

ARTICLE 13
LAYOFF AND RECALL

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3
4 13.1 (a) Layoff. When a layoff is to occur as a result of adverse financial circumstances;
5 reallocation of resources; reorganization of degree or curriculum offerings or
6 requirements; reorganization of academic or administrative structures, programs, or
7 functions; or curtailment or abolition of one or more programs or functions; ~~the Board of~~
8 the University shall notify the local UFF Chapter and the UFF state office no less than
9 thirty (30) days prior to taking such action. UFF may request a consultation with the
10 ~~Chancellor or~~ the President or his representatives pursuant to Article 2 during this period
11 to discuss the layoff.

12
13 (b) Layoff Unit. The layoff unit may be at an organizational level of the university, such
14 as a campus, division, college/unit, school, department/unit, area, program, or other level
15 of organization as the ~~Board of~~ the University deems appropriate.

16
17 13.2 Layoff Considerations. The selection of faculty members in the layoff unit to be laid
18 off will be determined as follows:

19
20 (a) No tenured ~~permanent regular~~ status faculty member shall be laid off if there are
21 ~~nonun-~~tenured ~~non-permanent regular~~ status faculty members in the layoff unit.

22
23 (b) No faculty member in a non-tenured/~~non-permanent regular~~ status position in the
24 layoff unit with more than five (5) years of continuous University service shall be laid off
25 if there are any such faculty members with five (5) years or less service.

26
27 (c) The sole instance in which only one (1) faculty member will constitute a layoff unit is
28 when the functions that the faculty member performs constitute an area, program, or
29 other level of organization at a university.

30
31 (d) The provisions of 13.2(a) and (b) will apply unless the ~~Board of~~ University
32 determines that an Affirmative Action employment program will be adversely affected.
33 When an Affirmative Action Program has been so affected, the ~~Board of~~ University shall
34 notify UFF in writing.

35
36 (e) Where faculty members are equally qualified under (a) or (b) above, those faculty
37 members will be retained who, in the judgment of the ~~Board of the university~~ University
38 will best contribute to the mission and purpose of the institution ~~and the State University~~
39 ~~System~~. In making such judgment, the ~~Board of the~~ University shall carefully consider
40 faculty members' length of continuous University service, and shall take into account
41 other appropriate factors, including but not limited to performance evaluation by
42 students, peers, and supervisors, and the faculty member's academic training,

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For the Florida State University
Board of Trustees

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For the United Faculty of Florida

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1 professional reputation, teaching effectiveness, research record or quality of the creative
2 activity in which the faculty member may be engaged, and service to the profession,
3 community, and public.

4
5 (f) No tenured ~~permanent regular~~ status faculty member shall be laid off solely for the
6 purpose of creating a vacancy to be filled by an administrator entering the bargaining
7 unit.

8
9 (g) The University shall notify the local UFF Chapter in writing regarding the use of
10 adjunct and other non-unit faculty in those departments/units where faculty members
11 have been laid off. The use of adjunct and other non-unit faculty in departments/units
12 where faculty members have been laid off may be the subject of consultation meetings
13 pursuant to Article 2.

14
15 13.3 Alternative/Equivalent Employment. The University ~~and Board~~ shall make a
16 reasonable effort to locate appropriate alternate or equivalent employment for laid-off
17 faculty members, ~~first within the University and second within the State University~~
18 ~~System~~, and to make known the results of the effort to the person affected.

19
20 13.4 Notice. Faculty members should be informed of layoff as soon as practicable and,
21 where circumstances permit, faculty members with three or more years of continuous
22 University service should be provided at least one (1) year's notice; those with less
23 service with at least six (6) month's notice. Faculty members who have received notice of
24 layoff shall be afforded the recall rights granted under Sections 13.3 and 13.5. Formal
25 written notice of layoff is to be sent by certified mail, return receipt requested, or
26 delivered in person to the faculty member with written documentation of receipt
27 obtained. The notice shall include effective date of layoff; reason for layoff; reason for
28 shortened period of notification, if applicable; a statement of recall rights; a statement of
29 appeal/grievance rights and applicable deadlines for filing; ~~a statement that the faculty~~
30 ~~member will receive the SUS Vacancy Listing until the recall period ends or re-~~
31 ~~employment offer is refused~~; and a statement that the faculty member is eligible for
32 consideration for retraining under the provision of Article 22 for a period of two years
33 following layoff.

34
35 13.5 Re-employment/Recall.

36
37 (a) For a period of two years following layoff, a faculty member who has been laid off
38 and who is not otherwise employed in an equivalent full-time position shall be offered re-
39 employment in the same or similar position at the University at which previously
40 employed at the time of layoff, should an opportunity for such re-employment arise. ~~All~~
41 ~~persons on the recall list shall regularly be sent the SUS position vacancy~~
42 ~~announcements~~. For this purpose, it shall be the faculty member's responsibility to keep
43 the University advised of the faculty member's current address.. Any offer of re-

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1 employment pursuant to this section must be accepted within fifteen (15) days after the
2 date of the offer, such acceptance to take effect not later than the beginning of the
3 semester immediately following the date the offer was made. In the event such offer of
4 re-employment is not accepted, the faculty member shall receive no further consideration
5 pursuant to this Article. The University shall notify the local UFF Chapter when an offer
6 of re-employment is issued.

7
8 (b) A faculty member who held a tenured ~~permanent regular~~ status appointment on the
9 date of termination by reason of layoff shall resume the tenured ~~permanent regular~~ status
10 appointment upon recall.

11
12 (c) The faculty member shall receive the same credit for years of service for purposes of
13 layoff as held on the date of layoff.

14
15 (d) Employee Assistance Programs. Consistent with the University's Employee
16 Assistance Program, faculty members participating in an employee assistance program
17 who receive a notice of layoff may continue to participate in that program for a period of
18 ninety (90) days following the layoff.

19
20 13.6 Limitations. The provisions of Sections 13.2 through 13.5 of this Agreement shall
21 not apply to those faculty members described in Sections 12.2(a)(3), (b), and (c)

Approved: _____

Michael Mattimore

For the Florida State University
Board of Trustees

Date: _____

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Date: _____

11 Feb. 2005