

# UMCES Policy VII-1.32

## **UMCES Policies**

### **VII-1.32-UMCES Policy on Layoff and Recall of Regular Exempt Employees**

#### I. Purpose and Applicability

This policy establishes the period of notice and recall status for regular Exempt employees who are being laid off due to any of the reasons described in this policy.

#### II. Layoff and Notice

A. A layoff may occur when the appropriate Vice President, Laboratory Director, or Director of Sea Grant College determines that a position or position(s) is (are) to be abolished or discontinued due to reduction or termination of funds, program change, change in departmental organization, or stoppage or lack of work.

B. The appropriate administrator (Vice President, Laboratory Director or Director of Sea Grant College) shall submit a written request and justification for the layoff to the President of UMCES prior to informing the affected employee(s) of the layoff.

C. After appropriate authorization for the layoff by the President of UMCES, the appropriate administrator shall provide at least ninety -(90) calendar days advance written notice of layoff to the affected employee(s).

D. For layoffs that are due to reduction or termination of funds, the period of notice of layoff may be shorter than that stated in item II. C. above if the notice by the funding source of reduction or termination of funds provided to the USM institution is less than the required ninety-(90) calendar days notice. In such cases, the affected employee(s) shall be notified by the appropriate administrator as soon as possible, but no later than five (5) workdays following the institution's notice of fund reduction or termination.

E. Notice of layoff shall be delivered to the employee(s) in person or by certified mail to the employee's last known address.

#### III. Recall Status

A. An employee who is laid off from an exempt position shall be recalled for reappointment following a layoff if, within one (1) calendar year from the effective date of layoff, the specific position from which the layoff occurred is reestablished.

B. A person who is appointed to any position in the USM within 3 years of being laid off shall be considered in a reinstatement status as provided for in the USM BOR Policy on Reinstatement, Policy VII – 9.61.

C. The layoff of an employee in an exempt position shall not affect any faculty tenure rights, which that employee may hold in an academic department of the employing institution.