

## **Policy Guideline for Personnel Policies for Staff Members (PPSM) 60: Layoff and Reduction in Time from Professional and Support Staff Career Positions**

***Note: This local guideline is written to correspond to PPSM 60, Layoff and Reduction in time of Professional and Support Staff, as found in the PPSM Personnel Manual.***

### **I. SCOPE**

The purpose of this guideline is to assist managers, supervisors and departmental human resource representatives in administering the layoff process for employees covered by the Personnel Policies for Staff Members (PPSM).

The content below is general in nature and is not intended as a substitute for the layoff provisions contained in University policies. Applicable personnel policies must be carefully consulted prior to the initiation of layoff procedures. Unless specifically referenced, the term "layoff" refers to indefinite layoff as well as reduction in time.

### **II. OVERVIEW**

A layoff is the involuntary separation of a career, non-probationary employee from employment or a reduction in the appointment percentage due to a lack of funds, lack of work, or reorganization. Criteria for consideration when determining order of layoff must include relevant skills, knowledge and abilities, documented performance and length of service. The terms, conditions, and employee rights during and after layoff are governed by applicable University policy.

Only non-probationary, career employees are subject to layoff and the rights associated with layoff are provided for by University policy. In the event a probationary, limited, or per-diem employee is identified for layoff, the employee may be released from his/her appointment.

University policy provides the framework for an employee's rights during and after layoff. For specific rights and notice periods, a department should review University policy and contact UCSF Human Resources Labor and Employee Relations for guidance and clarification.

### **III. RESPONSIBILITY**

The Division or Department Head in consultation with and approval from Labor and Employee Relations is responsible for designating department or organizational units as layoff units for the purposes of implementing PPSM 60.

The Division or Department Head or designee has the authority to layoff or reduce the time of a career employee for a temporary or indefinite period due to lack of funds or lack of work, including lack of work due to reorganization. Layoffs are not to be used in lieu of administering progressive discipline. Refer to UC-PPSM 60 (Layoff and Reduction in Time

from Professional and Support Staff Career Positions). Indefinite layoffs and reduction in time are administered by defined layoff unit, job classifications and salary grades. Layoff or reduction in time actions must be reviewed and approved by Labor and Employee Relations prior to implementation.

#### **A. Departmental Layoff Proposal – Business Plan**

Each affected Division or Department Head assesses the impact of changes such as lack of funding, a lack of work, or the effects of reorganization. The department should analyze and determine which essential functions need to be performed by the department, as well as which functions and positions will be eliminated.

Once it is determined there is a need for a layoff, the department must prepare a Business Plan. The Business Plan shall include information to support a business need and the reason for the layoff and must justify, based on performance, disciplinary records, skills, knowledge and abilities and seniority, why a specific employee is being laid off in lieu of other employees in the same job classification, salary grade and layoff unit. Requirements for a Business Plan are:

- 1. Reason for Layoff:** The Business Plan shall include information to support a business need and the reason for the layoff. The reasons for layoff are due to lack of funds, lack of work or reorganization. For example, the Business Plan should explain:
  - Why funding was lost - e.g., grant not renewed, funding exhausted - identify funds affected, and, if applicable, whether work has been reassigned.
  - The reasons for a reorganization - e.g. changes dictate that work be performed in a different way or technology eliminates the need for certain tasks to be performed.
  - Why there is a lack of work - e.g, a project phase ended or a project is completed.
  - If there are limited positions that are being retained or if there is an opening into which the affected employee can be transferred.

It is recognized that there may be more than one reason for the layoff.

- 2. Layoff Justification:** To determine the order of layoff, the Business Plan must include an evaluation of the relevant skills, knowledge and abilities, documented performance and length of service of the employees potentially impacted by the layoff and why a specific employee is being laid off in lieu of other employees in the same job classification, salary grade and layoff unit. This evaluation will be summarized in a "Layoff Justification Matrix". The criteria used in the evaluation

includes the following:

- a. **Seniority** – A Department requests seniority points from Labor and Employee Relations for the classification and layoff unit where a layoff is being contemplated. The seniority points will provide the department with a seniority list of employees in the targeted classification
- b. **Skills, Knowledge and Abilities (SKA)** - Review and document any circumstances where any of the employees in the classification and layoff unit possess SKA's that are required to perform the ongoing functions of the department and that are not possessed by the employee identified for layoff. Critical sources of information regarding skills, knowledge and abilities are the Employee Requisition Form used to hire the employee, the job description associated with the employee's role and resumes for each employee;
- c. **Performance Appraisals** – For each employee in the classification and layoff unit, review and document the performance appraisal rating from the most recent evaluation on file. If the most recent evaluation is beyond two years, satisfactory performance will be presumed; and,
- d. **Disciplinary Records** – Review and document any disciplinary records for the two year period preceding the date of the Business Plan. Disciplinary records include letters of warning, letters of suspension, letters of warning in lieu of suspension, demotions and final letters of warning.
- e. Using the information obtained from evaluating the SKA's, performance appraisals, disciplinary records, and seniority of the employees in the target classification, the department will determine which employees are best equipped to effectively perform the critical functions of the department and target for layoff the employees whose SKA's, documented performance, and/or disciplinary records are least consistent with effective performance of those functions.

When multiple employees have the same SKA's, and are performing equally (based on performance appraisal ratings and disciplinary records), the employees with greater levels of seniority will have priority for retention. In the event employees are equal in seniority, the employee with the most recent date of appointment (in current position) will be laid off first, except that an employee may choose to waive seniority in order to be designated for layoff.

For each Business Plan, the department must submit copies of the affected departmental unit's organization charts which show the effected departmental structure before and after the layoff, performance appraisals, disciplinary records, job descriptions, Employee Requisition forms and resumes for each employee in the same

job classification, salary grade and layoff unit. The Business Plan must identify what duties are being eliminated and what duties will be performed by other employees.

#### **B. Human Resources Review of Layoff Proposal**

1. Labor and Employee Relations will review and either formally approve or disapprove all departmental layoff proposals. This will include consideration of the business rationale for the layoff pursuant to Policy 60, limited and temporary appointments, current vacant positions and University policies and practices governing equal opportunity and non-discrimination.
2. Labor and Employee Relations will calculate seniority points based on the full-time equivalent months (or hours) of University service in any job classification or title from the date of hire or date of rehire if there has been a break in service.

#### **IV. NOTICE OF LAYOFF OR REDUCTION IN TIME**

The department head will provide an employee at least 30 calendar days' written notice prior to the effective date of an indefinite layoff or indefinite reduction in time, whenever feasible. Employees who receive notice under the layoff policy must work during the notice period. These employees will accrue vacation/paid time off, sick leave, and service credit during this time. If less than 30 calendar days notice is given, the employee will receive pay in lieu of notice for each additional day the employee would have been on pay status had the employee been given 30 calendar days' notice. Employees who receive pay in lieu of notice will separate from University employment immediately. These employees will not return to work and will not accrue vacation, sick leave, or service credit as of the date the pay in lieu of notice period begins.

#### **V. SEVERANCE PAY**

A regular status employee who has been laid off indefinitely or whose time has been reduced indefinitely shall receive severance pay in accordance with the following. In accordance with PPSM 60, UCSF will not provide employees with preferential rehire and recall rights:

1. Severance Calculation. The employee will be paid a lump sum amount of one week (5 workdays) of salary for each full year of service from the most recent break in service, up to a maximum of 16 weeks of base pay.

An employee whose time has been reduced indefinitely will receive severance pay for the percent of time reduced in accordance with the severance calculation above. Subsequently, if the employee is laid off entirely, they will receive the remaining severance pay.

2. Repayment. An employee who has received severance pay under this policy and who returns to work in a career position with the University at the same or higher salary and at the same percentage of time as the position held at the time of layoff will repay to

the University any portion of severance pay received that is in excess of the time the employee was on layoff status.