

### **6C7-3.0123 Layoff.**

(1) Except as otherwise provided by any applicable collective bargaining agreement(s), this rule applies to all employees of the university.

(2) Employees may be laid off at any time as a result of adverse financial circumstances; reallocation of resources; reorganization of degree or curriculum offerings or requirements; reorganization of academic or administrative structures, programs, or functions; curtailment or abolishment of one or more programs or functions; shortage of work; or a material change of duties. President or designated representative shall approve requests for layoff and shall notify the appropriate employee organizations when layoffs are to take place.

(3) The layoff unit may be at an organizational level such as campus, division, college, school, department, area, program, or other level of organization as the president or designated representative deems appropriate. In designating the makeup of the layoff unit, the president or designated representative, may consider the special qualifications and relevant experience required for specific positions and exclude such positions from layoff. USPS time-limited positions shall be excluded from the layoff unit.

(4) The university will explore other alternatives before making layoff decisions involving terminations.

(5) A tenured faculty member or regular status employee shall not be laid off if there are nontenured/nonregular status employees in comparable positions in the layoff unit. Those employees will be retained who, in the judgment of the president or designated representative will best contribute to the mission and purpose of the university when taking into account the employee's length of continuous university service and other appropriate factors.

(6) The president or designated representative shall make a reasonable effort to locate alternative/equivalent employment for laid-off employees within the university of Central Florida.

(7) The following employees do not have layoff rights:

(a) A faculty member or A&P employee appointed for less than one academic year or appointed to a visiting appointment;

(b) A faculty member or A&P employee appointed to a position funded from contracts and grants, auxiliaries or local funds;

(c) A faculty member or A&P employee whose appointment expires after receiving timely notice of nonrenewal/ nonreappointment;

(d) A faculty member or A&P employee whose appointment expires without the requirement of a written notice of nonreappointment, including an employee serving on an appointment with a fixed term or an employee on a multi-year contract;

(e) A USPS employee without regular status in any class;

(f) A USPS employee appointed to a contract and grant, auxiliary or local funds position that has been designated time-limited; and

(g) An OPS employee.

(8) Employees are to be informed of layoff as soon as practicable. Where circumstances permit, employees selected for layoff are to be provided at least 30 calendar days notice. A notice of layoff shall be sent to the affected employee by certified mail, return receipt requested, or delivered in person to the employee.

(9) Employees with layoff rights who are laid off shall have recall rights at the university for one year following layoff as follows:

(a) Such employees shall be offered recall only in the same or similar position previously held by the employee and for which they meet the specific qualifications and relevant experience.

(b) An employee who refuses an offer of reemployment forfeits any further recall rights.

*Specific Authority 1001.74(4), (19) FS. Law Implemented 447.209, 1001.74(19), 1001.75(3) FS., 6C-5.955, F.A.C. History--New 4-30-81, Formerly 6C7-3.123, Amended 4-23-03, 7-26-04.*