HRM-017

Temporary Workforce Reduction for University Staff Employees

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Status Final

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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

Appropriate staffing is critical to the University's mission of excellence in teaching, research, and public service. This policy (1) permits the University to temporarily reduce a University Staff employee's work hours and pay or to temporarily place the University staff employee in a non-working status; and (2) provides an option for the University to use when it is necessary to reduce budgets in times of financial stringency and to avoid workforce reductions.

Definition of Terms

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.

Exempt Employee

Description

An employee who is not subject to the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA) based on salary and duties performed. Exempt employees receive an annual salary for work performed until the duties of their job are complete, without expectation of pay for extended hours.

Fair Labor Standards Act (FLSA)

Description

Federal law establishing overtime pay, minimum wage and child labor requirements affecting full-time and part-time employees. Overtime pay at a rate of not less than one and one-half times the regular rate of pay is required after 40 hours of work in a workweek for those employees covered by the Act (non-exempt).

Policy Statement

When faced with changing economic and programmatic imperatives, the University may have to temporarily adjust its workforce. The University will administer workforce adjustment actions in an equitable, humane, and consistent manner. The University will seek to minimize any potential harmful impacts on University staff employees (University staff) by implementing a workforce reduction limited to no more than 690 hours in a year and protecting certain University staff benefits during the period of reduction.

All individuals in executive-level positions (i.e., vice presidents and above) have the authority to initiate a temporary workforce reduction (TWFR) with regards to their respective schools/departments/units upon approval of the president of the University (or designee).

The University reserves the right to alter any TWFR schedule as business needs dictate and will notify University staff if further reductions are to be made.

Prior to implementing a temporary workforce reduction, the University is required to:

- Designate business functions to be suspended or reassigned.
- Determine whether the entire school/department/unit or only certain designated work unit(s) within are to be affected.

- Determine if TWFR will be imposed as non-working status, reduced schedule, or a combination. (Non-working status refers to an employee who is not currently performing work for the University but has not been terminated.)

1. **Identification of Employees for a Temporary Workforce Reduction:**
   Decisions as to which employees will be affected depend on the schools/departments/unit's business needs. The decision must be non-discriminatory as set forth in the University's Notice of Non-Discrimination and Equal Opportunity. The school/department/unit management has final authority for identifying employees for TWFR; however, University staff may request to be considered for TWFR.

   Consider reducing or eliminating the hours of wage employees as an alternative or addition to TWFR of University staff. In addition, assess contracted and temporary services in making these determinations.

2. **Duration of the Temporary Workforce Reduction Period:**
   The period during which a University staff employee's work hours are reduced or eliminated may be continuous or intermittent but may not extend for more than 365 days from the date of the first schedule change due to TWFR.

   Additionally, TWFR cannot be imposed on a University staff employee in successive years. A University staff employee who has been placed on TWFR is not subject to another TWFR for 365 days from the date of their last scheduled TWFR change (e.g., a University staff employee's schedule on TWFR is reduced for the period January 10 through May 29, the University staff employee is not subject to another TWFR until May 30 of the next calendar year).

   At the conclusion of TWFR, the employee must be returned to their original position and schedule. If school/department/unit management determines that staff reductions must be made on a permanent basis, the provisions and procedures of HRM-015: Layoff for University Staff Employees must be applied.

3. **Maximum Amount of Reduction:**
   A full-time, 40-hours per week University staff employee's work schedule may be reduced by no more than 690 hours per 365-day period.

   The limit for full-time or part-time University staff employees must be pro-rated according to their percentage of a 40-hours per week schedule.

4. **Fair Labor Standards Act (FLSA) Impact on Temporary Workforce Reduction:**
   School/department/unit management may reduce the work hours and salary of a FLSA-exempt employee for some or all hours in a workweek due to budgetary requirements. The University staff employee's exemption is lost only for the workweek(s) when the hours and salary are reduced. (Note: Reduction in salary must be commensurate with the reduction in work hours.)

   When school/department/unit management uses TWFR for business reasons unrelated to budgetary requirements, the hours and salary of the FLSA-exempt employee may only be reduced in full workweek increments.

5. **Notification Process:**
   School/department/unit management must provide a minimum of two weeks' notice to University staff before placing them in TWFR. The notice must include the:
   - Extent of the TWFR (i.e., reduced hours, non-working status, or a combination) and the total reduced hours anticipated.
   - Schedule for the entire period of the TWFR as far as possible.
   - Status of the University staff employee's benefits during the TWFR including leave accrual rates for those working reduced hours.

6. **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

HRM-015: Layoff for University Staff Employees
HRM-046: Overtime Management for Non-Exempt Employees
University's Notice of Non-Discrimination and Equal Opportunity

Major Category Human Resource Management

Next Scheduled Review Monday, January 24, 2028

Revision History

Incorporated Policy DHRM 1.65 into a University policy 1/24/25.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Tuesday, November 25, 2008