

**CAL POLY POMONA FOUNDATION, INC.**

**POLICIES AND PROCEDURES**

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**Subject:** Layoff Policy

**Policy No.** 208

**Reference:** 132-II-C, 698-II-D

**Old Policy:** 1979-4

**Date:** 07/27/79

**Revision:** 6/13/00

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**POLICY**

The policy of the Cal Poly Pomona Foundation, Inc. is to provide stability of employment within the limits of projected financial resources and the service needs of the campus community.

Short and long term planning for employment stability will consider the effects of reduced enrollment, new technology, reduction of service levels, elimination of selected services, reduced financial resources, and other factors which affect the Foundation staffing levels.

**AFFIRMATIVE ACTION**

In all actions relating to layoff of staff employees, attention shall be given to affirmative action goals and timetables and the Foundation's commitment to resolving any problems of under utilization of women and ethnic minorities.

**LAYOFF PROCEDURES (See Definitions on Last Page)**

**AUTHORITY AND CONSULTATION**

Final decisions as to services to be provided and levels of staffing to be retained rest solely and exclusively with the Executive Director of the Cal Poly Pomona Foundation who shall make such decisions in consultation with the Chairperson of the Foundation Board of Directors. The composition of the work force, number of employees to be retained in the respective job classifications, number of hours to be worked, assignment of work and decisions affecting length of employment are the responsibility of the respective Unit Managers who shall make such decisions in consultation with the Director of Human Resources subject to the following procedures.

**STUDENT ASSISTANTS**

The retention of Student Assistants is based on the Unit Managers' determination of service need and the merit and competency of the respective Student Assistants in relationship to this service need. Seniority may be considered, but is not controlling in determinations of Student Assistant layoffs.

**ON-CALL TEMPORARY EMPLOYEES**

The retention of on-call temporary employees is based on Unit Managers' determination of service needs and merit and competency of the respective employees in relationship to the service need.

Seniority may be considered, but is not controlling in determinations of layoffs of on-call temporary employees.

### **PROBATIONARY EMPLOYEES**

Probationary employees are laid off without regard to length of service. Retention of this class of employee is based on service needs and the merit and competency of the individual in relationship to this service need. Probationary employees in job classifications and performing duties substantially similar to those of regular staff must be laid off prior to laying off the regular employees in the same service unit.

### **REGULAR EMPLOYEES**

Regular employees shall be laid off on the basis of credited job classification service within the respective service units. Length of job classification service is calculated from the time the employee was appointed to the current classification plus any time spent in equal or higher classifications within the same service unit.

An employee who is laid off may elect demotion within the same service unit to a classification she/he previously held in that unit. When an employee elects such demotion or transfer, their credited job classification service will be adjusted to the time they previously spent in the classification and time spent in equal or higher classifications within the same service unit.

An employee is laid off may elect transfer to any vacancy in other service units for which she/he is qualified. If two or more qualified regular employees being laid off elect to transfer to a vacancy, the employee with the greatest length of service time in the same classification plus time in equal or higher classifications shall have preference. Where an employee transfers under these provisions, their length of service in the classification within the new service unit shall be calculated from the date of the transfer plus any time previously spent in the unit in classifications of equal or higher rank.

### **EMPLOYEES PAID FROM GRANT/CONTRACT AWARDS**

Employees paid from grant or contract awards serve only for the duration of the available funding of the specific grant or contract award.

Employees in this group are retained on the basis of grant/contract needs and individual merit and competency. The number of employees to be retained in any classification is the responsibility of the respective manager.

In the event two or more employees have essentially similar positions and equal merit and competency, the junior employee will be laid off first. Where it is determined the more senior employee does not possess the qualifications of the junior employee or additional training would be required for the senior employee, the junior employee may be retained. Where such decisions are made, they shall be objectively documented and explained to the affected individuals.

## **EMPLOYEES IN THE MANAGEMENT COMPENSATION PLAN (MCP)**

Employees in the MCP are employed for their individual merit and competency and Foundation needs. Assessment of needs or individual effectiveness are made without regard to the provisions of this layoff policy. This employment is at the pleasure of the Executive Director of the Foundation and the President of the Foundation Board of Directors.

## **PAY SCHEDULES FOR DEMOTED OR TRANSFERRED EMPLOYEES**

Employees who elect demotion or transfer shall take the rate of the new position. Where the employee's prior salary rate exceeds the rate of the new position, they will be placed at the highest step of the new classification rate.

## **RE-EMPLOYMENT RIGHTS**

Names of regular employees who are laid off shall be placed on a re-employment list, in order of job classification seniority within service units. Names will be maintained on the re-employment list for twelve months. Employees on the re-employment list must be offered re-employment according to their job classification when vacancies occur within the service unit. Employees, who do not accept re-employment offers within five days of the offer, will be removed from the re-employment list. Employees on the re-employment list may also be considered for open positions in other service units.

## **RIGHTS OF EMPLOYEES WHO ELECTED DEMOTION OR TRANSFER IN LIEU OF LAYOFF**

Names of employees who elected demotion or transfer shall be maintained by unit job classification for twelve months. The unit will fill vacancies from this list provided individuals on this list are qualified. If an employee refuses an offer under these provisions, the employee will be dropped from the list.

## **DEFINITIONS**

- SERVICE UNIT is any of the following:
  - A specific Grant or Contract
  - Kellogg West Conference Center and Lodge
  - Kellogg West Catering and Dining Service
  - Los Olivos Dining Commons
  - Campus Center Marketplace
  - University Union Dining Service
  - Foundation Housing Service (University Village)
  - Research Office & Sponsored Programs
  - Facilities/ Maintenance Services
  - Foundation Administration
  - Foundation Financial Services
  - Foundation Human Resources
  - Bronco Bookstore and Campus Books
  - College of Extended University
  - Specific Academic or University Support Units

- JOB CLASSIFICATION is the specific job classification assigned to the individual or other positions which are substantially similar as to content and the qualifications of individuals. Positions which would require additional training of individuals are not considered to be substantially similar.
- ON-CALL TEMPORARY EMPLOYEE is an employee hired for a limited duration, a specific project, or on an "on-call" basis as operational needs.
- PROBATIONARY EMPLOYEE is an employee serving in the first year of an appointment to an established Foundation position.
- REGULAR EMPLOYEE is an employee who has more than one year of Foundation service, is not employed pursuant to a grant/contract award, or other special funding, and is regarded as a full benefited employee.
- LAYOFF is a separation of the employee for lack of work. Temporary unit layoffs during the summer or other slow periods are not covered by this policy.
- JOB CLASSIFICATION LENGTH OF SERVICE is the length of time since the employee was appointed to the classification with the service unit plus time in equal or higher classifications in the unit less any time lost due to voluntary leave of absence, layoff, and non-work related injury or illness.