

ARTICLE __
LAYOFF AND RECALL

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4 __.1 (a) Layoff. When a layoff is to occur as a result of adverse financial
5 circumstances; reallocation of resources; reorganization of degree or curriculum offerings
6 or requirements; reorganization of academic or administrative structures, programs, or
7 functions; or curtailment or abolition of one or more programs or functions; the Board of
8 Trustees or the University Administration shall notify the local UFF Chapter and the UFF
9 state office no less than thirty (30) days prior to taking such action. UFF may request a
10 consultation with the Chair of the Board or the president or their representatives pursuant
11 to the Consultation Article, Sections __.1 or __.2 during this period to discuss the layoff.
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13 (b) Layoff Unit. The layoff unit may be at an organizational level of the
14 university, such as a campus, division, college/unit, school, department/unit, area,
15 program, or other level of organization as the Trustees or the University Administration
16 deems appropriate.
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18 __.2 Layoff Considerations. The selection of faculty members in the layoff unit to be
19 laid off shall be determined as follows:

20 (a) No tenured/continuing multi-year/permanent status faculty member shall
21 be laid off if there are non-tenured/ non-permanent status faculty members in the layoff
22 unit.
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24 (b) No faculty member in a non-tenured/non-permanent status position in the
25 layoff unit with more than five (5) years of continuous university service shall be laid off
26 if there are any such faculty members with five (5) years or less service.
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28 (c) The sole instance in which only one (1) faculty member shall constitute a
29 layoff unit is when the functions that faculty member performs constitutes an area,
30 program, or other level of organization at the University.
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32 (d) The provisions of __.2(a) and (b) shall apply unless the Trustees or
33 University Administration determines that an Affirmative Action employment program
34 will be adversely affected. When an Affirmative Action Program has been so affected,
35 the Trustees or University Administration shall notify UFF in writing.
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37 (e) Where faculty members are equally qualified under (a) or (b) above, those
38 faculty members will be retained who, in the judgment of the Board of Trustees or the
39 University Administration, will best contribute to the mission and purpose of the
40 University. In making such judgment, the Board of Trustees or the University
41 Administration shall carefully consider faculty members' length of continuous university
42 service, and shall take into account other appropriate factors, including but not limited to
43 performance evaluation by students, peers, and supervisors, and the faculty member's
44 academic training, professional reputation, teaching effectiveness, research record or
45 quality of the creative activity in which the faculty member may be engaged, and service

1 to the profession, community, and public.

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3 (f) No tenured/continuing multi-year/permanent status faculty member shall
4 be laid off solely for the purpose of creating a vacancy to be filled by an administrator
5 entering the bargaining unit.

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7 (g) The University Administration shall notify the local UFF Chapter in
8 writing regarding the use of adjunct and other non-unit faculty in those departments/units
9 where faculty members have been laid off. The use of adjunct and other non-unit faculty
10 in departments/units where faculty members have been laid off may be the subject of
11 consultation meetings pursuant to the Consultation Article, Section __.1 and __.2.

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13 __.3 Alternative/Equivalent Employment. The University Administration and Board
14 of Trustees shall make a reasonable effort to locate appropriate alternate or equivalent
15 employment for laid-off faculty members within the University and to make known the
16 results of the effort to the person affected.

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18 __.4 Notice. Faculty members should be informed of layoff as soon as practicable and,
19 where circumstances permit, faculty members with three or more years of continuous
20 university service should be provided at least one (1) year's notice; those with less service
21 with at least six (6) month's notice. Faculty members who have received notice of layoff
22 shall be afforded the alternative/equivalent employment rights granted under Section __.3
23 and the re-employment recall rights granted under Section __.5. Formal written notice of
24 layoff is to be sent by certified mail, return receipt requested, or delivered in person to the
25 faculty member with written documentation of receipt obtained. The notice shall include
26 effective date of layoff; reason for layoff; reason for shortened period of notification, if
27 applicable; a statement of recall rights; a statement of appeal/grievance rights and
28 applicable deadlines for filing; a statement that the faculty member will receive the UNF
29 Vacancy Listings until the recall period ends or re-employment offer is refused; and a
30 statement that the faculty member is eligible for consideration for retraining under the
31 provision of the Professional Development and Sabbaticals Article, Section __.4 for a
32 period of two years following layoff.

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34 __.5 Re-employment/Recall.

35 (a) For a period of two years following layoff or for faculty members
36 appointed to a fixed multi-year appointment, not to exceed the length of their last
37 employment contract, not to exceed two (2) years, a faculty member who has been laid
38 off and who is not otherwise employed in an equivalent full-time position shall be offered
39 re-employment in the same or similar position at the University should an opportunity for
40 such re-employment arise. All persons on the recall list shall regularly be sent the
41 University's position vacancy announcements. For this purpose, it shall be the faculty
42 member's responsibility to keep the University advised of the faculty member's current
43 address. Any offer of re-employment pursuant to this section must be accepted within
44 fifteen (15) days after the date of the offer, such acceptance to take effect not later than
45 the beginning of the semester immediately following the date the offer was made. In the

1 event such offer of re-employment is not accepted, the faculty member shall receive no
2 further consideration pursuant to this Article. Faculty members appointed to a fixed
3 multi-year appointment, who are recalled shall be offered re-employment not to exceed
4 the length of their last employment contract. The University Administration shall notify
5 the local UFF Chapter when an offer of re-employment is issued.

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7 (b) A faculty member who held a tenured/continuing multi-year/permanent
8 status appointment on the date of termination by reason of layoff shall resume the
9 tenured/ continuing multi-year/permanent status appointment upon recall.

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11 (c) The faculty member shall receive the same credit for years of service for
12 purposes of layoff as held on the date of layoff.

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14 (d) Employee Assistance Programs. Consistent with the University's
15 Employee Assistance Program, faculty members participating in an employee assistance
16 program who receive a notice of layoff may continue to participate in that program for a
17 period of ninety (90) days following the layoff.

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19 __.6 Limitations. The provisions of Sections __.2 through __.5 of the Layoff and Recall
20 Article of this Agreement shall not apply to those faculty members described in the Non-
21 reappointment Article, Sections __.2(a)(3), (b), and (c), and in the Appointment Article,
22 Section __.7.

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