

GENERAL UNIVERSITY POLICY REGARDING
ACADEMIC APPOINTEES

APM - 145

Non-Senate Academic Appointees/Layoff and
Involuntary Reduction in Time

145-0 **Policy**

It is the University's policy to provide equitable and consistent treatment for academic appointees covered by this policy. Good cause for layoff and involuntary reduction in time is established if the University's actions as determined by the University are based on budgetary reasons, lack of work, or programmatic needs.

145-6 **Responsibility**

- a. Each Chancellor shall develop procedures for implementation of layoff or involuntary reduction in time of academic appointees covered by this policy.
- b. The order of layoff, involuntary reduction in time, or recall must be reviewed and approved by the Chancellor for conformance to applicable University and campus policies before the layoff, involuntary reduction in time, or recall is implemented.
- c. The Chancellor has the responsibility to designate departments or units of layoff for purposes of this policy.

145-14 **Eligibility**

- a. This policy applies to all academic appointees of the University who are not members of the Academic Senate or equivalent ranks as established by The Regents and enumerated in APM - 115 except as provided in APM - 145-14-b and -c. For appointees covered by a Memorandum of Understanding (MOU), this policy applies only to the extent provided for in the MOU.
- b. APM - 145 does not apply to Postdoctoral Scholars (see APM - 390).
- c. The provisions for layoff status set forth in APM - 145-34 do not apply to student academic appointees.
- d. Academic appointees with term appointments are considered to be separated from employment at the expiration of such appointments. This separation does not constitute a layoff.

145-30 Order of Layoff or Involuntary Reduction in Time

- a. The order of layoff or involuntary reduction in time for appointees in the same department or unit and the same title or title series (e.g., Academic Coordinator titles, Professional Research series, Adjunct Professor series) shall be on the basis of special skill, knowledge, or ability essential to the department or unit. This determination is made by the department or unit head.
- b. When there is no substantial difference in the degree of special skill, knowledge, or ability essential to the department or unit, the order of layoff or involuntary reduction in time shall be in inverse order of seniority.
- c. Seniority is defined as the number of months of full-time equivalent service with the University.
- d. An appointee who is subject to layoff or involuntary reduction in time may request that the Chancellor supply in writing a summary of the reasons for the order of layoff or involuntary reduction in time.

145-32 Notice of Layoff or Involuntary Reduction in Time

In the event of layoff or involuntary reduction in time, the department or unit head shall notify the appointee in writing not less than thirty (30) calendar days in advance of the effective date of the layoff or involuntary reduction in time, unless a different notice period is provided in the policy governing the title or title series applicable to the appointment. When an appointee with a term appointment grieves the layoff and the appointment ends prior to the resolution of the grievance, the notice of layoff shall also serve as notice of non-reappointment, where such notice is required. Appropriate pay in lieu of notice may be given.

145-34 Layoff Status

- a. Layoff status is limited to one year. Layoff status may be less than one year if:
 - (1) the appointment would normally have expired for those with term appointments; or

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- (2) reappointment occurs within the campus to the same or equivalent position.
- b. For an appointee with a term appointment, changing the ending date of an appointment by the University to an earlier date constitutes a layoff. Layoff status extends to the time the appointment would have ended.
- c. An appointee on layoff status may be eligible to participate in employee benefit programs as allowed by the University's Group Insurance Regulations.
- d. Appointees who are laid off or whose time is involuntarily reduced shall be recalled into any vacant position for which the appointee is qualified when the position is in the same department or unit and is in the same title or title series from which the appointee was laid off or involuntarily reduced in time. If more than one qualified person is on layoff status, the order of recall shall be in inverse order of layoff. Eligibility for recall is limited to the period of layoff status. (See APM - 145-34-a.)
- e. Preference for reemployment shall be granted to:
 - (1) appointees on layoff status;
 - (2) appointees whose time is involuntarily reduced; or
 - (3) appointees who have received written notice of layoff or involuntary reduction in time within the six months prior to the implementation of layoff or involuntary reduction in time.

Preference for reemployment is for qualified appointees at the same campus, in the same title or title series, and at the same or lower rank as the position held by the appointee at the time of layoff or involuntary reduction in time.

Each campus shall maintain a current roster of persons on layoff status and shall provide notice of employment opportunities to such persons.

145-36 Benefits Upon Reemployment

Reemployment during a period of layoff status provides continuous or uninterrupted service for the limited purpose of applying University policies concerning seniority, sick leave, vacation, holidays, other leaves, reduced fees, and salary advancements by merit increases or promotion. However, benefits and credits for service, including those related to any retirement system, do not accrue during periods of layoff status.

145-38 Grievances

- a. Layoff decisions may be grieved in accordance with policy and procedures set forth in APM - 140 and Section 103.9 of the Standing Orders of The Regents (S.O. 103.9).
- b. S.O. 103.9 provides that termination of the appointment of any member of the faculty before the expiration of his or her appointment shall be only for good cause, after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate, except as otherwise provided in a MOU for faculty who are not members of the Academic Senate. A non-Senate faculty appointee is entitled to select only one grievance review mechanism, either APM - 140 or an Academic Senate hearing as provided by S.O. 103.9. If a non-Senate faculty appointee elects an Academic Senate hearing, good cause shall be defined as set forth in APM - 145-0. For a non-Senate faculty appointee with a term appointment if the hearing has not commenced by the ending date of the appointment, the layoff becomes a non-reappointment effective at the end of the appointment. The appointee has thirty (30) calendar days from the ending date of the appointment to grieve the non-reappointment pursuant to APM - 137 and 140.
- c. If a non-Senate academic appointee with a term appointment files a formal written grievance pursuant to APM - 140 and the grievance is not resolved by the ending date of the appointment, the layoff becomes a non-reappointment effective at the end of the appointment.