

ARTICLE 9 LAYOFF

A. DEFINITIONS

1. A layoff is a separation from employment or reduction in percentage of appointment because of budgetary reasons or lack of work which may be caused by reasons such as programmatic change or reorganization. Layoffs may be indefinite or temporary.
 - a. a temporary layoff is a layoff in which the University specifies a date for recall to work, but in no case shall the layoff be greater than six (6) months in duration.
 - b. an indefinite layoff is a layoff for which no date for recall to work is specified.
2. Recall is reinstatement to the same position at the same percentage of appointment from which the librarian was laid off.
3. Reemployment is appointment of a laid-off librarian to a non-temporary position in the bargaining unit at the same campus other than the position from which the librarian was laid off.
4. An emergency layoff is a layoff the need for which is sudden or unforeseen. An emergency layoff can be either temporary or indefinite.

B. NOTICE

1. Ninety (90) calendar days before a layoff is to be implemented, the University will notify the UC-AFT of its decision to lay off.
2. The librarian to be laid off shall be given written notice of the effective date, type, and, where appropriate, duration of the layoff at least ninety (90) calendar days in advance of the date of the layoff.
3. The librarian shall be eligible for recall or reemployment as of the date of the notice. The period of recall or reemployment rights (per Section F) begins on the effective date of the layoff.
4. Within twenty (20) calendar days after notification to the UC-AFT of the layoff, the University will provide to the UC-AFT available financial or other information related to the layoff.
5. In the event it becomes necessary to convert a temporary layoff to an indefinite layoff, the librarian on temporary layoff shall be given notice of a change to indefinite layoff status at least thirty (30) calendar days in advance of the date of the change. The UC-AFT shall also be given notice of the reasons for the change thirty (30) calendar days in advance of the date of the change.

6. In the event of conversion of a temporary layoff to an indefinite layoff, the librarian shall be eligible for recall or reemployment as of the date of the notice as provided in B.5. above. Rights to recall and reemployment as specified in Section F.1.a. and F.2.a. of this Article commence on the effective date of the indefinite layoff.
7. In the event of a layoff occasioned by an emergency, the provisions of B.1., B.2., and B.3. do not apply.

C. DETERMINATION

1. The University shall determine when layoffs are necessary. Prior to the layoff decision, the University will consider attrition, retirement, and other voluntary reductions in staffing within the layoff unit that may, as determined by the University, make layoffs unnecessary.
2. The University shall determine the layoff unit(s) at each campus, and select the title code(s) and/or functions within a title code which are to be subject to layoff. The University shall notify the UC-AFT of the unit(s) of layoff at each campus and shall provide updated information as necessary.
3. Upon request of the UC-AFT, the University will meet to discuss the effects of the layoff(s).

D. ORDER OF LAYOFF

1. The order of layoff within the layoff unit shall be on the basis of special skill, knowledge, or ability, as determined by the University, essential to operation of the library or information center. When there is no substantial difference, retention will be in the following order:
 - a. appointees with career status;
 - b. appointees with potential career status;
 - c. temporary appointees.

Within the above categories seniority shall determine the order of layoff.

2. If, as determined by the University, application of seniority would impair the University's ability to achieve or maintain affirmative action goals, objectives, or responsibilities, seniority need not be followed.
3. When seniority is not the determining factor in the order of layoff, the University shall notify the UC-AFT of the reason(s) that led to the decision.
4. Each campus shall notify the UC-AFT of posted bargaining unit positions.

E. SENIORITY

1. For purposes of this Article, seniority is based upon the number of months of continuous service in the Librarian Series or other academic title(s) at fifty percent (50%) or more of full time on pay status and is prorated accordingly. Employment in the Librarian Series or other academic title(s) at the University prior to a break in service shall not be counted.
2. Recall or reemployment in a bargaining unit position within the period of right to recall or reemployment, or return after an approved leave of absence taken to avoid layoff, provides continuity of service, continuation of previous seniority, reinstatement of unused sick leave, and retention of career status.

F. RECALL AND REEMPLOYMENT

1. Recall: When the University decides to fill the same position from which the librarian has been laid off, the librarian shall be recalled to the position at the same rank and step and with career status (if attained prior to being laid off) provided:
 - a. the librarian is within one (1) year of being placed on layoff; and
 - b. the librarian is available to begin work.
2. Reemployment: When the University decides to fill a non-temporary position in the bargaining unit at the campus from which the librarian has been laid off, a librarian with career status shall be reemployed with career status at his/her previous rank and step, and a librarian with potential career status shall be reemployed at the same or lower rank and step, provided:
 - a. the librarian is within one (1) year of being placed on layoff; and
 - b. the librarian on layoff is determined to be qualified, in accordance with local campus procedures; and
 - c. the librarian is available to begin work.
3. If more than one (1) qualified person is on layoff from the same campus, the order of reemployment shall be by seniority with preference for a librarian with career status, except that a librarian who possesses special skills may be reemployed regardless of seniority or career status.
4. The University shall keep a roster of any librarians who have been laid off during the preceding twelve (12) month period. This list shall be updated monthly.
5. If a librarian with career or potential career status on layoff accepts a temporary appointment:
 - a. their right to recall or reemployment is not terminated; and
 - b. their position on the layoff roster is not affected.
6. The right to recall or reemployment terminates if a librarian:

- a. fails to respond affirmatively to University inquiries concerning the desire of the librarian to return to work; or
- b. refuses an offer of recall or reemployment at the same percentage of appointment and at the same or higher rank and step; or
- c. accepts another appointment in the Librarian Series in the University.

G. LIBRARIANS WITH TEMPORARY APPOINTMENTS

- 1. A librarian with a temporary appointment who is laid off shall have recall or reemployment rights to temporary positions at the same or lower rank and step, coterminous with the original expiration date of the temporary appointment.
- 2. A qualified librarian with career or potential career status on layoff will be offered a temporary position before a librarian with a temporary appointment on layoff.