

RIF & TRANSFER LAWS IN WV

REGULAR TRANSFER

On or before April 1, the superintendent notifies employees of their being recommended for transfer and subsequent assignment. If a statement of the reasons for the proposed transfer is not included in the initial notice, you may request a statement of the reasons. Within ten days of the receipt of the statement of reasons, you may request a hearing before the county board.

A hearing before a county board on a proposed transfer must occur on or before May 1. The superintendent must present the reason(s) for the proposed transfer at this hearing.

On or before May 1, the superintendent shall provide the board a list of all personnel proposed for transfer and subsequent assignment for the next school year. If approved by the board, those recommended for transfer shall be included in the board minutes and notification of such shall be sent to the transferred employee within ten days of said meeting by certified mail, return receipt requested.

REDUCTION IN FORCE (RIF)

CONTINUING CONTRACT - The continuing contract of any teacher shall remain in full force and effect except as modified by mutual consent of the school board and the teacher, unless and until terminated by a majority vote of the full membership of the board before May 1 of the then current year, after written notice, served upon the teacher, return receipt requested, stating cause or causes, and an opportunity to be heard at a meeting of the board prior to board's action. *WVC §18A-2-2*

RECALL WITHOUT POSTING - All employees subject to release shall be considered applicants for any vacancy in an established, existing, or newly created position that, on or before March 1, is known to exist for the ensuing school year, and for which they are qualified. Upon recommendation of the superintendent, the board shall appoint the successful applicant from among them before posting such vacancies for application by nonemployees. *WVC §18A-4-7a (k) (2)*

Gazette File Photo 1990



What's at stake?

RIF & TRANSFER

Decades ago, there were no laws governing layoffs in a county schools system. Even the most experienced employees could find themselves facing a layoff while less senior employees kept their jobs.

Over the years, education unions were able to successfully lobby for laws to guide reductions in force (layoffs) and transfers. These provisions were added to WV Code 18A and have been strengthened and tweaked to provide a fair and objective process for determining layoffs and transfers.

This is relevant now because a large portion of our younger

members don't remember the fight for rights like these. After the past few years of legislative attacks on public education, we can't forget just how far we've come and unfortunately, the rights and benefits we stand to lose. We must remain vigilant and protect our hard fought employment rights.

That's why it's more important than ever to stand together as professionals and fight for our rights and what's best for our students. A strong union starts with strong membership.

**Join AFT-WV now-
we are stronger when we are
together.**

