

## UC Davis Personnel Policies for Staff Members

### Separation Actions

#### Section 60, Layoff

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Responsible Department: Human Resources

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#### 60.A. GENERAL

**Note 1--Help.** Employees can get help from Benefits, Employment/Outreach (campus) or Applicant Services (UCDHS), Staff Development (campus) or Training & Development (UCDHS), Employee & Labor Relations, and the Academic and Staff Assistance Program. Departments can get help from Employee & Labor Relations.

**Note 2--Forms.** Forms are on the Web at <http://www.hr.ucdavis.edu/Forms> (campus) or <http://www.ucdmc.ucdavis.edu/hr/hr/Forms/forms.htm> (UCDHS). Employee & Labor Relations provides the text for notice letters.

#### 60.C. RESPONSIBILITY

**Note 1--Layoff Units.** In this policy, "department" means a layoff unit designated by the Associate Vice Chancellor--Human Resources. The list of layoff units is available from deans, vice chancellors, and UCDHS Executive Director--Human Resources.

**Note 2--Authority.** A department head may make a layoff or reduction in time after review by the dean, vice chancellor, or UCDHS executive director (if required), and an Employee & Labor Relations Analyst.

**Note 3--Timing.** Departments should begin the layoff process as soon as the need for layoff is known. This gives the employee more time to find another job.

**Note 4--Benefits.** Layoff and reduction in time affect insurance eligibility. Call the Benefits Office to determine continuation rights and premium costs.

**Note 5--Unemployment.** To apply for benefits, call the Employment Development Department at (800) 300-5616, or visit <http://www.edd.cahwnet.gov/>.

**Note 6--Reassignment.** If layoff notice has been given and a position of the same classification is vacant in the department, the department reassigns as described in Policy 60.C, or uses the Special Transfer Opportunity Program (UCD Procedure 20.C Note 2).

#### 60.E. INDEFINITE LAYOFF AND INDEFINITE REDUCTION IN TIME

**Note 1--Funding.** Fund source cannot be used to select an employee for layoff.

**Note 2--Seniority Calculation.** Employee & Labor Relations calculates seniority points. The result sets the order of layoff, duration of preference, and amount of severance pay.

#### 60.F. REEMPLOYMENT FROM INDEFINITE LAYOFF

**Note 1--Right to Recall.** If an employee with recall rights is qualified for a vacancy, the department appoints the employee and sends an updated position description to Employee & Labor Relations. If

the employee is not qualified, the department notifies Employee & Labor Relations of the reasons for the disqualification.

**Note 2--Notice of Vacancies.** Employment/Outreach (campus) and Applicant Services (UCDHS) send the job bulletin to all persons with preference. See Policy 21 and Procedure 21.B, Notes 1 and 2.

**Note 3--Preference Prior to Layoff Date.** If an employee gets notice of layoff more than two months before the layoff date, preference begins on the notice date.

**Note 4--Trial Employment.** When an employee with preference is rehired, the department may require a trial period of up to six months. The department must notify the employee and the Recruiter before the trial period begins. There shall be at least one evaluation during this period. The department must consult with Employee & Labor Relations before returning the employee to layoff status.

**Note 5--Reduction in Time.** An employee who is reduced in time receives recall and preference for positions at the same or lesser percentage of time. For example, employees reduced from 80% to 50% have preference for 80% positions.

#### **60.J. SEVERANCE PAY**

**Note 1--Election.** The layoff notice shall state the dollar amount of the payment and provide an election form. To elect severance, the form must reach the department within 14 calendar days of the layoff notice date.

**Note 2--Repayment.** An employee who must repay severance shall repay it or sign a repayment agreement before returning to work.

#### **UCD PROCEDURE 60.1--TEMPORARY LAYOFF OR REDUCTION IN TIME**

- a. The department head decides that layoff or reduction in time is needed, and chooses the position to be affected.
- b. The department fills out the layoff proposal and sends it to Employee & Labor Relations.
- c. The department notifies the employee at least 15 days before the effective date, if feasible, describing the duration of and reason for the action, appeal rights, unemployment insurance, and effect on benefits.
- d. The department puts the action into the payroll/personnel system as a leave of absence and tells the employee to call the Benefits Office.

#### **UCD PROCEDURE 60.2--INDEFINITE LAYOFF OR REDUCTION IN TIME**

- a. The department head decides that a layoff or reduction in time is needed.
- b. The department head reviews the need for limited and casual/restricted positions.
- c. The department head chooses the job title to be laid off.
- d. On campus, some deans and vice chancellors review the proposal or use Special Transfer Opportunity Programs.

- e. The department calls Employee & Labor Relations to determine seniority.
- f. If a position in the same salary grade is vacant, the department head explores reassignment (Policy 60.C).
- g. The department fills out the layoff proposal and sends it to Employee & Labor Relations.
- h. Employee & Labor Relations and the Affirmative Action Office review the proposal.
- i. If layoff is approved, the department notifies the employee. The notice describes the effective date and reason for the action, recall, preference, severance pay, reconsideration rights (if a junior employee is being retained due to special skills), appeal rights, unemployment insurance, and effect on group insurance. Use of a Proof of Service form is optional.
- j. If the department retains a junior employee due to special skills, the senior employee may request reconsideration.
  - 1) The employee sends Employee & Labor Relations a written request for reconsideration within 5 work days of the date of the layoff notice.
  - 2) Employee & Labor Relations gives the employee the department responses to the special skills section of the Layoff Proposal and the position descriptions of the junior employee(s).
  - 3) The employee sends a written response to Employee & Labor Relations within 5 work days.
  - 4) Employee & Labor Relations gives an opinion letter to the department head, or appoints a neutral expert to do so.
  - 5) The department head implements, modifies, or rescinds the layoff.
- k. The department carries out the separation. A separation checklist is on the Web at <http://www.hr.ucdavis.edu/Forms>.
- l. The department tells the employee to call Employee & Labor Relations and the Benefits Office.
- m. Employee & Labor Relations adds the employee to the preference list.
- n. The department, for a period of three years, notifies the employee of all vacancies for which he or she has recall rights.