

<b>Applicability:</b> Employee Classes: 01, 02, 16	<b>Effective Date:</b> November 1, 1991	<b>Approved By</b> Signature on file Lynn E. Weaver, President	<b>Page:</b> 1 of 2
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**This procedure is intended as a guide to implementation of the university’s *Layoff Policy*. The university reserves the right to deviate from this procedure when in the best interest of the university.**

**DEFINITIONS**

A layoff is any reduction in the workforce, which does not reflect discredit upon the performance of the affected employee. A layoff of an employee can occur for a variety of reasons, including but not limited to: lack of work, permanent reduction of the operating staff of the university, or an emergency that curtails normal operations.

This procedure does not apply to:

1. Seasonal reductions in force;
2. Layoffs that might occur as a result of elimination or reduction of programs or program components.
3. Faculty members.

If the university effects a general reduction in force, or reduction of force in any area, recommendations of persons to be released will ordinarily be made by the vice president to whom the department or budgetary unit reports to the Director of Human Resources.

**FACTORS**

When a layoff occurs, the following general rules apply:

1. Employees hired as Temporary employees usually will be laid off first, except where special skills are required.
2. Employees hired as Part-time employees usually will be laid off next, except where special skills are required.

If Regular employees are to be laid off, the following factors may be taken into consideration:

1. The ability of remaining individuals to perform the work that will remain after the layoff has occurred.
2. The qualifications, past performance and length of service of each individual.

Length of service will be evaluated based upon date of hire as a Regular employee. Periods of leave of absences without pay will be deducted from the calculations used to determine length of service.

**PROCESS**

All provisions of the Layoff Procedure will be handled in accordance with federal, state, and local laws, including the Worker Adjustment and Retraining Notification Act (WARN), as appropriate.

In the event of an actual layoff, the affected employee(s) will be notified in writing and in person when possible. Mailed notices will be delivered to the employee’s last known address.

A Regular employee who is laid off usually will be given:

1. Two weeks separation pay.
2. Payment for accrued vacation time.
3. Preference in reemployment.

**BENEFITS**

*Note: This section does not apply to Temporary employees since temporary employees do not receive benefits.*

Health, dental, and/or vision coverage may be temporarily continued under provisions of COBRA as detailed in the *Employee Handbook*.

The university provided life insurance may be continued for a maximum of six months from the date of the layoff or until the laid off employee secures employment elsewhere.

Supplemental life insurance (Add Life) may be continued by the employee but premiums must be paid directly to the provider.

No retirement contributions will be made or service credit given to an employee while in layoff status.

Employees, spouses, and/or dependents may complete academic courses in which they are already enrolled under the terms of the tuition benefits policy; however, the tuition benefit will not be available to the employee or dependents if the employee remains in layoff status when the next academic quarter begins.

Employees who have been laid off will not receive holiday pay nor may they use their available sick leave accumulation. The sick leave accumulation at the time of layoff will be reinstated in the employee is reactivated.

Vacation leave will be paid in a lump sum amount.

Neither sick leave nor vacation leave will accrue during the period of the layoff.

### **RECALL**

A Regular employee who has been laid off will remain on a recall list for one year. If the employee is not recalled to work by the end of one year, all benefits of the layoff (reinstatement of sick leave balance, retirement match, vacation leave accrual rate, preference in reemployment, etc.) cease and the employment relationship will be considered over. If the employee returns to work at a later time, the return will be as a new employee.

During the period of the layoff, the employee is responsible for notifying the university of any change of address. If a recall notice is returned as undeliverable, the university's obligation shall be considered fulfilled.

As positions become available, the pool of employees qualified for recall will be considered for the position provided that the employees are qualified to perform the work that is available.

Recall notices will normally be sent by U.S. mail. Recalled employees will have ten calendar days from the date of the notice to notify the university of their intent to return to work. An employee who fails to reply to a recall notice within ten calendar days shall be removed from eligibility for recall and all benefits of the layoff will cease and the employment relationship will be ended.

Employees recalled and reinstated to their former job title usually will return to their former pay grade and former pay step.

The Recall provisions outlined above do not apply to Temporary employees who have been laid off.