



Employee Layoff Policy #1710.170

INITIAL EFFECTIVE DATE: July, 2005	LAST REVISION DATE: July 1, 2024	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT Division of Human Resources Employee and Labor Relations
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POLICY STATEMENT

Employees may be laid off due to adverse business/financial circumstances; reallocation of resources; reorganization of administrative structures, reorganization of degree or curriculum offerings or requirements; reorganization of academic structures, programs, or functions; curtailment or abolishment of one or more programs or essential functions; or shortage of work, or a material change in duties.

The affected layoff unit may be identified at an organizational level such as campus, division, college/unit, school, department/unit, area, program, or position as determined by the ~~Assistant~~ Senior Vice President for Human Resources or ~~her~~ designee.

In the event of a reduction in force, FIU will consider a number of relevant factors in determining selections for layoff, the public interest being of prime importance. Factors to be considered include:

1. Training, experience, and position, including certifications.
2. Employee’s overall performance/disciplinary record.
3. Seniority within the impacted department/unit.

As between two employees, if one and two above are relatively equal, then seniority shall prevail.

Notice of Layoff:

Written notice of layoff rights will be provided to an employee as soon as practicable in advance of layoff. A notice of layoff shall be sent to the employee by certified mail, return receipt requested, or delivered in person to the employee.

Recall Rights:

Recall rights are limited to the one (1) year period following the layoff. Laid off employees shall have recall rights only to positions within the layoff unit. During this period, no new employees will be hired by the layoff unit until all laid off employees are offered recall. An employee with recall rights may be offered re-employment in the same pay plan and classification as the position last held at the same geographic campus location should a position become available for which the employee applies for and meets the specific qualifications and relevant experience.

Any employee offered recall at his/her last known address must contact the Division of Human Resources and agree to return to work, within 21 calendar days, or forfeit all recall rights.

Recall of laid off employees will be in accordance with departmental needs and relevant experience required for specific positions that will best contribute to the mission and purpose of the University and the department.

Recall rights are limited to the one (1) year period following the layoff. During this period, no new employees will be hired by the layoff unit until all laid off employees are offered recall. Any employee offered recall at his/her last known address must contact the Division of Human Resources and agree to return to work, within 21 calendar days, or forfeit all recall rights.

Laid off employees will receive notice pay in accordance with the university's Separation of Employment Policy.

Applies to Faculty:

No tenured faculty employee shall be laid off if there are non-tenured faculty employees in the layoff unit. Layoff selection among tenured faculty or among non-tenured faculty will be determined by those faculty employees who, in the judgment of the University will best contribute to the mission and purpose of the institution, the academic needs of the program, and an analysis of the qualifications of the faculty members needed to conduct the program. Provided the remaining faculty employees are qualified to teach the remaining courses, without jeopardizing accreditation standards, the selection of faculty employees to be laid off will be determined based on the following factors:

- the faculty employees' length of continuous University service;
- performance evaluation by students, peers, and supervisors;
- the faculty employee's academic training;
- professional reputation;
- teaching effectiveness;
- research record or quality of the creative activity in which the faculty employee



- may be engaged;
- service to the profession, community, and public.

Faculty will be provided a notice period of 14 days in a layoff situation. Where circumstances permit, a faculty member should be provided at least one semester's notice.

Florida International University, as a member of the State University System of Florida, is an Equal Opportunity, Equal Access Affirmative Action Employer. FIU prohibits discrimination based on race, color, national origin, sex, sexual orientation, gender identity, gender expression, pregnancy, religion, age, disability, marital status, veteran status, and other protected categories. The University's commitment extends to its programs and activities, applicants, students, and employees.

SCOPE

This Policy applies to all university employees.

REASON FOR POLICY

To administer the layoff process of university employees.

DEFINITIONS

TERM	DEFINITIONS
Employee	A person employed for wages or salary.
Layoff	Permanent leave from work unless the position is reactivated within the year of the layoff notification.

ROLES AND RESPONSIBILITIES

Managers and supervisors must work in conjunction with the Office of Employee and Labor Relations (ELR) to ensure the layoff process is appropriately applied.

Department Unit Head or designee: Contact ELR to review layoff justification before any action is initiated.



Employee & Labor Relations: Reviews justification is sound and ensures appropriate process is followed.

RELATED RESOURCES

- 1710.280 Separation of Employment Policy

CONTACTS

Florida International University
Division of Human Resources
Employee & Labor Relations, PC 236
Miami, FL 33199
Telephone: 305-348-4186
email: ELR@fiu.edu

HISTORY

Initial Effective Date: Month Day, Year

Review Dates (review performed, no updates): Month Day, Year or N/A if not available.

Revision Dates (updates made to document): Month Day, Year



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PROCEDURE STATEMENT

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