CDU Policy I.E.00751 Layoffs and Reduction in Time

ISSUING OFFICER: Department of Human Resources

RESPONSIBLE OFFICE: Director of Human Resources

EFFECTIVE DATE: May 23, 2011

REVISED DATE: 

SUPERSSEDES: 

POLICY # I.E. 00751 Layoffs and Reduction in Time

A. GENERAL

It is the policy of Charles R. Drew University of Medicine and Science to minimize the effects of indefinite layoffs and reductions in time on employees in staff positions when layoffs or reductions in time are necessary due to lack of funds, lack of work, reorganization, or restructuring. If, in the judgment of the University, budgetary or operational considerations make it necessary to curtail operations, reorganize, restructure, reduce the hours of the workforce and/or reduce the workforce, staffing levels will be reduced in accordance with this policy. It is solely the University’s responsibility to determine the layoff unit and the classification of employees to be laid off or reduced in time.

The Department Head and the Department of Human Resources may set a shorter than normal notice period if it is determined that continuing the employee’s services for the normal notice period would be contrary to the University’s interest. In such cases, the Department of Human Resources may approve payment to such employee of an amount not to exceed payment for the number of weeks remaining in the applicable layoff or reduction notice period described below. Payment will be at the employee’s base wages.

To minimize the effects of indefinite layoff:

1. If a laid-off employee is rehired within 6 (six) months, to any regular job at CDU, his or her previous continuous service date will be reinstated.
2. Affected employees will receive pay for any earned but unused vacation.
3. An employee who on his or her own initiative does not serve out a period of notice before a layoff or reduction in time will be paid through the last day he or she actually worked, plus any vacation pay due him or her in accordance with University policy. By accepting such a payment, the laid-off or reduced in time employee relieves the University of any further liability or obligation.
B. RESPONSIBILITY

For purposes of this policy, and in conjunction with the Department of Human Resources, the Provost may designate units other than established departments to be considered as departments, and shall designate layoff department heads (LDHs) for such units. The LDH shall determine when layoffs or reductions in time are necessary due to lack of funds, lack of work, reorganization, restructuring, including lack of work due to reorganization and restructuring.

The LDH shall select employees for layoff or reductions in time, but shall minimize indefinite layoffs and reductions in time from staff positions by first reviewing the necessity for existing temporary positions within the layoff unit. When an employee has been given notice of an indefinite layoff or reduction time and a vacancy exists in an active staff position in that employee’s unit at the same classification and salary grade as the employee’s current position, the LDH shall reassign the employee to that position, provided the employee is qualified to perform the duties and responsibilities of the position.

C. REEMPLOYMENT FROM INDEFINITE LAYOFF

Trial Employment. The Provost may establish procedures whereby a regular status staff employee who is rehired may, upon prior written notification, be required to serve a trial employment period of up to six months upon rehire or reassignment. An employee who is required to serve a trial employment period may at any time during the trial employment period return to layoff status at the employee’s or at the department head’s discretion.

D. SERVICE UPON REEMPLOYMENT

Benefits and seniority accrue only when on pay status.

E. DEFINITIONS

Demotion in Lieu of Layoff Placement into a different position in a lower salary grade in the same department as part of a reduction in force or reorganization.

Layoff Notice Written notification to an employee at least two weeks before the date of layoff or placement. Departments are encouraged to provide as much notice as feasible to employees to be affected by layoff. The final notice must be given to employees immediately prior to the effective date of the layoff.

Seniority One of the criteria used by departments to determine which employees will be impacted by positionabolishment.

Unit Designation that an organization may use to define the scope of the layoff to organizational units smaller than the entire organization. The Unit designation may be by geographic area(s) or business
unit(s) to be impacted. If such a designation is used by the organization, the designation must be made prior to implementing a layoff.

PROCEDURE #I.E. 00751 Layoffs and Reduction in Time

1. An employee shall be given written notice of the effective date and the ending date of an indefinite layoff.
2. Indefinite layoffs are affected by unit, by classification, and by salary grade (in the event of a classification assigned to different salary grades) in inverse order of seniority.
   a. An exception to this procedure is when an employee may be retained irrespective of seniority if that employee possesses special skills, knowledge, or abilities that are not possessed by other employees in the same classification and same salary grade (in the event of a classification assigned to different salary grades), and which are necessary to maintain the operations of the department.
3. A letter of justification will be required to justify an “Out of Order of Seniority” layoff. Template form may be obtained from the Department of Human Resources.
4. Seniority shall be calculated by full-time-equivalent months (or hours) of University service in any job classification or title.
5. Employment prior to a break in service shall not be counted.
6. In those cases in which employees have the same number of full-time-equivalent months (or hours), the employee with the most recent date of appointment shall be laid off first. An employee will receive at least two (2) week’s advance written notice prior to indefinite layoff, or shall receive pay in lieu of notice. The employee must sign an appropriate release before such payment can be made.
7. The University will inform employees who may be impacted by indefinite layoff as soon as feasible. Template layoff notices are obtained from the Department of Human Resources.

Applicability: All Staff and Faculty Members