

Classified Layoff Process

Supervisor Guide



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OFFICE OF HUMAN RESOURCES

Working Through the Classified Layoff Process

A Guide for Supervisors

This guide provides information to assist you in performing your responsibilities in a knowledgeable and professional manner. You are encouraged to review this guide if a layoff is being considered and communicate with the Office of Human Resources to obtain additional information and counsel.

Introduction

Budget reductions and reorganizations are the primary reasons for departments to eliminate classified positions. A layoff should be anticipated and planned within the budget cycle. Comprehensive staffing plans are normally completed before the beginning of the fiscal year whether for classified positions or unclassified fixed-term appointments. During that planning period, if potential layoffs are anticipated, several factors will be necessary to consider: anticipated vacancies, attrition, and the seniority of current classified staff. There will be disruption in the work group when a reduction in positions occurs.

Working through the Classified Layoff Process

During the planning cycle, if you anticipate the elimination of a classified position, communicate with your Employee Relations contact. The role of the Employee Relations Contact is to assist you in managing the layoff process in accordance with OSU policy and the collective bargaining agreement. We will work with you to review your circumstances, discuss the alternatives, and help you identify alternatives and solutions. If it remains necessary to abolish a classified position, we will assist in identifying the appropriate position within a classification to be laid off, and identify potential negative outcomes and impacts.

You will need to justify a layoff is the appropriate alternative and explain whether the layoff is the result of reduced funding or reorganization. Please note that performance deficiencies are managed through a progressive discipline process, not through a layoff. If there are multiple employees within the same classification in the work unit, the seniority of the employees will need to be taken into consideration before determining the position to be abolished even when the duties of a particular position are being eliminated. The collective bargaining agreement requires any temporary employees be released prior to approval for a layoff.

Employees being laid off are provided with a companion guide designed to explain what to expect during the process and the role you and the Employee Relations Contact have in assisting them.

Taking the First Step

Only the Assistant Vice President for Human Resources or the Associate Director of Employee Relations has the authority to approve a layoff. Please refrain from notifying any potentially affected employee or their co-workers until you have consulted with your Employee Relations Contact in the Office of Human Resources.

The Collective Bargaining Agreement specifies that an employee be given written notice of layoff at least thirty (30) calendar days before the effective date and stating the reasons for layoff.

The Employee Relations Contact will assist you in identifying potential impacts the decision to abolish a position will have on other OSU departments within a fifteen mile geographic area from the location of their current worksite.

If you decide to abolish a position through layoff you will be prohibited from filling that position for a period of two years.

Meeting with the Employee

After you have consulted with your Employee Relations Contact, received approval for the layoff, and finalized your plans regarding the elimination of the position, you will be asked to personally meet with the employee.

The Employee Relations Contact will provide you with the initial notification letter and seniority listing to be presented to the employee. The notification letter will detail their layoff rights and options.

The manager of the unit, or the direct supervisor of the employee being laid off, is responsible for delivering the message and presenting the initial layoff notification letter, the seniority report, and the Classified Layoff Process Employee Guide to the employee. During that meeting the supervisor will review the effective layoff date and encourage the employee to be proactive in the process. The supervisor will inform the employee that they will be contacted by an Employee Relations Contact shortly. The Employee Relations Contact will discuss the next steps of the process and answer any remaining questions. This meeting is also an occasion for the supervisor to engage the employee in a conversation about the communication plan for announcing this change, and how work may be impacted and transitioned.

In order to evaluate the employee's qualifications for placement, please encourage the employee to complete or update their Employment Profile promptly at <http://oregonstate.edu/jobs>

The Active Layoff Status Process

Immediately upon notification, the employee moves into an "active" layoff status. This is the period prior to the employee actually separating from the University. The Employee Relations Consultant will work diligently to find an appropriate placement. Upon the employee creating and submitting their profile, the Employee Relations Officer will determine if there is a vacant position elsewhere within OSU in the employee's classification, employment category, and geographic area into which they may potentially be placed. The vacant position description will be reviewed by the Employee Relations Contact to initially determine if the employee meets the minimum requirements and appears to be able to perform the specific requirements of the position within a reasonable period of time. The Employee Relations Officer will provide a description of the vacant position to the employee. If the vacant position

appears to be a match, the Employee Relations Officer will contact the hiring manager to have them schedule a “meet and greet” with the prospective employee. The Employee Relations Officer will work through the placement process and place the employee in a posted vacancy if an appropriate position is identified by reaching an agreement between the sending and receiving supervisors on the timing of placing the employee into the new position.

This process will continue until either the employee is placed or all options provided by the collective bargaining agreement are exhausted, regardless of the effective layoff date. The employee may remain with the University, and on the payroll of the department abolishing the position. It is likely that the actual layoff date will be extended beyond the effective layoff date. You are encouraged to begin the layoff process in advance to ensure that you can continue to be financially responsible for the position until the placement process can be concluded. There are a number of factors that can extend this deadline for layoff; but the most common is multiple positions being affected by the layoff process

Bumping

Per the Collective Bargaining Agreement, if an appropriate vacant position is not available, the layoff employee may have the option to displace (“bump”) another classified employee. The decision to “bump” could result in displacing another employee who also has layoff rights. The layoff process will not be complete until all of the employees have been placed or separated from the University. Depending on the number of individuals affected by the bumping process, the layoff period may be extended and the employee will remain on your payroll for a longer period of time. If the employee cannot be placed or chooses not to bump another lower senior employee, he/she will be placed on the recall list.

Please do not hesitate to contact the Employee Relations Contact with questions or if you believe the process has been unduly delayed. The Employee Relations Contact will provide you with updates on the process as it progresses.

Electing Layoff

An employee may choose to be laid off at any point in the process. Their separation date from the University will be the effective layoff date indicated on their layoff notice.

Recall

An employee separated from the University due to layoff will be placed on a layoff recall list and remain on the recall list for one year from the date of layoff. If an employee chooses a demotion in lieu of layoff they will remain on the recall list for two years from the date of layoff.

Potential of the Unexpected

Be aware that an employee facing a layoff will very likely be exploring all of their options both inside and outside of the University. A vacancy may occur and the employee placed in a position prior to the effective layoff date with agreement from the sending and receiving supervisors. There is also a

possibility the employee may leave for another opportunity outside of the University at any time prior to the planned layoff effective date.

Perspective

The layoff process can be complex and difficult at times. The process may be disruptive to the work units that are impacted. A person leaving will impact other fellow employees. Be ready to answer questions about the circumstances surrounding the need to abolish the position. Organizations must work through the disruption and return to a normal routine. As the supervisor, you have the lead role in this transition.

There are many feelings that managers and supervisors experience while administering the layoff process. Employees normally have questions and concerns that you may not be able to answer. Your Employee Relations Contact is available to help you work through these questions and concerns.

In addition, the Employee Assistance Program (EAP) is another source of support for you during this time. Cascade Centers, Inc, the University's EAP provider, has been actively involved in assisting employees and supervisors during layoffs over many years. The staffs at Cascade Centers are experienced in helping managers and supervisors deal with feelings of frustration, anger, and depression that can occur while trying to sustain a positive and productive working climate for their staff. We encourage you to take advantage of Cascades' support and experience. They may be reached at (800) 433-2320.