Classified Reduction in Force (Layoff) FAQ's

Q1. How am I notified of a layoff (otherwise known as a reduction in force)?
   A. Employees whose positions are identified for layoff will be notified in writing, which will be provided to the employee in a meeting involving the employee, the supervisor, a Human Resources representative, and the employee’s union representative (if invited by the employee).

Q2. What if I want to discuss the circumstances surrounding identification of my position for layoff? How can I get that opportunity?
   A. At the time you are notified that your position is being laid off, you can request in that meeting the opportunity to meet and discuss the circumstances.

Q3. How much written notice will I be given if my position is slated for reduction?
   A. At least 30 calendar days from the day of notice.

Q4. What will the layoff notice tell me?
   A. It will detail the reason for the layoff (operational or financial), the effective date of the layoff action, and it will specify the layoff options available to the employee (that is, positions the employee may “bump” into).

Q5. How many layoff options will I receive?
   A. Employees will receive a choice of up to 3 positions as described in Article 39.3.3 – Notification of Options (in summary, employees will be given a choice among the three highest paid and available positions).

Q6. How are the layoff options determined? I know there are several employees in my same classification with less seniority than myself. Does this mean my options would consist of three of those positions in the same classification as myself?
   A. The three highest paid options among the following groups will be offered, if those options are available as described in Article 39.3 (only one option per available classification as defined below):
      - Full-time regular position in the classification(s) that the employee has held permanent status, provided the classification(s) are at the same or lower salary range as the current position held by the employee;
      - Full-time regular position in lower classification(s) in the series that the employee has held permanent status, provided the classification(s) are at the same or lower salary range as the current position held by the employee;

Q7. What does “qualified for the options” mean? I know my supervisor wants to keep me in my position, because the work I perform is highly specialized. I’m worried, however, because I haven’t been at Eastern for very long. What happens if a more senior employee were to be given my position as an option? They might not be qualified to do my job!
   A. Qualifications for positions are reviewed when identifying bumping options for employees affected by lay off. There are several documents that may be used to identify “position specific requirements” (qualifications) that a laid off employee would have to meet to be considered qualified to bump into the position. These documents include: job posting, essential functions analysis, and/or the job description.
For example, if any one of these documents stated that a candidate has to be bi-lingual in order to be considered qualified for the job, then an employee would have to meet that same qualification before being offered the position as a layoff option.

Q8. Can I be offered part-time or cyclic positions as options?

A. Yes, as per Article 39.3.1 of the contract, you may request part-time or cyclic positions as options. To do this, you must notify Human Resources in writing within 3 working days from the date of notification that your position will be laid off.

Q9. Will project positions be included in my options? Can I request to be provided with a project position as an option?

A. Project positions will not be included in options identified for employees impacted by layoff, nor can employees request to be offered a project position as a layoff option.

Q10. I am a Project employee. What are my layoff rights?

A. Project employees have layoff rights within their respective projects with options determined using the procedure outlined in Article 39.3 and 39.4 of the contract – Regular and Cyclic Employee Layoff Rights. Project employees who have completed a probationary period in a non-project regular or cyclic position (and do not have a break in service) have layoff rights to the classification they held immediately prior to accepting project employment.

Q11. Once I receive my layoff notification, how much time do I have to select my layoff option?

A. Employees have 3 working days from the date of notification to make their selection. Employees who fail to notify Human Resources within the 3-day option period will be deemed to have waived all such options and will be laid off.

Q12. How do I notify Human Resources of my option selection?

A. Human Resources will provide you with an option form at the time of the notification of your options.

Q13. How is my seniority determined? I’ve held three different classified positions at Eastern!

A. Your seniority is based on your total uninterrupted employment as a classified staff member, without regard to changes in classified job title. For example, if an employee started on 3/1/2005 as a Secretary, then promoted to Secretary Senior on 8/16/2007, and then promoted again to Program Coordinator on 12/16/2008, that employee’s seniority will initially be based on the 3/1/2005 hire date. Seniority is adjusted for leave without pay and for military service.

Q14. Can I request to voluntarily reduce my hours, or transfer, or demote, or take leave without pay in lieu of layoff?

A. Yes. Requests of this nature must be given to Human Resources in writing within 3 working days from the date of notification that your position will be laid off. The university will review the request for budgetary and operational feasibility as part of its consideration of alternatives. Once the university makes a determination as to whether or not an individual’s request can be granted, the employee making the request will be notified in writing and provided with updated options (if any).

Q15. What happens if my supervisor keeps my position, but reduces it from 100% to 75% time, or moves the position from 12 months to 11 months?

A. This is treated as a lay off. In this scenario, as specified in the contract in Article 39.3.1 (a) and (b) – Options In Lieu of Layoff, you will initially only be offered 100% time, 12 month positions as your options (if those options exist).
At the time of notification of your options, if you would rather remain in your current, reduced time position, you may request to be offered part-time and/or cyclic positions by notifying Human Resources in writing within 3 working days from the initial date of notification.

Q16. What happens if my classification title changed on July 1st, 2007, when Eastern adopted (i.e., moved back to) the classification plan maintained by Washington State Department of Personnel? Some of my former job titles changed dramatically!

A. As referenced in Article 19.1 – Classification Plan, the Washington State Department of Personnel developed a “cross-walk” plan that documents the various classification title changes. This “cross-walk” document allows us to determine equivalent job titles when we look back through an employee’s history to determine their options.

For example, if we had an employee in an Administrative Assistant position today, but previously the employee was a Library Technician III, we can look at the “cross-walk” and determine that the new job title for a Library Technician III is Library & Archives Paraprofessional 2. For this example employee, we would look at the Administrative Assistant series, as well as the Library & Archives Paraprofessional series, in determining the options for the employee.

Q17. What happens if my supervisor combines two positions in my department, and the resulting position is in a different classification?

A. You (and any other affected employees) will have the right to compete for the resulting position. This would entail posting the position on Eastern’s job opportunities website with a seven-day posting period. You would have to apply for the position to be considered. The supervisor will interview at least the top three internal applicants prior to making a selection.

If an employee chooses not to compete for the resulting position, or if an employee competes but is not selected, the employee will be laid off from his/her current position and options will be provided to the employee in the manner described earlier in these FAQ’s.

Q18. If I accept a lower level position as an option, or if I’m completely laid off from my employment, do I have any rights to get back into the classification I was laid off from?

A. Yes. What’s important to know is that your name will placed on the layoff list for 2 years from the date of your layoff for the specific classification you were laid off from (an employee may request an extension for additional year as well). Then, should the university have an opening in that classification, the person on the layoff list for that specific classification will be provided the priority opportunity to take the position – if this employee meets the position specific requirements (if any such requirements are defined for the open position).

If there are several persons on the layoff list for the same classification, the vacancy will first be offered to the person on the list with the most seniority. The vacancy will not be offered to any other employee on the list unless the most senior employee turns the vacancy option down (or is not qualified for the position due to not meeting position specific requirements).

Q19. If I am laid off do I get to cash out my vacation? How about my sick leave?

A. Your accrued and unused vacation will be cashed out to you if you have successfully completed your probationary period and if you did not accept any of the options presented to you at the time of your layoff notification (in other words, your employment with Eastern ended as a result of layoff).

Sick leave may be cashed out in only two circumstances:
• At the time of retirement, including situations where an employee chooses to retire in lieu of layoff (contact the Benefits Office for additional information on sick leave cash out upon retirement);
• Sick leave may also be cashed out in January of each year, limited to those employees who carry sick leave balances greater than 480 hours.

Q20. What happens to my sick leave and seniority date if I am recalled from layoff?
   A. As per Articles 31.7 and 40.2.3 of the contract, employees recalled from layoff shall be credited with the sick leave and seniority accrued at the time of the layoff (but do not receive additional sick leave and seniority credit for the time spent in layoff status).

Q21. What happens to my salary upon return from layoff?
   A. Employees appointed to positions from a layoff list assume the salary step held at the time of layoff if he or she is returned to the same class occupied immediately prior to the layoff.

Q22. What happens to my increment date if I am returned from layoff?
   A. Employee’s appointed from a layoff list shall have their periodic increment date extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to the layoff.