

PRE-RETRENCHMENT GUIDELINES

GENERAL:

1. When a department or a position is experiencing a funding shortfall, the factors listed below shall be considered as guidelines on the question of whether retrenchment is appropriate or whether attempts should be made to draw on LAC's endowment or other sources of funding to maintain the department or position.
2. Any decision of the Trustees on this issue will be made after consultation with the PPC.
3. The Coordinator of the department affected, and the persons in the positions which may be eliminated, will be entitled to make personal representations to both the relevant PPC meeting and the relevant Trustees meeting on decisions about the future of the department or specific positions within the department.
4. If retrenchment is being considered, the Coordinator of the department affected, and the persons in the positions which may be eliminated will be notified as soon as the possibility of this step arises. Persons affected shall be entitled to three months' notice of the potential retrenchment. This is not equivalent to notice of the actual retrenchment, but is rather in the nature of an "alarm bell" period to give the department in question time to seek alternate funds or solutions which could avoid the potential retrenchment.
5. The actual retrenchment process will be covered by separate guidelines.

FACTORS TO BE CONSIDERED:

1. Is future funding for the department or position assured? If so, how long is the gap between funding?
2. What is the likelihood that future funding for the department or position will be obtained? For example, are there outstanding funding applications which appear promising? What is the general trend in funding for the type of work in question both internationally and in Namibia?
3. How does the department or position contribute to the overall work of the LAC?
 - Does the department/position work in close cooperation with other departments on specific projects?



- Does the department or position contribute significantly to the general services or the public profile of the LAC as a whole?
- What will be the impact on other departments of the LAC if the department/position in question is eliminated?
- How would the most essential services of the department or position be continued if retrenchment takes place?

4. How productive has the department or position been in the last year? This question should be considered in light of measures such as

- number of clients served and court cases completed or underway
- people reached in training workshops
- publications produced
- impact on law reform, jurisprudence, government policy, etc.

5. Is there a possibility of reducing the cost of maintaining the department or position by downsizing, seconding positions to other departments, making some positions part-time, etc as an alternative to eliminating the department or position in question completely?

6. Would it be feasible or preferable to phase out the department or position gradually instead of all at once, considering possibilities such as downsizing, part-time work or continuing key work on a consultancy basis? Such possibilities should be considered in light of the personal preferences of the persons affected.

