

UC Davis Personnel Policies for Staff Members

Separation Actions

Section 60, Layoff and Reduction in Time from Professional and Support Staff Career Positions

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Responsible Department: Human Resources

Source Document: UC PPSM 60

60.III.A. General

Note 1—This procedure describes how a department determines the order of layoff by considering relevant skills, knowledge, abilities, documented performance, and length of service.

Note 2—The order of layoff is determined solely on legitimate business related considerations. Departments cannot make layoff decisions based on non-business related or unlawful considerations, including but not limited to membership in a protected class (see PPSM 12), favoritism, or in an arbitrary or capricious manner.

60.III.C. Responsibility

Note 1—A call for designation or modification of new or previously approved Layoff Units is issued by Human Resources at least once each year. New or revised Layoff Unit are not effective until they are approved by the Associate Vice Chancellor—Human Resources. When the proposed Layoff Unit includes employees covered by Personnel Policies for Staff Members and collective bargaining agreements, the effective date of the change may be extended to accommodate notice periods.

Note 2—Layoff units can be modified at other times based on organizational need.

60.III.E. Indefinite Layoff or Indefinite Reduction in Time

Note 1—Employment prior to a break in service is not counted when calculating seniority points. Continual service at any UC location with no break in service is counted towards the seniority calculation.

60.III.F. Reemployment from Indefinite Layoff

Note 1—UC Davis offers severance pay as the sole option upon layoff. Employees do not have the option to elect recall and preference for reemployment.

UCD Procedure 60.1—Implementing Procedures for Layoff or Reduction in Time

A. Selection

1. When developing a layoff proposal, the department must consider all career employees in the title code identified for layoff within the layoff unit, regardless of funding source or percentage of time.
2. The department must base its decision on a careful consideration of the following elements:
 - a. Skills needed by the department as evidenced by current position descriptions, prior work history, and relevant education and training.
 - b. Knowledge and abilities as evidenced by training, experience, and required certifications or licenses.
 - c. Documented performance including Employee Performance Appraisal Reports and disciplinary action on file for two years preceding the layoff.

Disciplinary action includes written warning, suspension without pay, disciplinary demotion, or salary decrease. Informal letters of counseling or letters of

performance expectation are not considered disciplinary action.

3. When multiple employees are determined to have the same skills, knowledge, and abilities, and are performing equally, employees with greater levels of seniority will have priority for retention.

B. Layoff Proposal

1. The department exercises its own discretion, based upon legitimate, good faith considerations, when identifying the need for layoff or permanent reduction in time and determining the order of layoff.
2. The layoff proposal must include a detailed explanation justifying the reason for the layoff or permanent reduction in time.
3. A layoff proposal is not considered final until the proposal and any required supporting documentation are fully reviewed and approved by Employee and Labor Relations (Davis Campus) or the Executive Director of Human Resources (UCDHS).
4. Employee and Labor Relations will inform the department, in writing, of approval of the layoff proposal.

C. Implementation

1. The department provides the employee with written notice containing the following:
 - a. The effective date of the layoff. The employee will receive at least 30 calendar days advance written notice prior to indefinite layoff or reduction in time. However, if no notice or less than 30 calendar days' advance written notice is provided, the employee shall receive pay in lieu of notice for each day the employee would have been on pay status had the employee been given thirty calendar days' notice. Pay in lieu of notice is payable to the employee on the last day of work.
 - b. The dollar amount of the severance payment that the employee will be entitled to on the effective date of the separation.
 - c. All of the reasons for layoff or reduction in time (i.e., lack of funds, lack of work or lack of work due to reorganization or a combination of these reasons).
 - d. The basis for the layoff or reduction in time selection (i.e., seniority, special skills, documented performance).
2. In cases where a junior employee is retained based on special skills, the notice must include a copy of the special skills justification section of the layoff proposal and information about requesting reconsideration.

D. Special Skills Layoff Reconsideration

1. The employee sends a written request for reconsideration to Employee and Labor Relations within 5 work days of the layoff notice, including the reasons for challenging the special skills justification.
2. Employee and Labor Relations reviews the request for reconsideration, which may include requesting additional information from the employee and department, or reviewing the matter with appropriate individuals and resources both within and outside Human Resources when additional expertise is needed.
3. Employee and Labor Relations provides an opinion letter to the department head.
4. The department head considers the new information and provides a written decision regarding implementation, modification, or rescission of the layoff to the employee within 15 work days of the request being submitted to Employee and Labor Relations. The

written response must include a copy of the opinion letter.

References and Related Policies

- A. PPSM 12, Nondiscrimination.
- B. PPSM 14, Affirmative Action.
- C. PPSM 20, Recruitment.
- D. PPSM 21, Appointment.
- E. PPSM 60, Layoff and Reduction in Time From Professional and Support Staff Career Positions.
- F. PPSM 70, Complaint Resolution.