

Layoff and Reduction In Time Guidelines

Contract - CX
Expiration Date - 9/30/01

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University shall determine when layoffs/RITs are necessary. The determination is non-grievable and non-arbitrable.</p>	<p>Budgetary or operational considerations.</p>	<p>Shall minimize layoffs by first reviewing necessity for limited restricted employees.</p>	<p>University's decision to determine the classes subject to layoff.</p>	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the layoff unit. May retain employees irrespective of seniority if they possess special skills, knowledge or abilities.</p>	<p><u>Union</u> – reasonable advance notice of imminent layoff and concurrent notice of individual layoff notices. <u>Individual (Indef. Layoff)</u> – 60 days if feasible, no less than 30 days. <u>Individual (Temporary Layoff of 120 calendar days or less)</u> – if feasible, 15 days notice of beginning and ending dates. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>Indefinite Layoff Only: 5 or more FTE, give 45 days notice and upon request from union, meet and discuss. *</p>	<p><u>Right to Recall:</u> 3 years from date of layoff. <u>Right to Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. >5 but < 10 years of service = 2 years from date of layoff. >10 years of service = 3 years from date of layoff.</p>	<p>Indefinite Layoff Only: University may offer in lieu of preferential rehire/recall rights to all employees in a department affected by the layoff. Sole non-grievable discretion to offer severance. <5yrs = 2 weeks >5yrs = 5 weeks, plus 1 week for each additional year of service to a max of 15 weeks. Notice union if offered to employees. Distinct LBNL provision for severance.</p>

Layoff and Reduction In Time Guidelines

Contract - EX
Expiration Date – 04/30/04

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University shall determine when layoffs/RITs are necessary.	Budgetary or operational considerations.	Shall review and at its sole non-grievable discretion, determine when limited employees will be laid off prior to laying off career employees.	University's sole discretion to select employees for layoff.	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the same department. May retain employees irrespective of seniority if they possess special skills, knowledge or abilities.</p> <p>To the extent permitted by law, may also consider workforce diversity when making layoff decisions.</p> <p>All such exceptions and the decision to make such exceptions not subject to arbitration.</p>	<p><u>Union</u> – reasonable advance notice of imminent layoff and if possible concurrent notice of individual layoff notices.</p> <p><u>Individual (Indef. Layoff)</u> – 30 days if feasible, if less than 15 days, max of 15 days with pay.</p> <p><u>Individual (Temporary Layoff of 120 calendar days or less)</u> – if feasible, 15 days notice of beginning and ending dates.</p> <p><u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>Indefinite Layoff Only: 5 or more FTE, give 45 days notice and upon request from union, meet and discuss.</p>	<p><u>Right to Recall and Right to Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. >5 years of service = 2 years from date of layoff.</p>	No language.

Layoff and Reduction In Time Guidelines

Contract - SX
Expiration Date – 06/30/04

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University has the sole non-grievable discretion to determine when layoffs/RITs are necessary.</p>	<p>Budgetary or operational considerations.</p>	<p>Shall review and at its sole non-grievable discretion, determine when limited employees will be released prior to laying off career employees.</p>	<p>University's sole non-grievable discretion to select the classes for layoff.</p>	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the same dept./division. May retain employees irrespective of seniority if they possess special skills, knowledge or abilities. To the extent permitted by law, may also consider workforce diversity when making layoff decisions. All such exceptions and the decision to make such exceptions not subject to arbitration.</p>	<p><u>Union</u> – reasonable advance notice of imminent layoff and if possible concurrent notice of individual layoff notices. <u>Individual (Indef. Layoff)</u> – 30 days if feasible, if less than 30 days, max of 30 days with pay. <u>Individual (Temporary Layoff of 120 calendar days or less)</u> – if feasible, 15 days notice of beginning and ending dates. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>Indefinite Layoff Only: 5 or more FTE, give 45 days notice and upon request from union, meet and discuss.</p>	<p><u>Right to Recall:</u> 3 years from date of layoff. <u>Right to Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. >5 but < 10 years of service = 2 years from date of layoff. >10 years of service = 3 years from date of layoff.</p>	<p>No language other than distinct LBNL provision for severance.</p>

Layoff and Reduction In Time Guidelines

Contract - NX
Expiration Date – 04/30/05

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University shall determine when layoffs/RITs shall occur.</p>	<p>Budgetary reasons, lack of work, reorganization, or redefining the University's or the department's needs.</p>	<p>Emergency Layoff Only: Shall attempt to reassign/cancel all non-career nurses as well as:</p> <ol style="list-style-type: none"> 1. Call off registry, per diems and unit based per diems. 2. Assigning alternative employment where it exists. 3. Scheduling the use of compensatory time. 4. Offer affected nurses the opportunity to voluntarily use accrued vacation time or LWOP. <p>Temp. Layoff Only: Shall attempt to avoid layoff/ease its impact by implementing the following:</p> <ol style="list-style-type: none"> 1. Call off registry, per diems and unit based per diems. 2. Temporarily reassigning the affected nurses to alternative assignments. 3. Scheduling the use of compensatory time. 4. Offering affected nurses use of accrued vacation time. <p>Indef. Layoff Only: Shall attempt to avoid layoff/ease its impact by implementing the following:</p> <ol style="list-style-type: none"> 1. Call off registry, travelers, per diems and unit based per diems. 2. Offering use of accrued vacation/compensatory time. 3. Offer other active vacant career positions. 4. Offer acceptance into Medical Center training programs. 	<p>University shall determine which positions are subject to layoff.</p>	<p>Indef. Layoff Only: Inverse order of seniority within the same classification and specialty within the layoff unit.</p> <p>May retain nurses irrespective of seniority if they possess special skills, knowledge or abilities.</p> <p>Nurses with more seniority may volunteer to waive their seniority rights to be designated for layoff.</p>	<p><u>Emergency Layoff</u> (need occurs suddenly, <u>not longer than 60 normally scheduled hours of work</u>) – No notice. Advise union as soon as is reasonable.</p> <p><u>Union</u> – reasonable advance notice of imminent layoff. In advance, provide list of affected nurses. Concurrent notice of individual layoff notices.</p> <p><u>Individual (Indef. Layoff)</u> – 30 days if feasible, if less than 15 days, then up to 15 days with pay.</p> <p><u>Individual (Temporary Layoff of not more than 120 calendar days)</u> – if feasible, 15 days notice of beginning and ending dates. If less than 15 days' notice, pay in lieu of notice up to 15 days. If the end date is changed, give advance notice as is practicable.</p> <p><u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 15 days' notice if feasible.</p>	<p>No language.</p>	<p><u>Right to Recall and Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. > 5 years of service = 2 years from date of layoff.</p>	<p>Indef. Layoff Only: UCSF only: May offer in lieu of preferential rehire/recall rights to all employees in a department affected by the layoff.</p> <p>1 week for each full year of service up to max of 16 weeks. Minimum of 2 weeks.</p> <p>Notice union if offered.</p>

Layoff and Reduction In Time Guidelines

Contract – PA
Expiration Date – 09/30/03

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/Recall Rights	Severance Provisions and/or Termination Assistance
<p>University has the sole non-grievable discretion to determine when layoffs/RITs are necessary.</p>	<p>Budgetary or operational considerations.</p>	<p>Emergency Layoff Only: May in accordance with the University's needs: 1. Schedule compensatory time. 2. Offer affected employees the opportunity to voluntarily use accrued vacation or LWOP.</p> <p>Temp. Layoff Only: The University may: 1. Schedule compensatory time. 2. Offer affected employees the opportunity to use accrued vacation.</p> <p>Indef. Layoff Only: May ease the impact by offering use of accrued vacation/compensatory time off.</p>	<p>No language.</p>	<p>Inverse order of seniority. May retain employees irrespective of seniority if they possess special skills, knowledge or abilities.</p>	<p><u>Emergency Layoff (need occurs suddenly, no longer than 15 days)</u> – No notice. Advise union as soon as is reasonable. <u>Union</u> – reasonable advance notice of imminent layoff and if possible concurrent notice of individual layoff notices. <u>Individual (Indef. Layoff)</u> – 30 days if feasible, if less than 30 days, max of 30 days with pay. <u>Individual (Temporary Layoff of not more than 120 calendar days)</u> – if feasible, 15 days notice of beginning and ending dates. If less than 15 days notice, pay in lieu of notice up to 15 days. If the end date is changed give advance notice as is practicable. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 15 days notice.</p>	<p>5 or more FTE, give 45 days notice and upon request from union, meet and discuss.</p>	<p>Right to Recall: < 5 years service = 1 year from date of layoff. > 5 years of service = 2 years from date of layoff.</p>	<p>No language.</p>

Layoff and Reduction In Time Guidelines

Contract – IX
Expiration Date – 06/30/00

Determina-tion of layoff/RIT	Reasons for layoff	Require-ments to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Require-ments	Meet and Discuss Require-ments	Preferential Rehire/Recall Rights	Severance Provisions and/or Termination Assistance
University has the sole discretion to determine when layoffs/RITs are necessary.	Lack of work or budgetary considerations.	No language.	University's sole discretion to determine functions/title codes to be reduced.	Shall be on the basis of their special skills, knowledge or abilities and evaluations. If equal then seniority considered.	<p><u>Union</u> – concurrent with employee notice.</p> <p><u>Individual</u> – ranges from at least 7 days to at least one year depending upon appointment type and/or years of service.</p> <p>No pay in lieu of notice for RITs.</p> <p>(Note: No distinction between temporary vs. indefinite layoff.)</p>	If department head/chair chooses not to consult with faculty/instructors before the decisions are made then upon request by the union, meet and discuss the effects of the layoff. *	<u>Reemployment Rights</u> : Up to one year from layoff date.	No language.

Layoff and Reduction In Time Guidelines

Contract – LX
Expiration Date – 06/20/03

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University shall determine when layoffs/RITs are necessary.	Budgetary reasons or lack of work.	Will consider attrition, retirement and other voluntary reductions in staffing.	University shall select the title codes/functions to be laid off.	<p>Shall be on the basis of special skill, knowledge or ability.</p> <p>When there is no substantial difference, retention shall be in the following order:</p> <ol style="list-style-type: none"> 1) Appointees with career status; 2) Appointees with potential career status; 3) Temporary appointees. <p>Seniority shall determine retention within the above categories.</p>	<p><u>Emergency Layoff (need for which is sudden/unforeseen)</u> – No notice.</p> <p><u>Union</u> – 90 days before the implementation.</p> <p><u>Individual (Temporary (not more than 6 months in duration) or Indef. Layoff)</u> – at least 90 days.</p> <p><u>Individual and Union (Conversion from Temp. to Indef. Layoff)</u> – at least 30 days notice.</p>	Upon request meet and discuss the effects.	<u>Reemployment Rights</u> : Up to one year from layoff date.	No language.

Layoff and Reduction In Time Guidelines

Contract – HX
Expiration Date – 08/30/03

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University has the sole, non-grievable / non-arbitrable right to determine when layoffs/RITs shall occur.</p>		<p>Temp. Layoff Only: May attempt to avoid layoff or ease its impact by implementing the following: 1. Temporary reassignment. 2. Scheduling use of accrued compensatory/vacation time.</p> <p>Indef. Layoff Only: May attempt to avoid layoff or ease its impact by implementing the following: 1. Offering vacant career positions. 2. Scheduling use of accrued vacation/compensatory time.</p>	<p>University shall determine which positions are subject to layoff.</p>	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the same layoff unit. May retain employees irrespective of seniority who possess special knowledge, skills or abilities. Employees with more seniority may volunteer to waive their seniority rights to be designated for layoff.</p>	<p><u>Emergency Layoff (need occurs suddenly, no more than 15 days)</u> – No notice. <u>Union (Temp. Layoff and Conversion only)</u> – reasonable advance notice of imminent layoff and concurrent notice of individual layoffs/conversions. <u>Individual (Indef. Layoff)</u> – 60 days if feasible. No less than 30 days. <u>Individual (Temporary Layoff of not more than 120 calendar days)</u> – 15 days notice of beginning and ending dates. If less than 15 days notice, pay in lieu of notice up to 15 days. If the end date is changed give advance notice. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>No language.</p>	<p><u>Right to Recall:</u> < 5 years service = 1 year from date of layoff. > 5 years of service = 2 years from date of layoff.</p> <p><u>Right to Preferential Rehire:</u> < 10 years service = 1 year from date of layoff. > 10 years of service = 2 years from date of layoff.</p>	<p>No language other than distinct LBNL provision for severance.</p>

Layoff and Reduction In Time Guidelines

Contract – RX
Expiration Date – 06/30/02

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University shall determine when layoffs/RITs are necessary. The determination is non-grievable/non-arbitrable.</p>	<p>Budgetary or operational considerations.</p>	<p>Shall minimize layoffs by first reviewing the necessity for limited and limited restricted employees.</p>	<p>University shall determine classes for layoff.</p>	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the same layoff unit. May retain, at its discretion, employees irrespective of seniority if they possess special skills, knowledge or abilities.</p>	<p><u>Union</u> – reasonable advance notice of imminent layoff and concurrent notice of individual layoff notices. <u>Individual (Indef. Layoff)</u> – 60 days if feasible. No less than 30 days. <u>Individual (Temporary Layoff of 120 calendar days or less)</u> – if feasible, 15 days notice of beginning and ending dates. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>Indefinite Layoff Only: 5 or more FTE, give 45 days notice and upon request from union, meet and discuss. *</p>	<p><u>Right to Recall:</u> 3 years from date of layoff. <u>Right to Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. >5 but < 10 years of service = 2 years from date of layoff. >10 years of service = 3 years from date of layoff.</p>	<p>Indefinite Layoff Only: University may offer in lieu of preferential rehire/recall rights to all employees in a department affected by the layoff. Sole non-grievable discretion to offer. <5yrs = 2 weeks >5yrs = 5 weeks, plus 1 week for each additional year of service to max of 15 weeks. Notice to the union if offered. Distinct LBNL provision for severance.</p>

Layoff and Reduction In Time Guidelines

Contract – TX
Expiration Date – 09/04/02

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
<p>University has the sole, non-grievable/non-arbitrable right to determine when layoffs/RITs shall occur.</p>	<p>Budgetary reasons, curtailment of operations, lack of work, reorganization, or redefinition of the University's or department's needs.</p>	<p>Indefinite Layoff Only: May reassign employees to avoid layoff. Shall review and at its sole non-grievable discretion, determine when it will release limited appointments, limited restricted or probationary employees before career employees. Shall minimize layoffs by first reviewing the necessity for existing limited appointments and limited restricted positions.</p>	<p>University's sole, non-grievable/non-arbitrable right to determine classifications/positions subject to layoff.</p>	<p>Indefinite Layoff Only: Inverse order of seniority within the same class in the same layoff unit. May retain employees irrespective of seniority who possess special knowledge, skills, or abilities. If all employees in the layoff unit are equally affected by layoff of 10% or less, then seniority provisions do not apply.</p>	<p><u>Union</u> – concurrent with notice to employee. <u>Individual (Indef. Layoff)</u> – 30 days if feasible, if less than 30 days, max of 30 days with pay. <u>Individual (Temporary Layoff of not more than 120 calendar days)</u> – if feasible, 15 days notice of beginning and ending dates. If date changed, advance notice as is practicable. <u>Individual (Conversion from Temp. to Indef. Layoff)</u> – 30 days notice if feasible.</p>	<p>Indefinite Layoff Only: 5 or more FTE, give 45 days notice and upon request from union, meet and discuss.*</p>	<p><u>Right to Recall:</u> 3 years from date of layoff. <u>Right to Preferential Rehire:</u> < 5 years service = 1 year from date of layoff. >5 but < 10 years of service = 2 years from date of layoff. >10 years of service = 3 years from date of layoff.</p>	<p>Indefinite Layoff Only: University may offer in lieu of preferential rehire/recall rights to all employees in a department affected by the layoff. Sole non-grievable discretion to offer. <5yrs = 2 weeks >5yrs = 5 weeks, plus 1 week for each additional year of service to max of 15 weeks. Notice to the union if offered. Distinct LBNL provision for severance.</p>

Layoff and Reduction In Time Guidelines

Contract – PSS – Career Employees (Professional and Support Staff)
PPSM Policy 60

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University's decision.	Lack of work, lack of funds or reorganization.	<u>For Layoff:</u> Review of limited and limited/restricted positions.	University's discretion.	<u>For Layoff:</u> Inverse order of seniority within the same class in the same dept./division. An employee can be retained irrespective of seniority, if skills, knowledge and abilities are necessary to maintain operations. <u>For RIT or Temporary Layoff:</u> Irrespective of seniority or classification.	<u>For Layoff:</u> 30 calendar days or pay in lieu of notice. <u>For RIT:</u> written notice of start and end date. Shall not exceed four calendar months.	None.	<u>Right to recall:</u> 3 years from date of layoff. <u>Right to Preferential Reemployment:</u> < 5 years service = 1 year from date of layoff. >5 but < 10 years of service = 2 years from date of layoff. >10 years of service = 3 years from date of layoff.	<u>For Indefinite Layoff & RIT:</u> 30 calendar days or pay in lieu of notice. <u>For Temporary Layoff & RIT:</u> Written notice of start & end date. Shall not exceed four calendar months.

* Contact the Preferential Reemployment Coordinator for additional information and assistance.

Layoff and Reduction In Time Guidelines

Career Employees MSP I – VII

PPSM Policy 65.

NOTE: Technically not a layoff but rather a termination of employment

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University's decision.	Needs, resources, performance or conduct of employee do not justify continuation of employment.	None.	University's discretion.	University's discretion.	60 calendar days notice or pay in lieu of notice.	None.	None.	May be assisted, at University's discretion, as follows: <ol style="list-style-type: none"> 1) Reassignment 2) Career counseling or & outplacement.* 3) Reasonable time off with pay to interview. 4) Severance pay (one month of pay, or less for each completed year, to a max of 6 months.

* Contact your Labor and Employee Relations Analyst for additional information and assistance.

Layoff and Reduction In Time Guidelines

Career Employees
MSP VIII and IX
PPSM Policy 67.

NOTE: Technically not a layoff but rather a termination of employment

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University's decision.	Discretionary, no reason necessary. (At will.)	None.	University's discretion.	University's discretion.	Up to 60 days, at University's discretion, or pay in lieu of notice.	None.	None.	May be assisted, at University's discretion, as follows: 1) Reassignment. 2) Career counseling or outplacement. 3) Reasonable time off with pay to interview. 4) Severance pay (one month of pay, or less for each year, to a max of 6 months.

Layoff and Reduction In Time Guidelines

Senior Managers (formerly those in the Executive Program)

NOTE: Technically not a layoff but rather a termination of employment

Determination of layoff/RIT	Reasons for layoff	Requirements to review alternatives before final decision for layoff/RIT are made.	Selection of classes for layoff/RIT	Selection of individuals for layoff/RIT	Notice Requirements	Meet and Discuss Requirements	Preferential Rehire/ Recall Rights	Severance Provisions and/or Termination Assistance
University's decision.	Discretionary, no reason necessary.	None.	University's discretion.	University's discretion.	None.	None.	None.	May be assisted, at University's discretion, as follows: 1) Reassignment. 2) Career counseling or outplacement. 3) Reasonable time off with pay to interview. 4) Financial assistance.