This section provides implementation procedures regarding layoff or reduction in time for non-Senate Faculty (NSF), covered under the Memorandum of Understanding with the University of California and the University Council American Federation of Teachers. The term “NSF” used throughout these procedures applies to the instructional faculty appointees in the bargaining unit. The list of applicable titles and title codes can be found in [Article 1](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_units/nonsenateinstructional_nsi/contract_articles/article01.pdf) “Recognition” of the MOU.

1. **DEFINITION OF TERMS (**[Article 17](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_units/nonsenateinstructional_nsi/contract_articles/article17.pdf) Layoff, Reduction in Time, and Reemployment)

**Layoff** — For the purpose of this document, layoff refers to an involuntary separation from employment due to lack of work, budgetary considerations or programmatic change that result in a lack of work.

**Reduction in Time** (RIT) — Involuntary reduction in time is a change in an NSF’s original appointment percentage to a lower appointment percentage prior to the specified end date of an appointment because of lack of work, lack of funding, or programmatic change.

**Layoff Unit** — A layoff unit for an NSF is normally the department, program, or unit in which the NSF holds an NSF appointment.

**Selection and Order of Layoff** — When there is no substantial difference in degree of special skills, knowledge or ability essential to the department, program, or unit, the order of layoff or reduction in time shall be in inverse order of seniority.

**Seniority** — Seniority is determined based on the number of terms (quarters or semesters) of service on pay status in this bargaining unit in the same department, program, or unit. If two or more NSFs have the same number of terms of service, the number of terms at 50% or greater should be used to determine which NSF has greater seniority. If two or more NSF have the same number of terms of service and the number of terms at 50% or greater, the tie breaker shall be the earliest hire date in the department, program, or unit.

*The University may, at its sole discretion, accept any NSF’s written request to volunteer for layoff or reduction in time. However, the University shall not solicit volunteers for layoff or reduction in time. The University will transmit a copy of the acceptance, if any, to the Union, of the NSF’s request no later than the next business day.*

**Reemployment** — This is reinstatement of an appointee in the same title or title series in the same department from which s/he was reduced in time or laid off. A temporary reemployment opportunity of no more than one quarter in the same department, program or unit and title code from which the NSF has been laid off or reduced his/her appointment percentage **does not** constitute a recall for reemployment purposes.

**Layoff and Reduction in Time Notice Requirement**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Layoff-Full Separation** | | | | **Reduction in Time** | | | |
| **NSF Title** | **Quarters** | | **Days of Notice\*** | | **Type of reduction** | | **Days of Notice\*** | |
| **Pre-Six –** may occur prior to expiration date | | 1-3 | | 30 | | One Course | | 30 | |
| 4-9 | | 60 | | > one Course | | 60 | |
| 10 or more | | 90 | | 90 | |
| **Continuing** –may occur any time | | 12 months | | | | One Course | | 30 days | |
|  | | | | > 1 course | | 60 days | |
| **\***Notices must be provided by at least the number of days listed prior to the first day of the applicable quarter or semester in which the layoff or reduction in time is being proposed, regardless of the NSF’s pay basis (9/12 or 9/9). | | | | | | | | |

**B. PROCEDURES/CHECKLIST**

**the Unit proposing layoff is responsible to:**

|  |  |  |
| --- | --- | --- |
|  | 1. | Consider alternatives to layoff, in accordance with the MOU (See MOU Article 17 Section C). |
|  | 2. | Review all pre-six and continuing appointees and determine which individual(s) will be laid off or may be subject to an involuntary reduction in time in accordance with MOU Article 17 Section D. |
|  | 3. | Prepares and completes the *Reduction in Time or* *Layoff Proposal Form for NSF (Unit 18) Appointee* and draft the notice for layoff or involuntary reduction in time. Forward the Layoff Proposal Forms and draft letter to the Dean’s office for review and approval. |

**Review and Approval:**

|  |  |  |
| --- | --- | --- |
|  | 4. | The Dean’s Office reviews and approves proposed layoff or reduction in time and forwards all documentation to Academic Personnel. |
|  | 5. | If proposed layoffs or reductions in time affect more than five (5) of employees in the department/program/unit, an Affirmative Actions Compliance review is required by the Office of Equal Opportunities and Diversity. |
|  | 6. | Academic Personnel Office will review the required documentation and will notify the Dean’s Office Layoff unit by returning the signed/approved Layoff Proposal Form. |

**Actions Needed after Layoff Proposal has been approved, Unit proposing layoff will:**

|  |  |  |
| --- | --- | --- |
|  | 7. | Provide the individual(s) with the layoff notice, with copies to the Dean, Academic Personnel, and Labor Relations. |
|  | 8. | Remind the appointee to contact the Benefits Office to discuss important options available regarding benefits. |
|  | 9. | Prepare appropriate separation documentation and payroll transactions in accordance with PPS guidelines. |
|  | 10. | Create a list of NSF(s) on layoff status and review the list when the Unit decides to fill a NSF position in the same department, program, or unit (See MOU Article 17 Section H, Reemployment). |

C. POLICY REFERENCES AND RESOURCES

1. [**NON-SENATE INSTRUCTION UNIT MOU – Agreement between the University of California and UC-AFT**](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/collective_bargaining_units/nonsenateinstructional_nsi/agreement.html)
2. **Layoff Proposal Form and Sample layoff letters at:** [**http://ap.uci.edu/unit18/index.html**](http://ap.uci.edu/unit18/index.html)

|  |  |
| --- | --- |
|  | **DOCUMENT** |
|  | **Reduction in Time and Layoff Proposal Form for NSF (Unit 18) Appointees** |
| **Sample A** | **Notice of Reduction in Time for Pre-6 NSF** |
| **Sample B** | **Notice of Full Separation Layoff – Pre-6 NSFs** |
| **Sample C** | **Notice of Reduction in Time for Continuing NSF** |
| **Sample D** | **Notice of Full Separation Layoff for Continuing NSF** |
| **Sample E** | **Layoff Rescission Letter** |
| **Sample F** | **Temporary Reemployment for 1 quarter after layoff** |