HRM-015 Layoff for University Staff Employees

Effective Date Tuesday, November 25, 2008

Status Final

Last Revised Friday, June 21, 2024

Policy Type University

Contact Office UVA Human Resources

Oversight Executive
Vice President and Chief Human Resources Officer

Applies To Academic Division and the College at Wise.

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Reason for Policy

Provides uniform criteria should it become necessary to reduce the number of employees or to reconfigure the work force, including change of positions from full-time to part-time status; in the event of financial stringency; reorganization, consolidation, or discontinuance of a department; or reduction or elimination of specific services.

Definition of Terms

Restricted Position

Description

A University staff employee position that is either:

1. Created to complete a specific function or project within a defined period of time and has a required system end date established at the time of hire or as subsequently extended.
2. Funded wholly or in part from non-continuous or non-recurring funding sources (e.g., grants, donations, contracts) and contingent on the continued availability of funding, the cessation of which for any reason results in the abolition of the position.

University Staff Employees (University Staff)

Description

Those salaried, non-faculty employees hired on or after July 1, 2006, and those salaried non-faculty employees and administrative and professional faculty electing to participate in the UVA Human Resources System established by the Board of Visitors under the authority granted by the *Restructuring Act* and the *Management*

Agreement. (The term “University Staff Employee” includes all three categories of University staff employees - Operational & Administrative, Managerial & Professional, and Executive & Senior Administrative.)

Management Agreement

Description

The agreement between the University and the Commonwealth required by Subsection D of § 23.1-1004 of the *Restructuring Act*.

Restructuring Act

Description

The *Restructured Higher Education Financial and Administrative Operations Act*, Chapter 10 of Title 23.1 of the Code of Virginia.

Policy Statement

Appropriate staffing is critical to the University’s mission of excellence in teaching, research, and public service. However, when faced with changing economic or programmatic imperatives, the University may have to reduce its work force. Viable alternatives such as retraining or reassignment will be considered before initiating layoffs. When it becomes necessary, the University will oversee layoffs in as equitable, compassionate, humane, and consistent manner as possible. (Supervisors are required to submit a business justification for any proposed layoff.)

The Layoff Policy established by the Commonwealth of Virginia Department of Human Resources Management (DHRM) Policy 1.30 - Layoff, shall be, in all respects except where noted below and in the definition of *restricted position*, applicable to University staff employees of the University. The University adopts DHRM Policy 1.30, pursuant to the authority granted in the *Restructuring Act* and the *Management Agreement*. By the same authority, and to the extent permitted by the *Restructuring Act* and the *Management Agreement*, the University reserves the right to change, amend, or delete in whole or in part the provisions of DHRM Policy 1.30 without prior review or approval of any state agency, and shall not be bound by any future change, addition, deletion, or amendment in whole or in part of DHRM Policy 1.30 by any agency of the state unless such change, addition, deletion, or amendment is required by the *Restructuring Act* or the *Management Agreement*.

1. **HRM-015 Differs from DHRM Policy 1.30:**
   HRM-015: Layoff of University Staff Employees differs from DHRM Policy 1.30 - Layoff in that:
   - Initial layoff notice to affected employees shall be made at least 60 calendar days prior to the date of layoff or placement. DHRM Policy 1.30 requires two weeks’ notice.
   - Employees in restricted positions are eligible for layoff benefits ***only*** if (a) the position held immediately prior to the position being discontinued was a full-time salaried non-restricted classified or University staff employee position, and (b) there was no break in service between the full-time non-restricted classified or University staff employee position and the restricted position.
   - Other state agencies are not obligated to honor layoff privileges conveyed to the University staff employees pursuant to policy(ies) applicable to University staff employees (e.g., yellow and blue cards issued to University staff employees with layoff rights). (NOTE: The Medical Center is not obligated to honor yellow or blue cards from classified employees in other state agencies.)

- DHRM Policy 1.30 applies only to classified employees (e.g., those employees covered by the *Virginia Personnel Act*).
- Pursuant to the provisions of the *Restructuring Act*, the University will honor layoff privileges of classified employees from other state agencies. The University uses a different job classification system which creates challenges in mapping University and DHRM roles in a similar structure. External, non-University applicants presenting yellow/blue cards will be informed that University job vacancies are not in the classified system and what this means if they are offered and accept placement into a University job vacancy.
- Classified employees, with layoff rights, who accept a non-classified position with the University and voluntarily relinquish their classified status, are subject to those polices applicable to University staff employees. Any future layoffs would be governed by the terms and conditions of *HRM-015: Layoff Policy for University Staff Employees*.

2. **Roles and Responsibilities:**
   The ***supervisor*** is responsible for:
   - Understanding and complying with this policy and procedure.
   - Providing a business justification for any proposed layoff to UVA Human Resources for review and approval in accordance with this policy and procedure.

   The ***UVA Human Resources Officer(s) or designee(s)*** is responsible for:
   - Reviewing the business justification document with University Counsel's Office and incorporating any suggested revisions.
   - Approving the business justification document outlining the proposed action with school/department/unit management in accordance with this policy and procedure prior to the implementation of any reduction in the workforce.
   - Communicating the final decision to the supervisor.

3. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

   Direct questions about this policy to UVA Human Resources.

Related Information

DHRM Policy 1.30 - Layoff
HRM-016: Severance Benefits for University Staff Employees
HRM-017: Temporary Reduction in Workforce for University Staff Employees

Major Category Human Resource Management

Next Scheduled Review Monday, June 21, 2027

Revision History

Added Section 2 6/21/24; Added #3 thru #6 5/19/21; Updated 3/1/13.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Tuesday, November 25, 2008