IX-30

POLICY AND PROCEDURES ON LAYOFF AND INVOLUNTARY REDUCTION IN TIME FOR NON-SENATE, NON-REPRESENTED ACADEMIC APPOINTEES

(Revised 4/26)

I. Related Policies

APM 145 Layoffs-Non-Senate Academic Appointees
APM 140 Appeals-Non-Senate Academic Appointees

II. Background

It is University policy to provide equitable and consistent treatment for academic appointees, both full-time and part-time, in the event their appointments must be terminated due to lack of work, lack of funds or discontinuance of a program or there is an involuntary reduction in percent of time.

III. A. Application of Layoff and Involuntary Reduction in Time.

The provisions of this section are applicable to all academic appointees (see Supplement I and II) of the University of California, Santa Barbara, other than:

1. Members of the Academic Senate.
2. Employees covered by a Memorandum of Understanding (MOU).

The expiration of a term appointment as of the originally specified ending date does not constitute a layoff

B. Determination of Layoff and Involuntary Reduction in Time.

Department Chairs or Heads of Organized Research Units, Programs and Divisions (hereafter referred to as Chairs) are responsible for determining the need for, the order of and to coordinate layoffs and involuntary reductions in time with the appropriate Deans, Directors and the Vice Provost for Academic Affairs .

The Academic Personnel Office will not process forms to implement either action if they do not conform to University and campus policies and procedures.

C. Order of Layoff and Involuntary Reduction in the Percent of time will normally be determined on the basis of:

1. Exceptional skill, knowledge or ability that is essential to the operation of the department or unit, as determined by the Chair.

2. When there is no substantial difference in degree of special skills, 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.

   Seniority shall be established on the basis of the number of months of full-time equivalent service with the University.

IV. Procedures

A. Upon determining the need for a layoff, or an involuntary reduction in time, and the order in which it is to be accomplished, the Chair will submit a recommendation (Exhibit A), to the Vice Provost for Academic Affairs via the appropriate Dean or Director as applicable. The recommendation shall include the following:

1. Name of appointee to be laid off or reduced in time; appointee's rank, step, and months of service.

2. Statement of the specific conditions that make the action necessary, i.e., an explanation of why there is a lack of work, lack of funds, or discontinuance of a program.

3. Names of other appointees in the department within the same category of employment (e.g. Professional Research series, Specialists, etc.) with their title, rank, step, months of service, and area of expertise.

4. Justification of the order of layoff or involuntary reduction in time. (Note: the appointee may request a written summary of the reasons for the order of layoff or involuntary reduction in time.)

5. A copy of the written notification the Chair proposes to send to the appointee, which shall include:

    a. the reason for the action,
    b. the effective date,
    c. how earned vacation will be handled,
    d. Benefits continuation contact information
    e. the link for UC Recruit as a resource for open positions on campus

6. The Chair's signature is certification that they have investigated all facts in the case and determined that there is no alternative to the proposed action.

7. An up-to-date copy of the employee's bio-bibliography or CV.

B. The Dean or Director shall review the proposal, as appropriate, and, if satisfied that the proposed action is unavoidable and the selection of the appointee was made in accordance with policies and procedures, will endorse the proposal and forward it to the Vice Provost for Academic Affairs .

C. The Office of the Vice Provost for Academic Affairs shall review the request for compliance with University policies and procedures. The Vice Provost for Academic Affairs or designate, shall notify the Chair in writing of the final decision. The thirty (30) day notice period begins on the date the Chair is notified of the Vice Provost's approval.

D. If the layoff or involuntary reduction in time is approved, the Chair will inform the individual in writing and forward a copy of the notification letter to the Academic Personnel Office.

E. Written notice

Except for Continuing Education Specialists (APM 340-20-e), written notice of layoff or involuntary reduction in time must be given to an appointee covered by this policy at least thirty days in advance of the effective date. It is recommended that the appointee be given as much additional notice as possible. Appropriate pay in lieu of notice may be given.

F. Layoff Status.

An individual in layoff status is given preferential consideration for reemployment during the 12 month period immediately following the date of layoff. Layoff status as used in this Section and section G. includes involuntary reductions in time.

1. Vacancies occurring in the same administrative unit and title series from which the individual has been laid off shall be filled by persons in layoff status, provided a qualified person is available.

    Preference for re-employment shall be granted to:

a. Appointees on layoff status;
b. Appointees whose time has been involuntarily reduced; or
c. Appointees who have received written notice of layoff or involuntary reduction in time within the six months prior to implementation of layoff or involuntary reduction in time.

2. If two or more qualified persons are in layoff status from the same unit, the individual who was laid off last should be the first to be rehired.

3. Subject to approval by the Vice Provost for Academic Affairs , a position which requires special skills, knowledge or abilities may be filled by an individual who possesses the required skills but is not in layoff status even if an individual in layoff status, but who does not possess the skills, knowledge and abilities, is also an applicant for the position.

4. The Office of the Vice Provost for Academic Affairs shall maintain a roster of all persons in layoff status.

5. When a person is reemployed after a period of layoff not exceeding 12 months, the periods before and after layoff shall be considered as continuous or uninterrupted service for the limited purpose of applying University policies regarding seniority, sick leave, vacation, holidays, other leaves, reduced fees, and salary advancement 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.

6. Layoff status may be less than one year, if appointment would have normally expired for those appointments with specified ending date, or reappointment occurs within the campus to the same or equivalent position.

G. Reemployment

A hiring unit may reemploy a person in layoff status by inputting the information to the payroll system. The hiring unit is not required to conduct an open search for the position.

H. Appeals

Layoff decisions may be appealed in accordance with policies and procedures set forth in APM 140 and Regents' Standing Order 103.9.

EXHIBIT A

LAYOFF AND INVOLUNTARY REDUCTION IN TIME

IT IS PROPOSED THAT THE INDIVIDUAL NAMED BELOW BE
LAID OFF OR REDUCED IN TIME FOR THE FOLLOWING REASON:

Lack of work _____ Lack of funds_____

NAME _____ TITLE_____

STEP _____ MONTHS OF SERVICE_____

ADMINISTRATIVE UNIT_____

FUNDING SOURCE(S)_____
Name Account number

EFFECTIVE DATE OF ACTION_____

REASONS: _____

Attach copy of updated Bio-bibliography or C.V.

Provide the requested information concerning all other appointees in the unit who hold appointment in the same title:

Name _____ Rank_____

Step _____ Months of Service_____

Reason not selected:_____

(Use additional pages to complete this section. Include names of others who hold appointment in the same title.)

I certify that the above information is correct.

_____ _____
Principal Investigator Date

_____ _____
Department Chair/Unit Head Date

_____ _____
Dean/Director Date

_____ _____
Vice Provost for Academic Affairs Date

ACADEMIC APPOINTEES NON-SENATE MEMBERS
(FACULTY)

Adjunct Series
- Assistant Adjunct Professor
- Associate Adjunct Professor
- Adjunct Professor

Visiting Titles
- Visiting Assistant Professor
- Visiting Associate Professor
- Visiting Professor

ACADEMIC APPOINTEES NON-SENATE MEMBERS
(NON-FACULTY)

*Librarian Series
- Assistant Librarian
- Associate Librarian
- Librarian
- Assistant University Librarian
- Associate University Librarian

*Professional Research Series
- Assistant Research
- Associate Research
- Research

*Project Scientist Series
- Assistant Project Scientist
- Associate Project Scientist
- Project Scientist

*Specialist Series
- Junior Specialist
- Assistant Specialist
- Associate Specialist
- Specialist

Other Titles
- Academic Coordinator
- Extension Teacher
- Continuing Educator
- Associate University Librarian
- Assistant University Librarian

Visiting Titles
- Visiting Assistant Research
- Visiting Associate Research
- Visiting Research
- Visiting Assistant Project Scientist
- Visiting Associate Project Scientist
- Visiting Project Scientist
- Visiting Jr. Specialist
- Visiting Assistant Specialist
- Visiting Associate Specialist
- Visiting Specialist

*If represented by a Union, see applicable provisions in the appropriate MOU.