees in Good Standing over other applicants who are equally qualified for a period of six months. If more than one qualified affected employee in Good Standing applies for a position, the most qualified will be awarded that position. It is the affected employee's responsibility to keep informed about job opportunities and to apply for posted, vacant positions.

4. Recall Criteria

Affected employees in Good Standing retain recall rights for their former administrative position for a period not to exceed one year from the date of their reduction in administrative staff. In the event of a recall, employees in Good Standing will be offered re-employment in the reverse order in which they were reduced at a pay rate consistent with current UTA compensation policies. The affected employee must comply with the following criteria to be eligible for recall:

- Provide UTA with a current address for that one-year period.
- Maintain contact with the Human Resource Business Partner at least once per month to keep UTA advised of their availability.
- In the event of a recall, report to work within three working days of notification.

Noncompliance with any of the above will constitute forfeiture of all rights of recall.

5. Rehired Employees

An employee who received Severance Pay and is subsequently rehired by UTA will be required to return any portion of the Severance Pay that exceeds the amount of salary the employee would have received during the layoff period within thirty calendar days of rehire. Rehired employees will receive a pay rate consistent with current UTA compensation policies for the position to which they are rehired.

B. Severance Pay

1. Eligibility for Severance Pay

All full-time and part-time Administrative Employees in Good Standing who have been employed for one year, and are not otherwise determined to be ineligible in B.4, are eligible for Severance Pay as set forth in Schedule A.

2. Severance Pay for Executives

An Executive in Good Standing who has been employed for one year, and who is involuntarily terminated for any reason other than cause, will be entitled to 20 weeks of Severance Pay.

3. Severance Pay in Other Circumstances

In special situations, other full-time Administrative Employees may be eligible for Severance Pay upon determination of the Executive Director, Chief People Officer, and UTA Legal Services.

4. Ineligible for Severance Pay

Employees terminated because of violation of policy or documented poor performance are not eligible for Severance Pay. Short-Term Temporary employees, interns, and those not meeting the requirements for eligibility in this policy are not eligible for Severance Pay.

5. Conditions of Severance

As a further condition of receipt of Severance Pay and severance benefits (listed below) under this policy, an affected employee will execute a separation agreement, including a release of claims, prior to receiving any Severance Pay.

6. Severance Payment

Severance Pay will be paid in a lump-sum payment as set forth in Schedule A, after the Employee meets the conditions of the separation agreement.

C. Severance Benefits

1. Benefits with Severance Pay

UTA-sponsored benefit plans will end the last day of the month in which the employee is terminated. Coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) will be offered to employees who were enrolled in employer-sponsored benefits and, if accepted, UTA will continue to pay the employer portion of the premium (to include medical and dental coverage) under COBRA. The employee will be responsible for the employee portion of the premium plus the 2% COBRA administrative fee. UTA will continue to pay premiums toward COBRA coverage for the total severance eligibility period, which will be the number of weeks of Severance Pay awarded (regardless of reemployment) or until the individual is eligible for other health insurance, whichever is shorter. At the end of such insurance premium payment by UTA, the employee may continue coverage under COBRA pursuant to all applicable regulations. UTA reserves the right to adjust severance benefits from time to time. To the extent that this policy conflicts with either plan language or other legal requirements, the plan language or legal requirements will control.

D. Civil Rights Compliance

The Civil Rights Compliance Manager will review any major organization-wide reduction in force to ensure nondiscrimination of protected categories.

4) Review

This policy must be reviewed annually as required by Utah Code.

5) Cross-References

- UTA.01.20 Information Security
- UTA.05.12 Positive People Management
- Schedule A
- Utah Code § 17B-0-802 Review of Personnel Policies
- Utah Code § 17B-1-802

This UTA Policy was reviewed by UTA's Chief People Officer on 05/29/2026, and approved by the Executive Director on \_\_\_\_\_. This policy takes effect on the latter date.

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Jay Fox  
Executive Director

Approved as to form and content:

DocuSigned by:  
  
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 Counsel for the Authority

**History**

Date	Action	Owner
06/30/2004	Reduction in Administrative Staff Policy Adopted	
7.020	Superseded	
03/23/2006	Renumbered from 5.2.3 to 6.7.4.1	
11/21/2006	Revised	
04/20/2009	Revised	
04/20/2010	Revised	
11/10/2014	Revised	
02/10/2015	Revised	
05/04/2018	Revised	
	Revised and Renumbered – UTA.05.09 Reduction in Force of Admin Employees and Severance Pay	Chief People Officer
	Board Reviewed – UTA.05.09 Reduction in Force of Admin Employees and Severance Pay	Chief People Officer

**Schedule A**

<b>Pay Grade</b>	<b>Weeks of Severance</b>
11 through 13	2 Weeks
14	4 Weeks
15	6 Weeks
16	7 Weeks
17	8 Weeks
18	9 Weeks
19 and Above	10 Weeks