

Chapter 19 – LAYOFFS - CLASSIFIED EMPLOYEES

August 20, 09

Policy

Permanent classified employees may be laid off because of a reduction in force due to a stoppage or lack of work or funds or due to material changes in duties or organization. The layoff process is compliant with Wis. Admin. Code ER-MRS-22 and the Wisconsin Human Resources Handbook Chapter 232.

Note: Some of the steps listed below may be occurring simultaneously. The employing unit Human Resources Representative should be consulted on all aspects of the layoff process. The HR Rep works closely with the CHR Specialist throughout these steps.

1. Layoff Process Checklist

View checklist ([Appendix 19-C](#)). The following information provides additional information for items on the checklist.

2. Notice to Classified Human Resources Specialist of Possible Layoff

The employing unit Human Resources Representative (HR Rep) should notify the Classified Human Resources Specialist (CHR Specialist) of a filled position reduction as soon as possible but **no later than six weeks prior to the layoff date**. The only exception will be when the UW receives information about a funding cut with less notice than six-week prior notice.

3. HR Rep Identifies Class Title of Positions

The HR Rep identifies the titles of positions that perform the work in the programs/functions to be reduced or eliminated

4. HR Rep and CHR Specialist Work Together to Identify Employees in Other Work Units Within the Employing Unit Who Might be Affected.

It is essential to understand the possible impact of a filled position reduction in one work unit in the employing unit on employees in other locations or different classification titles early in the planning process.

Generally, layoffs occur within an employing unit, by *classification, by seniority regardless of work unit or **location.

Generally, within the employing unit, employees in the identified layoff group have an option to “bump” downward to lower positions in titles in which they previously passed probation.

Refer to the [Wisconsin Human Resources Handbook Chapter 232 sections 232.090 \(3\) and \(4\)](#) to review displacement options.

Due to such options, it is imperative to identify all titles to which the employees may have a right to bump or displace as early as possible.

The HR Rep and the CHR Specialist should work together to accomplish this. Use payroll records and the employee’s official OHR personnel file as resources to identify these titles.

5. The Layoff Plan

The HR Rep, in conjunction with the CHR Specialist, develops the layoff plan at least six weeks prior to the layoff date. Refer to the layoff plan for the specific required information. **The layoff plan must be completed and all required signatures obtained before layoff letters are sent.**

7. At Risk Letters

HR Reps should work with their CHR Specialists.

Prior to sending at-risk letters, it is highly recommended the employing unit communicate the reasons for the impending layoff to impacted employees.

Prior to sending the at-risk letters, schedule a meeting with your assigned CHR Specialist, the Campus Employment Relations Coordinator and the employees who will receive the at-risk

Chapter 19 – LAYOFFS - CLASSIFIED EMPLOYEES

letters. The purpose of this meeting is to discuss the employees' at-risk status. If this is a complex layoff, such as reductions in one work unit affecting employees in another work unit, work with your CHR Specialist to determine which employees have common information needs. Consider scheduling separate meetings so the information needs of each group will be similar. The date/time/ place of a meeting should be inserted into the at-risk letter templates.

After consultation with the CHR Specialist, the HR Rep drafts and sends at-risk letters to employee(s) affected by the layoff. These letters explain the likelihood of a position reduction and suggest alternatives for the employees to consider. This is not the formal layoff letter. Find these at-risk template letters in either [Appendix 19-A](#) or [19-B](#). Choose the letter appropriate to the individual employee's situation. Work with your CHR Specialist. If you have a need for a letter that is not on-line, contact your CHR Specialist.

This at-risk template letter is for employees whose positions will be eliminated but who are **not** least senior in the class title in the employing unit. These employees will not be laid off unless they choose layoff.

8. Layoff Letters

For Classified employees, the **HR Rep** working in partnership with the CHR Specialist will send the letters **not less than fifteen calendar days** prior to the layoff date. Contact your CHR Specialist for applicable layoff letter.

All layoff letters may be hand-delivered to the employees. When sent by first class mail, time begins to run on the date the letter is postmarked.

9. Layoff Occurs

Restoration Rights

Laid off employees or employees who have exercised any of the alternatives available in lieu of a layoff generally have restoration rights for five years.

CHR retains a list of employees who have restoration rights to UW Madison vacancies. The CHRIS system will alert the employing unit if there is an employee with a restoration right to a vacancy.

When the employing unit receives the CHRIS message that there are restoration candidates, the employing unit should consult with their CHR Specialist who will provide them with an appropriate restoration template letter. Restoration offers must be in writing.

A laid-off employee who does not accept a reasonable offer of permanent appointment may forfeit restoration rights.
MRS 22.09 defines a reasonable offer.

Reinstatement

An employee who has been laid off or who has demoted in lieu of layoff also has reinstatement eligibility for five years.

* Refer to the Wisconsin Human Resources Handbook Chapter 232, sec. 232.060.

**UW Madison has three approved exceptions. These exceptions are three of the School of Medicine and Public Health Family Practice Clinics in Appleton, Eau Claire and Wausau. Each is a separate employing unit solely for the purpose of layoff.