

About This Policy

Effective Dates:

07-01-2013

Last Updated:

07-17-2019

Responsible University Administrator:

Vice President for Human Resources

Policy Contact:

[IU Human Resources](#)

askHR@iu.edu

Scope

This policy applies to all Staff employees.

Policy Statement

1. A layoff is a curtailment of the workforce for reasons of, but not limited to, the following: budget, lack of work, or reorganization.
2. A layoff is for 90 calendar days or less. During a layoff of less than 30 days, the employee remains on active status. A layoff of 30 calendar days or more and no more than 90 days is treated as a leave of absences.
3. When a layoff occurs, the university follows a course of action to ensure appropriate treatment of affected Staff. This course of action ensures fairness and consistency; determines which employees are placed on layoff based on seniority; notifies employees in advance; and recalls layoff Staff based on seniority.
4. Departments must give Staff employees at least 30 days written notice of a layoff. If a department is unable to provide 30 days written notice due to unforeseen circumstances, such as when the department is adversely effected by the actions of another department, it must nonetheless provide at least a minimum of 14 days written notice of a layoff.
5. Staff employees continue to accrue university service credit during the layoff period.

Reason For Policy

1. The following individuals and departments have specific responsibilities regarding the layoff policy.
 - a. Deans, department heads, or designees determine (1) the need for a layoff, (2) which positions are affected, and (3) the eligibility levels of employees affected by a layoff. Departments must contact their campus human resources office before notifying Staff of a layoff.
 - b. The campus Human Resources office works with departments to ensure that the Layoff policy procedures are being administered correctly. In addition, the campus human resources office reviews occupational unit seniority lists with department heads.
 1. For CWA covered Support Staff employees the campus HR office reviews university seniority.
 - c. University Human Resources reviews, audits and monitors the process to ensure that departments are applying this layoff policy fairly and consistently throughout the university. University Human Resources will work to ensure employees are laid off from work solely for appropriate reasons.
 - d. Management is responsible for dealing with performance issues as they arise. A layoff is not an appropriate management action for responding to employee performance issues.

Procedure

Advance notice rules for layoffs

1. Departments must contact the campus human resources department before notifying an employee of a pending layoff.
2. Departments must give Staff employees at least 30 days written notice of a layoff. If a department is unable to provide 30 days written notice due to unforeseen circumstances, such as when the department is adversely effected by the actions of another department, it must nonetheless provide at least a minimum of 14 days written notice of a layoff.

Layoffs

1. When preparing for a layoff, university administration determines the work and positions that are affected. The department head determines which employees will be laid off according to one of the following approaches:
 - a. Equal distribution of lost time
 - b. Occupational unit seniority within each affected functional classification
 1. University seniority for CWA covered Support Staff employees.
2. In accordance with the advance notice rules in Section A. above, departments must follow these guidelines:
 - a. Except for Temporary students, all Temporary employees shall be laid off first.
 - b. In order of least occupational unit seniority, appointed employees are laid off second.
 1. In order of least university seniority for CWA covered Support Staff employees.
 - c. If departments cannot afford to eliminate all Temporary positions, employees who are designated for layoff will receive first preference for Temporary jobs.

Continuation of insurance and benefit plan coverage

1. Staff employees affected by a layoff of 30 days or more are considered to be on a leave of absence for up to three months. For information regarding medical and dental benefits, see the [Health Care Benefits During An Unpaid Leave of Absence](#) policy.

Use of accrued time off

1. During the notice period Staff employees can be required to use accrued time off.
 - a. Except Staff employees represented by CWA cannot be required to use any type of accrued time off including comp time during the notice period.
2. In the event of a layoff due to **lack of work** such as during the holiday break, spring break or summer term, Staff employees are allowed to use accrued time off or take the time as leave without pay.
 - a. Accrued time off used during the layoff does not count toward the maximum usage rules for PTO and vacation.
3. In the event of a layoff due to **budgetary constraints**, Staff employees are not permitted to use accrued time off and must take the time as leave without pay.
4. Sick leave and income protection time cannot be used during layoffs unless the employee was otherwise off or scheduled to be off during this period due to a serious health condition (such as surgery) or FMLA.
5. Staff employees continue to accrue time off during a layoff of less than 30 days.
6. Staff employees do not accrue time off during a layoff lasting 30 days or more.

Definitions

1. A *layoff* is a curtailment of the workforce for no more than 90 days. During a layoff of less than 30 days, the employee remains on active status. A layoff of more than 30 days and no more than 90 is treated as a leave of absence. The employee accrues university service credit during this time.
2. An *occupational unit* is a functional classification within a campus or subunit of a campus. The administrators of each campus identify occupational units within their respective campus.

Sanctions

Violations of University policies will be handled in accordance with applicable University policies and procedures; which may include disciplinary actions up to and including termination from the University.

Additional Contacts

Campus HR offices

[Various](#)

History

July 2019

Updates made to CWA procedures based on union discussions.

December 2018

Updated the time period an employee remains on active status during a layoff from 30 days or less to less than 30 days. The update aligned the leave of absence during a layoff with a discretionary leave of absence.

July 2013

This is a new policy. Its provisions were originally contained in the Reduction in Force policy for the respective employee group.

Related Information

[IU Human Resources Policies related to Reemployment Provisions](#)