



Working Through the Classified Layoff Process

A Guide for Employees

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Introduction

Being laid off or bumped is an experience that all employees would avoid if given a choice. However, not every employee will have the choice. Budget reductions and reorganization require departments to eliminate positions and layoff employees.

Working through the Classified Layoff Process

A Guide for Employees is designed to explain what you should expect during the process and the role your supervisor has in assisting you. Your supervisor will be provided a companion guide designed to explain layoff procedures.

Employee Notification

Once you are notified by your supervisor that your position is being eliminated, you will receive “official” written notification from the Office of Human Resources (OHR) about your layoff rights and options. Your supervisor will meet with you and provide you with information from the Job Loss webpage located at: <http://oregonstate.edu/admin/hr/jobloss/>.

Completing an Employment Profile

In order for the Office of Human Resources to evaluate your skills and abilities for placement into another position, you will need to complete an Employment Profile with Education & Employment History through the OSU Online Position Description & Recruiting System. To complete this process, go to <http://oregonstate.edu/jobs>. Click on Search OSU Jobs. From the left menu select Create Employment Profile. Select the button to the left of Employment Profile with Education/Employment History. Complete the profile, making sure to include ALL of your employment experience and education. Notify Jeri Hemmer at 541-737-0547 after you have completed your profile. If you need assistance in creating your employment profile, call our Help Desk at 541-737-0547.

Layoff Process and Seniority

Upon receiving your application, OHR will determine if there is a vacant position elsewhere within OSU in your classification, employment category, and geographic area into which you can be transferred. If so, you will be transferred at the earliest possible date.

A seniority list will be attached to your notification letter from OHR. Your name and seniority will be listed at the top of the list followed by the names and seniority of other employees having the lowest seniority in your classification, employment category, and geographic area. Keep in mind that the seniority list can change depending on the number of other layoffs occurring within your classification. With each bump or staffing change, the seniority list may change.

Bumping

Your right to bump is based on seniority. Seniority is calculated as one point for each full month of unbroken Oregon University System service (prorated for part-time employment). This includes employment in all classifications in which you have worked, provided you have not had a break in service of more than two years. Because there are many variables associated with seniority calculations (e.g. employment with other OUS institutions, proration of part-time employment). OHR calculates seniority only when notified by a department in writing of position elimination or when we become aware of a subsequent bumping action.

Article 50 also provides the following process for employees whose positions are eliminated (see Layoff Flowchart <http://oregonstate.edu/admin/hr/jobloss/flow.pdf>):

- (1) The employee shall be moved into a vacant position that the university intends to fill and for which the employee is position-qualified in the employee’s same geographic area and the same classification.

- (2) If no positions are accessible under section (1), the employee shall be moved into a vacant position that the university intends to fill and for which the employee is position-qualified in the employee's same geographic area in the same salary range but a different classification.
- (3) If no positions are accessible under Section (2), the employee shall displace the employee in the university with the lowest seniority in the same classification in the same geographic area in the university where the layoff occurs if the employee is position-qualified. However, an employee may elect to be placed in a vacancy in accordance with Section (5).
- (4) If no positions are accessible under Section (3), the employee shall displace the employee in the university with the lowest seniority in the same geographic area in any classification with the same salary range in which the employee previously held regular status, including any predecessor classification, if the employee is position-qualified. However, an employee may elect to be placed in a vacancy in accordance with Section (5).
- (5) If no positions are accessible under Section (4), the employee shall be moved to a vacant position that the employer intends to fill in a lower salary range in the same geographic area, if the employee is position-qualified. In applying this step of the process, the employer will place employees in a salary range as close to their current salary range as possible, but in no case more than five (5) salary ranges below their current salary range. An employee not placed in this step will move to step 6 of this process. Also, if there is more than one such vacant position, the employer shall consider employee preferences in placing the employee. Employees who demote shall be placed on any geographic area layoff recall list of his/her choice within the University for the classification from which he/she demoted.
- (6) If no positions are accessible under Section (5), the employee shall demote the lowest seniority position in any classification for which he/she is position-qualified within the university and geographic area. In applying this step of the process, the employer will place employees in a salary range as close to their current salary range as possible. Employees who demote shall be placed on any geographic area layoff recall list of his/her choice within the University for the classification from which he/she demoted.
- (7) If no positions are accessible under Section (5), the employee shall be laid off. Also, an employee may elect to be laid off in lieu of placement in accordance with Section (1) through Section (5), in which case the employee shall notify the employer of his/her decision to accept a layoff within five (5) work days of being advised of the placement decision. An employee who elects to be laid off shall be placed on any geographic area layoff recall list of his/her choice within the University for the classification from which he/she was laid off.

The steps provided above shall apply to regular status (i.e., non-limited duration) employees displacing limited duration employees only when the limited duration positions are expected to continue for at least ninety (90) days beyond the time of layoff.

Employees shall have layoff rights within a geographical area and within the following separate categories:

- (1) Permanent full-time positions;
- (2) Permanent part-time positions, benefits eligible;
- (3) Permanent part-time positions, non-benefits eligible;
- (4) Seasonal full and part-time positions;
- (5) Full-time academic year positions;
- (6) Part-time academic year positions, benefits eligible;
- (7) Part-time academic year positions, non-benefits eligible; or
- (8) Intermittent Employees.

The geographic are is defined as within 15 miles of employee an employee's workstation. Note: Employees can only be placed or bumped within Oregon State University.

Trial Service Employees

An employee in initial trial service is ineligible for any layoff rights under Article 50, including placement on a university recall list. However, the employee will be restored to the applicant pool from which he/she was hired if the applicant pool is still active.

Minimum Qualifications and Special Requirements

In order to be placed in a position either through transfer or bumping, OHR must determine that you meet the minimum qualifications for the classification and any special requirements of the identified placement position within a reasonable period of time. Minimum qualifications are the knowledge, skills, and abilities that you must possess to adequately perform the job duties. Minimum qualifications are included in the specifications for each job classification.

Special requirements include knowledge, skills, and abilities that may not normally be required for every position in the job classification and can be thought of as requiring specialized or technical training over a more extended period of time. An example of special requirements is found in the Biological Science Research Technician classification (BSRT) series. Some BSRT positions require knowledge or an expertise in the care of sheep while other positions have special requirements related to the care of cattle. A BSRT being laid off who was working with cattle does not automatically have the right to bump a BSRT who is responsible for the care of sheep. The knowledge and skill required to care for sheep are not transferable within a reasonable period of time to the care of cattle. The employee's past experience with cattle, if any, would be considered before determining if he/she met the special requirements of the position. Another example of a special requirement would be a language requirement for an Office Specialist 2 working with clientele for whom English is not their primary language. Someone who may speak a second language, such as French, is not necessarily qualified for a position that requires Spanish-speaking skills.

Position requirements that can generally be learned with satisfactory performance results within a reasonable period of time are not considered special requirements for layoff purposes as defined by Article 50 of the Collective Bargaining Agreement.

A reasonable period of time is defined in the Collective Bargaining Agreement as approximately two weeks. This does not mean that the employee is required to perform the duties of a position at the same level as the person being displaced with two weeks on the job; nor, does it mean that the employee will have a new trial service period of two weeks. It means that it has been determined that the employee has the requisite knowledge, skills, and abilities to perform the special requirements of the position within a reasonable period of time of approximately two weeks. However, should the position have duties that are recurring in nature, for example, a reasonable period of time could extend to the completion of a full cycle of the duties. An employee must meet those special requirements in order to be placed into the position.

If OHR is unable to place you, you will be laid off and placed on the layoff recall list.

Employee Placement

When OHR determines that a particular position is an appropriate placement for you, either through transfer or bumping, we will contact you and provide information about the position and assigned job duties. A meeting will be arranged between you and the supervisor of the new position. This meeting is not an interview, but rather an opportunity for you and the new supervisor and co-workers to meet before your first day on the job.

Placement is not voluntary. You cannot choose the position that you will be placed into nor can the receiving department choose whether or not to accept you into the position. Should you decline a placement, either through transfer or bumping, you will be laid off. Should a department decline to take you through placement, the department will forfeit the position into which you would have been placed.

Should either you or the new supervisor believe that you do not meet the minimum qualifications to perform the duties of the position, OHR will review any additional information presented for consideration prior to the effective date of the placement. However, OHR will make the final decision regarding the appropriateness of the placement based upon the contractual requirements outlined in the Collective Bargaining Agreement, Article 50.

Recall List

Should OHR be unable to place you and you are then laid off or placed into a position through demotion, you will be placed on the layoff recall list. To be placed on the layoff recall list, you must be a regular status employee who has passed initial trial service. You will be placed on the list for the classification, employment category, and geographic area from which you were laid off, and remain on the list for up to two years. During this period, you will be offered recall by seniority (not by date of placement on the list). You have the right to refuse recall once. Upon a second refusal, your name is removed from the list. You may also request placement on the university recall list for other geographic locations. The Collective Bargaining Agreement Article 50 specifies the rules regarding recall placement are the same as for layoff placement.

What you can do while you are waiting

To help Oregon State University find an appropriate placement for you, update your Oregon State University application and provide a copy to the Employment Services Manager in OHR within 5 work days of receipt of your layoff notification from OHR.

- Complete your Online Employment Profile.
- Identify and update your job skills. Obtain additional training and acquire new skills.
- Consider other employment opportunities at Oregon State University. Explore transfers and promotional opportunities.
- Be patient through the placement process, and understand that OHR is working diligently to find a suitable placement for you. There may be a period of several days or weeks where it may appear that no action is occurring; that is not the case. Your placement may create the need to bump another employee; therefore, the process can be delayed. Rest assured that we are working through the process as quickly and thoughtfully as possible.

A Word of Encouragement

Undeniably, layoff and bumping are disruptive to work units that are impacted. Irrefutably, those work units and employees must work through the disruption and return to a normal routine. OHR staff members are available to help you work through some of your questions and concerns.

In addition, the Employee Assistance Program (EAP) is another source of support for you during this time. Cascade Centers, Inc, the University's EAP provider, has been actively involved in assisting employees and supervisors during layoffs over many years. The staff at Cascade Centers are experienced in helping managers and supervisors deal with feelings of frustration, anger, and depression that can occur while trying to sustain a positive and productive working climate for their staff. We encourage you to take advantage of Cascade's support and experience. They may be reached at: (800) 433-2320.