

maintain and make available a listing of classifications by job series as provided by the Chancellor or designee as reference for those dealing with layoff.

F. The President will provide written notice of layoff to all affected Unclassified employees and Classified employees will be provided written notice of layoff by the Department Head as defined in C. 3. above, as specified in the Frostburg State University Procedure When Implementing The Layoff of Unclassified and Classified Personnel.

G. The Office of Human Resources shall be available to work with each laid off employee to provide the broadest support base practicable during the period of notice of layoff.

Ref. BOR VII - 1.30

PN 3.034

PROCEDURE WHEN IMPLEMENTING THE LAYOFF OF
UNCLASSIFIED AND CLASSIFIED PERSONNEL

The following procedure will be used at Frostburg State University when effecting the layoff of Unclassified and Classified personnel.

I. Unclassified Personnel:

A. Period of Notice -- Only after consultation with the University's Director of Human Resources, the President shall provide written notice of those employees who are to be laid off, as determined by the appropriate department head, at least 30 calendar days before the effective date of the layoff. The President shall provide the Director with a list of the employees notified. In cases in which grant funds are reduced or terminated with less than 30 days notice, the President shall notify the affected employee(s) within five working days following the department's receipt of notice and shall specify the period which shall coincide with the date of fund termination or reduction.

B. Displacement and Restoration -- No Unclassified

employee who has been notified of layoff shall have the right to displace another employee in any employment category within the University service. Unclassified employees shall have no restoration rights.

II. Classified Personnel:

A. This procedure applies to all regular full time and part time Classified employees and to regular full time and part time classified employees who are on approved leaves of absence without pay.

B. The Department Head, i.e., President, Vice President for Academic Affairs, Vice President for Administration and Finance, Vice President for Student and Educational Services and the Vice President for University Advancement, shall notify the Director of Human Resources in writing of the number of positions to be abolished, discontinued, or vacated, together with the reasons for them, and the list of names of employees to be laid off. The Director of Human Resources shall review the written notice and certify that the order of layoff is appropriate. The Department Head shall notify employees who are to be laid off at least 90 calendar days before the effective date of the layoff. Notices of layoff shall be in writing and shall be acknowledged in writing by the employee. Written notice of layoff shall also inform the employee of the employee's ability to exercise displacement rights as specified in II. E. of the Layoff Procedure.

C. Sequence of Layoff

1. The Department Head shall lay off employees who are serving an original probationary period, and who are in the classification in which the layoff is to occur, in accordance with Section D of this procedure.

2. The Department Head next shall lay off regular employees who have completed an original probationary period, and who are in the classification in which the layoff is to occur, in order of seniority, with the employee having the lowest number of seniority points being laid off first.

D. Seniority Points

1. Formula for Establishing Seniority Points

a. One point shall be given for each complete month of credited service for the following:

- (1) University System (and/or predecessor organizations) and State service [including service as medical system University personnel as defined in the Education Article, Section 13- 1B-01 (r)]
- (2) Service with the department, as defined in this policy, where the layoff is to occur; and
- (3) Service in the job classification and its job series where the layoff is to occur.

b. For creditable service of less than a complete month, the employee shall be credited with .032 points for each day of creditable service.

c. For part-time employees, creditable service shall be determined by the funded percentage of the position.

2. The combined totals of all points shall determine the order of layoff. If two or more employees in the same classification have the same number of seniority points, they shall take their standing in the order of layoff based upon the following criteria:

a. The Department Head first shall compute each employee's total length of employment in combined State and University System service.

b. The employee who has the shortest service shall be laid off first.

c. If two or more employees have the same standing after the application of Section D(2) (a), the President will determine the employee(s) to be retained based upon a detailed written evaluation of the specific skills, knowledge, or abilities of each employee prepared by the Department Head.

3. The President or designee will notify the Chancellor of those employees who have been laid off.

E. Displacement. An election to exercise displacement

rights must be made by giving written notice to the University's Director of Human Resources within 15 days of the notice to the employee of the layoff.

1. An employee in a position which is to be abolished, discontinued, or vacated shall be allowed to displace another employee

with the least seniority in the same job classification, or, if not available either,

a. Progressively to each lower level classification in the same job series; or

b. In any other job classification in which the employee held satisfactory regular status.

2. The displacement as applied in (1) above, shall be limited to the department in which the employee is currently employed.

3. An employee who elects not to displace another employee in accordance with Section E of this procedure shall be laid off.

F. Certification

1. Frostburg State University. Employees who are designated to be laid off will receive notification of reinstatement procedures and will be certified to the University's eligible list for the classification from which the layoff occurred and to any classification in the series or comparable occupational area as that from which the employee was laid off. The employee will be entitled to priority for appointment to vacancies in the classification in which the employee was laid off, any lower level classification in that job series, or any classification for which the employee has completed an original probationary period.

2. Other UMS Institutions. Employees who have been notified that they are to be laid off must notify the Director of Human Resources of their interest in being considered for positions at other UMS institutions. The Director shall provide the necessary information to the other UMS institutions in which the employee has expressed an interest. The other UMS institutions shall place such employees on the eligible list for classifications for which they are qualified, based on seniority points.

G. An employee who is displaced under the provisions of

Section E of this procedure is subject to the general provisions of this procedure.

H. Nothing in this procedure shall be interpreted to prevent the layoff of an employee who files with the Department Head a written request to be laid off.

I. Nothing in this procedure shall allow a classified employee the right to displace an unclassified employee, or the right to reinstatement to an unclassified position.

Ref. BOR VII - 1.30