

## Re-employment from Indefinite Layoff

### UCSC Local Procedures

(A.33) Rev. 6/16/2009

## I. Policy Summary

Re-employment from indefinite layoff occurs as the result of recall or preference for re-employment rights afforded to an employee who has been laid off indefinitely or whose time has been reduced indefinitely. The following information is intended as a guideline only. You should always refer to the [Layoff Worksheet](#) and the specific personnel policy or collective bargaining agreement that is applicable to the employee.

## II. Related Policies, Contract Articles and References

A. Personnel Policies for Staff Members (PPSM) - employees not covered by a collective bargaining agreement:

- [PPSM 60-Layoff and Reduction in Time from PPSM Career Positions](#)

B. [Contract Articles](#) - employees covered by a collective bargaining agreement

## III. Authority

The Unit Head/Hiring Manager is delegated the authority to determine if a preferential rehire or recall candidate meets the qualifications of the active, vacant career position that is being recruited.

## IV. Criteria

### Right to Recall

Under Personnel Policies for Staff Members (PPSM), a regular status employee who has been laid off indefinitely or whose time has been reduced indefinitely shall be recalled in order of seniority into any active and vacant career position for which the employee is qualified when the position is in the same classification, and the same department at the same or lesser percentage of time as the position held at the time of layoff.

For employees represented by collective bargaining agreements, recall rights are subject to the provisions of those agreements.

Recall rights vary from one to three years dependent upon employee's years of service and in accordance with personnel policy and collective bargaining agreements.

Contact [Staff HR Employment](#) for Recall Process information.

### Preference for Re-employment

Under Personnel Policies for Staff Members (PPSM), a regular status employee who has received written notice of indefinite layoff or indefinite reduction in time shall receive preferential consideration for any active and vacant career position when the position is at the same campus, at the same or lower salary grade, and at the same or lesser percentage of time, provided the employee is qualified to perform the duties and responsibilities assigned to the position. An employee may exercise the right to preferential rehire immediately after receiving written notification of layoff.

Preference for Re-employment for employees represented by collective bargaining agreements are subject to the provisions of those agreements.

Preferential rehire rights are provided for a period of one to three years, depending on the employee's years of service and in accordance with PPSM and collective bargaining agreements.

### Severance Pay

Under Personnel Policies for Staff Members (PPSM), a regular status employee who has been laid off indefinitely or whose time has been reduced indefinitely shall have the option of severance pay in lieu of preference for re-employment and the right to recall.

For employees represented by collective bargaining agreements, the option of severance pay is subject to the provisions of those agreements.

## Termination of Re-employment Rights

Recall and preferential rehire rights may terminate in accordance with personnel policy and collective bargaining agreements when:

- A. an employee elects severance pay;
- B. a candidate fails to respond to written notice of a career opportunity;
- C. a candidate refuses an offer of recall or re-employment;
- D. a candidate accepts another career position on campus.

## Trial Employment

In accordance with personnel policy and collective bargaining agreements, preferential rehire employees may, upon prior written notification, be required to serve a trial employment period of up to six months.

At the hiring manager's discretion, an employee who fails to perform satisfactorily during the first six months following re-employment from layoff may be returned to layoff status.

In accordance with PPSM employees who are required to serve a trial employment period may have the option to return to layoff status.

In accordance with collective bargaining agreements, an employee may have the option to return to layoff status following re-employment from layoff.

Time spent in trial employment shall not count against the period of eligibility for recall or preferential rehire.

## Salary upon Rehire

- A. Recall
  - a. An employee rehired under recall policies will be hired at the same step or pay rate at the time of layoff.
- B. Preferential Rehire
  - a. If rehired to a position at the same grade/salary range, an employee's salary will remain the same as the salary at the time of layoff, unless unusual circumstances warrant a change.
  - b. If rehired to a position at a lower salary grade/range than the salary grade/range at the time of layoff, the employee's salary will normally be decreased.

## Service upon Re-employment

Re-employment within the period of right to recall and preference for re-employment provides continuity of service. Benefits and seniority accrue only when on pay status.

## V. Process Overview

Re-employment from indefinite layoff occurs as the result of recall or preference for re-employment rights afforded to an employee who has been laid off indefinitely or whose time has been reduced indefinitely. The following information is intended as a guideline only. Refer to the [Layoff Worksheet](#) and the specific policy or collective bargaining agreement that is applicable to the employee.

### Preferential Rehire Process Overview:

- A. **An applicant applies for a position** by the initial review date (IRD) indicating preferential rehire status.
- B. **Employment determines the applicant's eligibility and qualifications**, releasing only eligible and qualified preferential rehire applicants for consideration.
- C. **The Hiring Manager (HM)/Certified Hiring Manager (CHM) conducts interview** and reference checks and assesses the ability of the candidate to meet the required qualifications of the position.

- a. If the HM/CHM determines the candidate is qualified:
  1. The Recruitment Specialist (RS) makes a formal job offer to the selected candidate.
  2. Employment conducts a sign up if the selected candidate is a rehire.
  3. The [Human Resources Service Team Representative](#) (HRSTR) conducts On-Boarding of the selected candidate.
- b. If the HM/CHM determines the candidate is not qualified, the HM/CHM e-mails a non-selection justification to the Employment Manager (EM).
  1. If the EM concurs, the remaining applications are released for review.
  2. If the EM does not concur, HM/CHM is notified of non-concurrence and advised they may request a further review by the Staff HR Director.
    - If further review is requested, EM reviews decision with the Staff HR Director.
    - After conclusion of the Staff HR Director's review process, EM takes appropriate action.