



Approved by: Vice-Chancellor Business & Finance
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ACADEMIC STAFF LAYOFF FOR REASONS OF BUDGET OR PROGRAM

HR 14-17-1

DEFINITION

Layoff is the suspension of an academic staff member's employment by the University of Wisconsin-Green Bay during the appointment period for reasons of budget or program reduction, discontinuance, curtailment, modification, or reduction.

GENERAL

As provided in [UWS 12.01](#), program decisions which may result in the layoff of Academic Staff members shall be discussed by the Chancellor with the Academic Staff Committee. This consultation is for informational purposes and shall be held at least one year prior to the implementation of the layoff decision. In instances that make the one-year period impractical, the Academic Staff Committee shall be consulted as early as possible prior to the implementation of the layoff decision. The Committee shall consider information including but not limited to the following: budget detail regarding program decisions such as those which show a need to lay off a specified number of academic staff members; criteria applied in determining the operational units(s) which has (have) been designated for reduction in positions; criteria applied in determining that a member of the academic staff, rather than another employee, should be subject to layoff; and criteria to be applied within the operational area in determining the individual(s) who will be affected by the reduction in academic staff positions. The



Academic Staff Committee shall advise the Chancellor or the Chancellor's designee concerning the viability of the proposed layoff plan and suggest feasible alternatives to it.

SENIORITY POLICY FOR LAYOFF DECISION

Pursuant to [UWS 12.03](#), layoffs of academic staff members with fixed-term appointments shall follow seniority based on their original date of appointment at UW-Green Bay. Seniority shall be calculated in terms of years, months, and days of service at the University regardless of changes in the appointment. Appointments less than 50 percent shall be pro-rated according to the percentage of time of the appointment. For academic staff members on limited appointments, seniority shall accumulate in the concurrent academic staff appointment.

ORDER OF LAYOFFS FOR ACADEMIC STAFF MEMBERS WITH FIXED-TERM APPOINTMENTS

If layoffs occur within an operational area and the academic staff members involved do the same or similar work, seniority shall determine the order of layoff. Exceptions to the order of layoff as defined in this section may be made by the hiring authority to maintain specific expertise within the operational area. Exceptions shall be approved by the Chancellor upon the recommendation of the Academic Staff Committee.

REVIEW AND HEARING FOR LAYOFF DECISIONS FOR FIXED-TERM ACADEMIC STAFF APPOINTMENTS

Notice shall be given in accordance with [UWS 12.03](#) and UW-Green Bay's non-renewal guidelines. A layoff designee shall be informed in writing of his/her employment status, the effective date of layoff, program and budget reasons compelling layoff, review and hearing rights, and reappointment rights. Any academic staff member who has been given a written notice of layoff may request a hearing regarding that decision in accordance with [UWS 12.05](#) and [12.06](#). The request for a hearing shall not delay a layoff. The hearing shall proceed under [UWS 12.04-12.06](#) and this policy.

HEARING BODY

The Academic Staff Personnel Committee shall serve as the hearing body as provided in [UWS 12.04](#). Pursuant to UWS [12.05 \(1\) \(b\)](#), Academic Staff Personnel Committee members must be disqualified if they participated in the layoff process leading to the layoff of the academic staff member, or if they are



material witnesses in the case. On the motion of either party in the case, the Personnel Committee may disqualify any one of its members for cause by a majority vote. If one or more of the Personnel Committee members disqualify themselves or are disqualified, the remaining members may select a number of other replacements equal to the number who have been disqualified to serve. The vote on the motion and the replacements shall be in closed session and the results shall be binding. The process of membership replacement shall be conducted in such a manner as to ensure that the Personnel Committee membership is representative of the operational areas of the University.

LEGAL COUNSEL

The Chancellor shall provide legal counsel and other assistance for the hearing body as provided in UWS 12.05 (3) (b).

HEARING

The hearing for academic staff members with fixed-term appointments shall proceed in accordance with [UWS 12.05](#). Time limits stated in [UWS 12.05](#) as a specified number of days shall be considered to be working days under these policies.

RECOMMENDATIONS

The hearing body shall send to the Chancellor and to the academic staff member concerned, as soon as practical after the conclusion of hearing, but not exceeding 20 working days, a verbatim record, which might be a sound recording, of the testimony and a copy of its report, findings, and recommendations. The Chancellor shall review the matter, decide whether the staff member should be laid off, and issue a written decision to the hearing body and academic staff member within 15 working days of receipt of the hearing body's recommendations. This decision shall be final unless the Board of Regents, upon request of the academic staff member, grants review based on the record, pursuant to UWS [12.05](#) (8).

LAYOFF CONDITIONS

Conditions governing the layoff status of academic staff members will be in accordance with [UWS 12.07](#). A staff member on layoff status has 20 working days in which to respond to an offer of alternative employment or reappointment. Failure to respond shall terminate the academic staff member's



alternative employment or reappointment rights. Dismissal of an academic staff member is not a layoff for reasons of program or budget.

ALTERNATIVE EMPLOYMENT AND FINANCIAL ASSISTANCE

UW-Green Bay shall devote its best efforts to securing alternative employment in accordance with [UWS 12.08](#). The head of the operational area responsible for the layoff (or designee) is encouraged to identify and inform the employee of any comparable positions in related operation areas. An academic staff member of layoff may be hired without an open recruitment into an academic staff position in another area at the discretion of that department or unit and in accordance with the academic hiring policy. Members of the academic staff on layoff status or on notice of layoff shall have the right of first referral to all academic staff vacancies for which they may reasonably qualify. The Human Resource Office prior to posting of position vacancies shall make such referrals. Prospective employers must consider these persons before consideration of other referrals, if any, and before commencement of open recruiting, and upon request must give written reasons to any referred academic staff member on layoff status to whom employment is refused.

Academic staff members on layoff shall have 5 working days from the date of such a referral to request consideration for a particular position. If a request for consideration is not received within the relevant time period, the head of the operational area or his or her designee may proceed with open recruitment.

The head of the operational area shall have access to the personnel file of the academic staff member on layoff status as well as the ability to interview the individual, to review credentials, and obtain other information relevant to the hiring decision. The academic staff member on layoff shall have the ability to update the resume or other information contained in the personnel file at any time.

The Chancellor shall seek to provide financial assistance for academic staff members who are to be laid off, to readapt within UW-Green Bay where such re-adaption is feasible within one year's time. Such financial assistance may include underwriting the cost of job-related coursework or training and may also include such retraining as is deemed necessary for a staff member on layoff to accept an alternative appointment in a related field per [Operational Policy GEN 23: Job-Related Coursework and Training](#).



Units and/or departments are encouraged to provide release time to academic staff members being laid off for such purposes of retraining, job interviewing, career counseling or job searches.

REAPPOINTMENT RIGHTS

An academic staff member on layoff shall have reappointment rights pursuant to [UWS 12.09](#). The senior appointees within each operational area shall be recalled first in order of seniority. Exceptions to the order of reappointment as defined in this section may be made by the hiring authority to obtain specific expertise within the operational area. Exceptions shall be approved by the Chancellor upon the recommendation of the Academic Staff Committee.

RETENTION OF POSITION AND SALARY

Any academic staff member reappointed within three years after layoff to reasonably comparable duties within the operational area shall be reappointed with a position on the UW System Academic Staff Title and Compensation Plan at least equivalent to his/her position when laid off, together with such other rights and privileges which may have accrued at the time. The person's salary shall be equal to his/her salary at the time of layoff plus the annual increases subsequently allotted by the State of Wisconsin. The only exception is that portion of salary associated with a limited appointment, if the limited appointment is not part of the reappointment.

RIGHTS OF ACADEMIC STAFF MEMBERS ON LAYOFF

Academic staff members on layoff have rights as defined in [UWS 12.11](#). These rights include the same privileges accorded an employed academic staff member concerning the use of UW- Green Bay facilities, service, and voting privileges on university committees and similar bodies, and the use of office space if available.