

POLICY ON LAYOFF AND INVOLUNTARY REDUCTIONS IN TIME FOR FOR NON-SENATE ACADEMIC APPOINTEES

I. RELATED POLICIES

A. Academic Personnel Manual (APM)

- 140 Appeals Non-Senate Academic Appointees
- 220 The Professor Series
- 340 Continuing Education Specialist Series
- 360 Appointment and Promotion: Librarian Series

B. UCSD Policy and Procedure Manual (PPM)

- 10-4 Administrative Units
- 230-5 Appeals Procedure for Academic Appointees Other than Members of the Academic Senate
- 230-6 Academic Personnel Affirmative Action Program
- 250-760 Layoff Determination and Notification

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 the percent of time.

III. POLICY

A. Application of Layoff and Involuntary Reduction in Time

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

1. Members of the Academic Senate.

Those appointees with an appointment with a specified ending date. The change of an ending date by the University to an earlier ending date constitutes a layoff.

2. Student Academic Appointees.

Those represented by an exclusive representative (Union).

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 Chancellor-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. Alternatives to Layoff

1. Leave of Absence Without Pay

When indications are that an appointee to be laid off has a reasonable opportunity to transfer to another University position, a Leave of Absence Without Pay and without right of reinstatement may be granted in lieu of a layoff. This requires the approval of the Vice Chancellor-Academic Affairs or his or her designee. After a period of 90 days on such leave, the appointee will be placed on layoff status by processing a Separation Certification, Form U1602.

2. Non-Salaried Status

When there are reasonable expectations that funds will be available within the next 90 days to continue the support of the appointee who is being proposed for layoff, and the unit and the appointee agree to a continuing relationship that is beneficial to the unit, the appointee may be changed to a Non-salaried Status in his or her present title. If funds are not secured within the 90-day period, the appointee will be placed in layoff status by processing a Separation Certification, form U1602. The date the appointee signed the form initiating either of the above actions will be the effective date the appointee was notified of the necessity for a layoff and the beginning of the thirty (30) day notice required under this policy.

D. Order of Layoff and Involuntary Reduction in the Percent of Time

The order of layoff and involuntary reduction in percent of time will normally be determined on the basis of:

1. Relative performance or 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 Chancellor-Academic Affairs via the appropriate Dean or Director. The recommendation shall be submitted in duplicate using the form provided and include the following:

1. Name of appointee to be laid off or reduced in time, 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. 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: the reasons for the action, the effective date, how earned vacation will be handled, and advice to the appointee to contact the campus Benefits Office for information concerning benefits.
 6. The Chair's signature is certification that he/she has investigated all facts in the case and determined that there is no alternative to the proposed action.
- B.** The Dean or Director shall review the proposal and, if satisfied that the proposed action is unavoidable and the selection of the appointee was made in accordance with policies and procedures, will sign the original and duplicate copy of the proposal and forward them to the Vice Chancellor-Academic Affairs.
- C. The Office of the Vice Chancellor-Academic Affairs shall:**
1. Coordinate with the Assistant Academic Affirmative Action Coordinator (AAAAC) to assure that the action is taken without regard to race, color, religion, marital status, national origin, sex, physical or mental handicap, or within the limits imposed by law or University regulations, because of age or citizenship. The AAAAC will inform the Vice Chancellor-Academic Affairs if a recruitment is on file for a position the candidate for layoff may be qualified to fill.
 2. Review for compliance with University policies and procedures. The Vice Chancellor-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 Chancellor'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 (see IV.A.5.) to the Academic Personnel Office. If the action is a layoff, the letter shall be accompanied by the Separation Certification, Form U1602.

E. Written Notice

Except for Continuing Education Specialists (APM 340-20-g), written notice of layoff or involuntary reduction in time must be given to an appointee covered by this policy at least thirty calendar days in advance of the effective date. It is recommended that the appointee be given as much additional notice as is 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.
 - a) Appointees on layoff status;
 - b) Appointees whose time was 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 administrative unit, the individual who was laid off last should be the first to be rehired.
3. Subject to approval by the Vice Chancellor-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 Chancellor-Academic Affairs shall maintain a roster of all persons in layoff status. The individual's name shall be listed on the roster for twelve months. The Vice Chancellor Academic Affairs will notify persons on the list of open positions they may be qualified to fill.
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 interrupted service for the limited purpose of sick leave, vacation, holidays, other leaves, reduced fees, and salary advances by merit increases or promotion. Benefits and credits for service (including those relating to any retirement system) do not accrue during periods on layoff status.
6. It is the responsibility of the individual on layoff status to keep the Vice Chancellor Academic Affairs informed of his or her current address.
7. Layoff status may be less than one year if the 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 submitting a completed ACES form to the Office of Academic Personnel. 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

was added to 230-7, note that PD was 1v and Supplement I was changed back to 2v.
"When doing supplements or exhibits include the following line ""

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 (See PPM 10-4)_____

Funding Source(s)_____

(Name) (Account Number)_____

Effective Date:_____

Reasons:_____

Attach copy of updated Bio-bibliography

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 (SIO or SOM) Date

APPROVALS:

Assistant Coordinator Academic Affirmative Action Date

Assistant to the Vice Chancellor-Academic Affairs Date

ACADEMIC APPOINTEES - NON-SENATE MEMBERS (NON-FACULTY)

Academic Administrator
Clinical Series

Clinical Assistant
Clinical Associate
Clinical Affiliate

CME Fellow
Coordinator/Administrator
Curator
Hospital House Staff

Chief Post-M.D.
Post-M.D.

Librarian Series

Assistant Librarian
Associate Librarian
Librarian
Assistant University Librarian
Associate University Librarian
Visiting Assistant Librarian
Visiting Associate Librarian
Visiting Librarian

Medical Fellow
Postgraduate Research

Visiting Postgraduate Research

Professional Research Series

Assistant Research
Associate Research
Research
Visiting Assistant Research
Visiting Associate Research
Visiting Research

Specialist Series

Junior Specialist
Assistant Specialist
Associate Specialist
Specialist

Miscellaneous Titles

Language Assistant
Reader
Research Assistant
Teaching Assistant
Teaching Fellow

Tutor
Supervisor of Field Placement

UNEX Titles

Assistant Teacher
Continuing Education Specialist
Course Author
Program Coordinator
Speaker
Syllabus Author
Teacher

**ACADEMIC APPOINTEES - NON-SENATE MEMBERS
(FACULTY)**

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Acting Assistant Professor
Adjunct Series
Assistant Adjunct Professor
Associate Adjunct Professor
Adjunct Professor

Supervisor of Physical Education Series

Assistant Supervisor of Physical Education
Associate Supervisor of Physical Education
Junior Supervisor of Physical Education
Supervisor of Physical Education

Visiting Titles

Visiting Assistant Professor
Visiting Associate Professor
Visiting Professor

Clinical Professor Series

Clinical Instructor
Assistant Clinical Professor
Associate Clinical Professor
Clinical Professor