

**KANSAS STATE UNIVERSITY
LAYOFF PLAN
for
Classified Employees**

PURPOSE

This plan provides general information, guidelines, and procedures to be following in the event of a layoff of a permanent classified employee or employees at Kansas State University. The existence of this plan does not signify a layoff is predicted. A specific layoff notice will be issued in the event a layoff is announced. A layoff action should be considered only after all other options have been exhausted.

DEFINITION OF A LAYOFF

A layoff is a reduction in work force usually necessitated by a shortage of work or funds, reinstatement of an employee from leave, the abolition of a position or unit, or other material change in duties or reorganization. A layoff can be designated university-wide, by organizational unit, geographic area, by full-time or less than full-time positions, or by a combination of any of the above as determined by the Assistant Vice President, Division of Human Resources. Layoffs result in permanent loss of the positions held by laid off employees.

LAYOFF NOTIFICATION TO DIVISION OF HUMAN RESOURCES

An organizational unit facing layoff issues should immediately contact the Assistant Vice President, Division of Human Resources, followed by a letter outlining the employee or employees to be laid off, the reason for the layoff, estimated annual savings, and the date requested for the layoff.

ORGANIZATIONAL UNITS

Layoffs can be designated by organizational unit. Major organizational areas are identified below. An organizational chart and a list of units reporting to major organizational areas are identified in Attachments A and B.

1. Office of the President
2. Office of the Provost
3. Office of the Vice President for Administration and Finance
4. Office of the Vice President for Institutional Advancement
5. College of Technology and Aviation
6. Division of Continuing Education
7. Libraries
8. Graduate School
9. College of Arts and Sciences
10. College of Business Administration

11. College of Education
12. College of Architecture, Planning and Design
13. College of Engineering
14. College of Human Ecology
15. College of Veterinary Medicine
16. College of Agriculture (includes Agriculture Experiment Station and Cooperative Extension Service)

GEOGRAPHIC AREAS

Layoffs can be designated statewide or by county. Kansas State University has offices and branches in all 105 counties in Kansas where layoffs could occur.

BUMPING RIGHTS - Options for Employees

The right of one employee to "bump" another employee from a job is dependent upon several factors, starting with a layoff score as described in the following section titled "Layoff Scores." Additional criteria also apply.

Bumping will occur within the layoff group identified in the layoff notice or university wide if no group is identified. A permanent employee, or an employee considered permanent only for layoff purposes (such as an employee recently promoted to a new position and classification but who holds permanent status in another classification) who is affected by a layoff may bump into another position in the agency under certain conditions.

For an employee to be bumped, the employee must: 1) have a lower layoff score than the employee exercising the bumping right; 2) not be scheduled for layoff, and 3) have the lowest layoff score for anyone in that class not scheduled for layoff.

Class series: A class series is two or more job classes having similar job content but different levels of skills, responsibility, difficulty and qualifications. For instance, Accountants at all levels, I-IV, are considered to be in the same series. A complete list of class series is in Attachment C.

Bumping is exercised as follows:

1. The employee may bump into a lower class in a class series **OR**
2. The employee may bump into a lower class in which the employee previously had permanent status **OR**
3. The employee may bump into a position anywhere in the university filled by a probationary employee if:
 - a) the permanent employee scheduled to be laid off is interested in the position;
 - b) the permanent employee scheduled to be laid off meets the minimum qualifications of the class and is eligible for transfer or demotion to the position; and

- c) when the layoff is limited to full-time or less than full-time employees, permanent employees may bump into positions filled by probationary employees having the same full-time or less than full-time status.

New hires and rehires on probationary appointments will not be granted permanent status on or after the date the Assistant Vice President, Division of Human Resources has issued a layoff notice. However, any new hire or rehire on probation in a position for which no employee subject to layoff meets the required selection criteria may be given permanent status. New hires and rehires on probation shall have their probationary period extended until it is certain that no permanent employee whose position is to be vacated by layoff or who otherwise would be laid off through the exercise of bumping rights is claiming the probationary position. [K.A.R. 1-14-8(e)]

LAYOFF SCORES

Layoff scores are used to determine the order in which employees are laid off. The employee with the lowest layoff score in the particular category identified in the layoff notice will be the first person to be laid off. Layoff scores will be calculated for every employee potentially affected by the layoff based on the class, classes or class series identified in the Layoff Notice. Layoff scores are calculated using number of year's service multiplied by a point value derived from averaging the five most recent employee evaluations. Evaluation ratings of consistently exceeds expectations garner five points, exceeds expectations or meets expectations three points, and below expectations zero points. Special evaluations given for a rating period ending within 90 days of a layoff notice will not be considered. The Assistant Vice President, Division of Human Resources will designate the cutoff date for performance evaluations.

In the event of identical layoff scores, special circumstances will be implemented in accordance with K.A.R. 1-14-8(d)(4). Preference will be give to veterans, surviving spouses of veterans, and orphans of veterans.

Every employee for whom a layoff score has been calculated will have the right to review the manner in which the score was obtained.

LAYOFF NOTICE TO EMPLOYEE

Written notice will be provided to each employee in a position identified for layoff, to each employee who might be affected by the layoff and to each employee who may be laid off through the exercise of bumping rights. This notice will be given at least 30 days before the effective date of the proposed layoff. The letter will include the intent to layoff, the proposed effective date, the reason for the layoff, the employee's layoff score and right to review and general rights for reemployment. The letter will be hand delivered or delivered by certified mail-restricted delivery. (A sample letter is provided in Attachment D.)

LAYOFF CONFERENCES

A representative of the Division of Human Resources will schedule and conduct individual conferences for each employee affected by a layoff. These conferences will begin as soon as possible after employees have received the notice of layoff. Conferences will be scheduled for employees starting with those with the highest layoff scores. Each employee will be informed of the options available, including bumping rights, transfer, placement assistance, and demotions.

REEMPLOYMENT RIGHTS

Employees who were laid off or who were demoted or transferred in lieu of layoff will have preferential rights for reemployment into Kansas Civil Service jobs. Each employee who is laid off, demoted or transferred in lieu of layoff, will be placed in a reemployment pool unless the employee requests in writing not to be placed in the pool. Each employee in the reemployment pool shall be eligible to apply for any vacancy to be filled, including an internal vacancy, until the employee is re-employed or for three years from the date of the layoff, whichever occurs first. (K.A.R. 1-6-23)

KANSAS EMPLOYEE PREFERENCE PROGRAM

This program provides State of Kansas employees who have been laid off, or who have received a formal notice of layoff, with preference for announced vacant positions for which they qualify and which are at the same pay grade or lower pay grade than the position from which they are laid off or scheduled to be laid off. Eligibility requires the employee to have received a “satisfactory” or better on the last performance rating before being laid off and to not have been suspended, involuntarily demoted or dismissed anytime during the 12 months before the layoff occurred.

The essence of this program is to provide or continue employment in a benefits eligible position. Employees who may have the option to bump are eligible for this preference until or unless they exercise their right to bump, at which time they would continue their employment. While employees eligible for this preference cannot use this preference to obtain a position in the unclassified service, they will lose their eligibility for the preference if they apply and are selected for an unclassified position that provides benefits, including an unclassified temporary position.

Employees being laid off will be given a letter from the Appointing Authority indicating their eligibility for preference. These employees are required to initiate action by making timely contact with the recruiter for a given vacancy listed on the Notice of Vacancy Listing, and they will be required to produce a copy of their letter from the Appointing Authority as evidence of their eligibility for preference. [K.A.R. 1-6-23(b)(1)(2)(3)(4)]

RECORDS

The Division of Human Resources will maintain records of layoff actions proposed or completed for a minimum of three years from the effective date of the layoff. These records will include information relating to all employment decisions and actions taken during the layoff. Documents will include:

- Layoff Information Plan, approvals and modifications
- Layoff request submitted to the Director of Personnel Services along with approvals and modifications
- Layoff score worksheets
- Layoff letters sent to employees
- Letter of eligibility for Kansas Employee Preference

SUMMARY

Kansas State University recognizes the potentially devastating impact layoffs have on employees and organizational units. If faced with a layoff, all affected employees will be assisted in exercising their rights and options with a primary objective of maintaining their employment with the state of Kansas.

Kansas Administrative Regulations (K.A.R.), Articles 1-6-23, and Article 1-14 in its entirety, govern layoff and reemployment statutes for the state of Kansas. These regulations are available online at <http://da.state.ks.us/ps/documents/regs/default.htm>.

Attachments

A - Organizational Chart – available online at:

<http://www.k-state.edu/academicservices/fhbook/fhxh.html>

B - Organizational Units

C - Class Series List

D - Sample Letter to Employee

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