

CALIFORNIA STATE UNIVERSITY, LONG BEACH

POLICY STATEMENT

NUMBER: 79-13

FILE: Layoff

SUBJECT: CAMPUS LAYOFF PROCEDURES FOR STAFF AND ADMINISTRATIVE  
EMPLOYEES

The following policy statement, recommended by the Staff Affairs Council at its meeting of February 7, 1979, and approved by the President on June 18, 1979, is as follows:

This policy superseded by  
pertinent articles in Unit  
1,2,3,4,5,6,7,8, and 9 MOU's

Effective: Immediately

DEG:bjp  
6/25/79

RECEIVED

JUL 12 1979

Academic Senate Office



# Layoff Procedures for Staff and Administrative Employees

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## INTRODUCTION

This document establishes policies and procedures to be used in implementing the provisions of the Education Code dealing with layoff of Staff and Administrative employees.

The procedures which follow incorporate the provisions of law, Trustee policy as stated in the Report of the 1976 Task Force on Steady State Staffing, general recommendations in the Phase I Report of the 1974 Task Force on Steady State Staffing, FSA 76-01, Teaching Service Area Designation and Assignment, FSA 78-78, Procedures for Layoff plus supplements, and recommendations of the Academic Senate and Staff Affairs Council.

### Trustee policy

It is Board of Trustee policy to affirm presidential authority and the principle of consultation in layoff as in the other areas of each campus' personnel processes. It is also Trustee policy regarding layoff to affirm the authority of each campus to develop workable procedures best suited to its own needs for the purpose of implementing Trustee policies and regulations regarding layoff and that such procedures be designated and utilized to provide full protection of the academic freedom of faculty.

It shall be the policy of the CSUC to provide stability of employment by foreseeing and avoiding unnecessary reductions in staff through short- and long-range personnel planning activities and to adjust appointment and retention policies as accurately as possible to anticipated program need.

Academic program reviews should be conducted periodically and changes made, as necessary, to assure viable, responsive and balanced curricula. Consideration should be given to faculty staffing requirements and to the need for renewal of faculty to assure optimal faculty utilization and maximal program effectiveness.

It shall be the policy of the CSUC to protect the employment of tenured, permanent and probationary employees to the fullest extent possible consistent with the preservation of a balanced educational program. Efforts shall be made to avoid the need for actual layoff of employees through proper advance planning, such as reassignments, leaves, retraining assignments and voluntary reductions in time worked.

Employees who are to be laid off shall have full access to systemwide grievance procedures. An informational effort shall be made to assist laid off employees to find relocation opportunities at other CSUC campuses.

## LAYOFF PROCEDURES

### I. Authority and Consultation

All decisions regarding layoff are the responsibility of the President. The President shall consult as follows with appropriate campus groups and individuals in the process of arriving at final decisions.

- A. The layoff process will be initiated by direction of the President when some area of administration recommends to the President that a reduction of positions may be needed. The President's directive will indicate the proposed area of reduction and the proposed Teaching Service Areas or classes to be reduced and will establish deadlines by which the University Committee on Layoff must forward its recommendations on layoff to the President.
- B. The University Committee on Layoff shall be established each academic year. The original committee shall be established and appointed within 10 working days of approval of this plan and selected and appointed every year thereafter. There shall be original members and alternates to assure the operation of the committee whenever needed. The committee shall be composed as follows:
  - 1. Four tenured instructional faculty members elected by the Academic Senate after at least eight nominees are submitted by the Committee on Committees. At most one member can come from any School.
  - 2. Five tenured members of the nonacademic and administrative staff, appointed by the President.
  - 3. One tenured professional from the Division of Student Affairs or one tenured librarian elected by the Academic Senate after at least two nominees are submitted by the Committee on Committees.
  - 4. The Chair of the Academic Senate (nonvoting).
  - 5. The Associate Vice President for Academic Affairs--Academic Personnel (nonvoting).
  - 6. The Director of Staff Personnel (nonvoting).



Alternates shall be selected for all members. Alternates are not to be a member of the same department as the original member of the committee. The alternate shall serve when the original member cannot attend.

- C. At the time the President initiates the layoff process he/she will notify the Dean or Director and employees of the affected School or other comparable major segment.

Upon such notification or upon personal initiative, the Dean or Director will make recommendations on possible layoffs through appropriate Vice President to the President after formal consultation with appropriate faculty, staff, or professional bodies according to the rules of the segment. The reports, if any, of the consultative bodies, as well as that of the Dean or Director, will be sent to the President and to the University Committee.

- D. The University Committee on Layoff shall receive all data used to determine the required number of positions to be reduced and shall examine the possible alternatives to layoff that may exist. If, in the opinion of the Committee, feasible alternatives to layoff exist, it shall recommend such alternatives to the President. If layoff is determined to be unavoidable, the University Committee will recommend the number of positions to be reduced in each Teaching Service Area, Work Service Area, or class.
- E. The University Committee shall forward its recommendations, including minority views, if any, to the President. If the President disagrees with the Committee's recommendation, shall inform the Committee of the reasons for disagreement and will, time permitting, attempt to resolve any differences through further consultation with the Committee.
- F. Prior to the final decision, the President or designee shall consult with the affected employees in the specific areas concerning a possible reduction in targeted Teaching Service Areas, Work Service Areas, or classes.
- G. Following the consultation detailed in this section, the President shall then make the final decision as to specific Teaching Service Areas, Work Service Areas, or classes to be reduced and the number of positions to be reduced. The President will also inform the University Committee of the decision and the reasons for the decision.

- H. The University Committee will be responsible for considering budgetary developments and projected changes in faculty workload resulting from shifts in student enrollment, and will be convened by notification of the President or designee at the first indication that projected allocations to the campus or internal shifts in allocations might entail dislocation of probationary or tenured employees. Committee recommendations shall be submitted to the President, Vice Presidents, Chairman of the Academic Senate.
- I. Prior to making a recommendation to the President that would dislocate probationary or tenured employees, the University Committee should explore all feasible alternatives to layoff. The Committee shall also, prior to making a recommendation, give all affected employees and other department/unit representatives, as appropriate, an opportunity to speak to the issue and fully inform such employees of campus and system layoff procedures and options in lieu of layoff.
- J. The committee shall submit to the President and Chairperson of the Academic Senate an annual report evaluating the effectiveness of the layoff procedures.

## II. IMPLEMENTATION

- A. Following the consultation indicated, the President shall make the final decisions as to specific Teaching Service Areas, Work Service Areas, or classes to be reduced and the numbers of positions in each to be reduced.
- B. Individuals who are to be laid off shall be provided information by the President regarding (1) the procedures used which resulted in their positions being targeted for layoff and (2) the rights and options available to them under these procedures and (3) their right to grieve.



### III. ORDER OF LAYOFF FOR ADMINISTRATIVE AND STAFF EMPLOYEES

Layoff shall be by class. (See Appendix A for definition)

The order of layoff shall be:

First, temporary employees.

Then, probationary employees.

Last, permanent or tenured employees.

- A. Temporary employees in a class must be separated or laid off before probationary or permanent/tenured employees in the class. (Temporary employees may be separated or laid off before a probationary or permanent employee without regard to class.)

When a temporary employee's services must be terminated prior to the completion of the designated term of service stated in the appointment letter, because of lack of work or lack of funds, the termination is considered a layoff. Non-reappointment of a temporary employee does not constitute a layoff. Careful analysis will be made prior to reappointment of any temporary employee to make sure there is sufficient funding and work to continue the position.

Temporary employees are laid off without regard to length of service. The criteria utilized in determining the order of layoff shall be merit and competency in relation to program need and determined as follows:

1. Program need will be identified as those programs not affected by lack of work or funds according to school or administrative unit. Within the schools or administrative units which are affected further analysis may identify the program or programs that have lack of work or lack of funds.
2. Within the program area identified as lacking work or funds, current job descriptions will be used to identify those positions utilizing the competencies remaining to satisfy program need.



3. Temporary employees working in classifications that have been selected within the program for decrease will be selected for layoff on the basis of merit.
  - a. Those employees who have an "unsatisfactory" or "needs improvement" performance appraisal will be laid off first. The most recent performance appraisals shall be used. No appraisal on record is assumed to mean satisfactory performance.
  - b. In classes where there is underutilization of women and/or minorities, the University's affirmative action program commitment shall be honored. Where affirmative action goals have been met and the remaining temporary employees are all satisfactory, the employees with the least service in current or higher classifications will be laid off first.
- B. Probationary employees in a class shall be laid off before any permanent employee in the class and only after all temporary employees in the same classification have been laid off.

When a probationary employee's services must be terminated because of lack of funds or lack of work, the termination is considered a layoff.

The criteria utilized in determining order of layoff shall be merit and competency in relation to program need and determined as follows:

1. Program need will be identified as those programs not affected by lack of work or funds according to school or administrative unit. Within the schools or administrative units which are affected further analysis may identify the program or programs that have lack of work or lack of funds.
2. Within the program area identified as lacking work or funds, current job descriptions will be used to identify those positions utilizing the competencies remaining to satisfy program need.

3. Probationary employees working in classifications that have been selected within the program for decrease will be selected for layoff on the basis of merit.

- a. Those employees who have an "unsatisfactory" or "needs improvement" performance appraisal will be laid off first. The most recent performance appraisal shall be used. No appraisal on record is assumed to mean satisfactory performance.
- b. In classes where there is an underutilization of women and/or minorities, the University's affirmative action program commitment shall be honored. Where affirmative action goals have been met and the remaining probationary employees are all satisfactory, the employees with the least service in the current or higher classifications will be laid off first.

A probationary employee who has permanent status in another class and who has been in continuous service immediately preceding the layoff has the right to return to that class.

When an employee returns to a class in which permanent status was previously held, the seniority points shall be calculated to include time spent in that class, plus time spent in any other class of equal or higher rank. The seniority list for the class to which the employee is returning is adjusted to accommodate the seniority standing of the returnee and others on the list.

- c. Permanent employees shall be laid off on the basis of length of service in a class on the campus.

Seniority is calculated from the time the employee was appointed to the current class plus any time spent in other classes of equal or higher rank.

An employee who is to be laid off may elect demotion or transfer to any class at the campus in which the employee has served as a permanent employee. The employee must be demoted or transferred to the class requested even if it requires the separation or layoff of another employee with less seniority. (This is called the "bumping" process.) The seniority list for the class to which the employee is returning is adjusted to accommodate the seniority standing of the returnee and others on the list.

### All Employees

An employee who is to be laid off may elect transfer to any vacancy for which the employee is currently qualified. If two or more employees elect transfer to a single vacancy, the employee with the most seniority points shall have preference.

Student Assistants performing work that is the same as or comparable to that performed by a probationary or permanent employee must be separated prior to laying off the probationary or permanent employee.

#### IV. EMPLOYEES IN ACADEMIC-ADMINISTRATIVE CLASSES \*

Any individual in an academic-administrative class shall (1) have tenure or be earning tenure as an academic employee (and be assigned a Teaching Service Area or Service Area Designation); or (2) have permanent status or be earning permanent status as an administrative employee in an administrative class; or (3) have tenure or be earning tenure as an academic closely-related employee in an academic closely-related class.

Employees are not subject to layoff from academic-administrative classes. Such assignments are made at the pleasure of the President and the employee may at any time be reassigned to the position in which the employee holds a regular tenured/permanent or probationary appointment. When that reassignment takes place, the employee will be entered into the seniority list in the appropriate sequence counting time served in the academic-administrative class.

- \* As used in these procedures "academic-administrative classes" are those which have been specifically designated as academic-administrative classes in the CSUC Salary Schedule.



V. COMPUTING SENIORITY

- A. Permanent or tenured employees are laid off in the inverse order of their length of service, as follows:

1. Academic Rank Employees

Length of service includes continuous time served in academic rank positions and is counted from the date of the initial academic appointment on the campus. It includes any time spent in academic-administrative or executive assignments and time served as a temporary academic employee. It does not include service as a staff or administrative employee.

2. Staff, Administrative and Academic Closely-Related Employees.

Length of service includes continuous time served as a temporary, probationary, or permanent employee and is counted from the date of appointment to the current class held, plus any service in classes of equal or higher rank on the campus which has not been interrupted by a permanent separation. Prior service in classes of lower rank is not credited for seniority in the current class. Academic rank employees do not have bumping rights to a previously held staff or administrative position.

- B. Seniority credit shall be computed on the basis of 12 points per year. Part-time service shall be credited in the proportion that the service bears to full-time employment.

1. Method of Crediting Service Prior to the September, 1978 Pay Period and After the September, 1978 Pay Period.

In computing seniority for past service (prior to the September, 1978 pay period), all time served without a permanent break in service will be counted, including leaves with and without pay, sick leave, etc., except for nonindustrial disability leaves which are excluded by law.

Leave without pay granted after September 30, 1978, for military leave, maternity leave and industrial disability leave will be counted. Nonindustrial disability leave, educational leave and other personal business leave will not be counted toward seniority.

2. Method of Calculating Time Served Prior to the September, 1978 Pay Period and After the September, 1978 Pay Period.

In calculating seniority for past service (prior to the September, 1978 pay period) of academic year, 10-month and fiscal year employees, 12 points will be credited for a year of service, on the basis of one point per month for 12-month employees, 1.2 points per month for 10-month employees, and in no case more than 12 points per year. This time is computed starting from the date of appointment to the same date in the following month.

Beginning with the September, 1978 pay period, a new method of calculating seniority shall be used:

- a. For fiscal year employees, one point will be credited only for service in a "qualifying pay period", i.e., any pay period in which an employee is in pay status for eleven or more working days. If this method of calculation results in a tie in seniority points, the earlier appointment to the campus in an academic rank position or the class shall establish precedence.
- b. For all 10-month employees, 1.2 points shall be credited per "qualifying pay period" (as defined in "a" above).
- C. If a class has been abolished, or the use of the class has been restricted, and a new one established in its place, all time in the prior comparable class shall be counted as service in the new class.
- D. No seniority credit is given for service on another campus, except as provided in Education Code Section 89545.\*\*

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\*\*An exception exists in Section 89545 of the Education Code which provides that an employee who transfers from an existing CSUC campus to a newly established CSUC campus before or during the first academic year of the new campus shall be entitled to add the seniority credits accumulated at the existing campus to the credits earned at the new campus. In addition, any employee transferring from an existing CSUC campus to a newly established CSUC campus, which initially offers only off-campus instruction before or during the first three academic years of the new campus, shall be entitled to add the seniority credits accumulated at the existing campus to the credits earned at the new campus.



- E. Under certain circumstances, service in the Chancellor's Office shall be counted by the campus for those employees who have or had retreat rights to the campus.
- F. Service in academic-administrative or executive assignments shall be counted as service in the Teaching Service Area (TSA), or the class in which the employee is earning credit for, or has acquired tenure or permanent status.

In determining the order of layoff, an individual serving in an academic-administrative or executive class while remaining on the seniority list for the appropriate TSA, or classification, would in the event of layoff in the TSA, or classification, be skipped and the next least senior employee would be laid off.

When an individual intends to return to a teaching position in a TSA or to a classification from an academic-administrative or executive assignment, seniority points shall be compared with the seniority standing of others in the TSA or classification both currently employed and on the reemployment list. If there has been retrenchment in the TSA or classification to which the individual intends to return, it is possible that others in the TSA or classification with less seniority might be subject to layoff or that individuals on the reemployment list for that TSA or classification with more seniority would first have to be offered the position.

Individuals in academic-administrative or executive assignments who have tenure or permanent status in a TSA or class, shall be notified of any impending layoff in that TSA or class, and the employees' relative standing on the seniority list for that TSA or class.

- G. Service in the Office of the Chancellor by those who have or had retreat rights on campus shall be considered in calculating seniority and determining order of layoff in accordance with the procedure outlined in item "F" above for academic-administrative or executive assignments.
- H. Seniority must be calculated for each employee based on the class to which the employee is appointed and paid, regardless of the nature of the assignment. For example, an employee doing administrative work appointed to Instructional Faculty - 12 Month, Class Code 2361 is an academic employee, and therefore the seniority must be calculated in accordance with the procedures applicable to academic personnel.
- I. Those employees who moved from the California State Board of Education on June 30, 1961, to a campus without a break in service shall be credited with time spent in the employment of the Board of Education when computing seniority for total service on campus. The seniority computations must be in accordance with all other provisions of the Education Code and its policy.

VI. BREAKING TIES IN THE ORDER OF LAYOFF FOR STAFF AND ADMINISTRATIVE EMPLOYEES

When two or more permanent employees in a class are tied for a place in the order of layoff, the President or his designee shall apply the following tie-breaking procedures to determine which employee(s) shall be laid off:

- A. If there is underutilization of women or minorities in the class being laid off the University's affirmative action commitment shall be honored.
- B. If there is no underutilization in the class where the layoff is occurring the employee who has the most total employment at CSULB, including time as a temporary or part-time employee, will be retained.
- C. If there is still a tie then the choice will be made by program need and specialty needed as determined by job description of the position remaining after the layoff determination is made.

VII. DEMOTION OR TRANSFER IN LIEU OF LAYOFF

- A. A nonacademic, administrative, or academic closely-related employee who elects in lieu of layoff, demotion or transfer to any class in which the employee has served as a permanent employee, or to any vacancy for which the employee is qualified, under current law:
  - 1. Shall have seniority score recomputed on the basis of the class to which the employee is moving. The ranking on that seniority list is determined by this seniority score;
  - 2. Shall receive the maximum on the salary range of the class to which the employee is demoted, provided that such salary is not greater than the salary he/she received at the time of the demotion or transfer;
  - 3. Does not have reemployment rights accorded laid off employees but does have reappointment rights (see Section XII).
- B. An employee electing demotion or transfer in lieu of layoff shall notify the President in writing of the election within five calendar days after receipt of the notice of layoff.

VIII. SPECIAL DEMOTION OR TRANSFER PROCEDURES

Special demotion and transfer procedures are established for employees whose seniority standing is affected by a reclassification from a general class (such as Equipment Technician II) to a newly established class in the same class series. These procedures have been developed to preserve certain



rights and service credits of such individuals in the event of layoff. The special procedures are included in Appendix B.

IX. NOTICE OF LAYOFF

An employee who is to be laid off shall receive a notice of layoff, signed by the President. The notice shall include the effective date of the layoff and the rights and options of the employees.

The length of the notice period may depend upon the conditions which required the layoff. In general, unless there are special circumstances, the notice period will not be less than 30 days. Those who may be laid off because of curricular shifts or program changes which can be anticipated will normally be notified one year in advance.

X. REEMPLOYMENT RIGHTS

- A. The names of laid off permanent/tenured employees shall be entered on a Reemployment List, in seniority order, by class or teaching service areas, corresponding to the class or teaching service area from which they were laid off.
- B. The name may remain on the Reemployment List until the employee returns to a position in the same TSA or class held at the time of layoff. In no case may a name remain on the Reemployment List for more than five years. The conditions regarding declinations of offers of reemployment and other obligations of an employee who is on a Reemployment List are set forth in Appendix B.
- C. The campus shall not fill a vacancy in a class or teaching service area for which there are names of qualified individuals on its Reemployment List without first making an offer of reemployment to those on the list.
- D. An employee reemployed under these conditions shall retain tenure rights, service credit (subject to retirement system regulations), salary steps, sick leave credits, and seniority credits held at the time of layoff.

XI. REEMPLOYMENT OPPORTUNITIES

A. Permanent or Tenured Employees

Those individuals who are on Reemployment Lists shall be notified of vacancies on other campuses in the Teaching Service Area (TSA) or class from which they were laid off. They may then have the opportunity to apply for and be considered for filling a comparable vacancy on the other campus.

The Chancellor's Office will establish a clearing house and a system for advising individuals who have been laid off, and who wish to be notified of opportunities at other campuses or in the Chancellor's Office.

No campus may fill a vacancy without first ascertaining whether there are individuals on Reemployment Lists for the TSA or class on other campuses or in the Office of the Chancellor who wish to apply for the vacant positions.

B. Probationary Employees

Probationary employees have no mandatory reemployment rights. It is suggested that campuses provide assistance in placing laid off probationary employees in other jobs and notify them, at their request, of future vacancies on campus for which they are qualified.

In addition, since Title 5, Section 43566, includes a provision in which academic employees who do not receive tenure at a particular campus may request the Chancellor's Office to circularize their availability among other campuses, the Chancellor's Office will extend the same opportunity to laid off probationary employees.

XII. RIGHTS OF EMPLOYEES WHO ELECTED DEMOTION OR TRANSFER IN LIEU OF LAYOFF

The names of employees who elected demotion or transfer in lieu of layoff shall be entered on a Reappointment List by class or TSA corresponding to the class or TSA from which they moved.

The names shall be maintained on that list for five years or until the employees are reappointed to their former class or TSA, whichever occurs first.

The campus shall not fill a vacancy in a class or TSA for which there are names of qualified individuals on the reappointment list, to whom the position may be offered, provided that there is no one available from the reemployment list. If there is no acceptance of the vacancy by anyone on either list, then the vacancy may be filled through normal procedures, including the procedure in XI., A.

XIII. RECORDS

All records and work papers used in determining seniority lists, reemployment lists, reappointment lists and other records supporting the implementation of the layoff shall be retained by the campus for post-audit.

XIV. LUMP SUM PAYMENT UPON SEPARATION FROM SERVICE

Any accrued vacation and/or overtime is paid for in lump sum at the time of layoff.

Effective: Immediately

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3/29/79





## APPENDIX A

### Discussion of Terms

#### Lack of Funds or Lack of Work

Although it may be obvious that a layoff is required by lack of funds or lack of work, there may be instances when it is difficult to distinguish whether the basic reasons for the termination of appointment is lack of funds or lack of work, or both.

Nonetheless, some basic distinctions are possible, and useful in planning what actions to take.

Lack of Work is a situation in which there is a decrease in, or elimination of, the need for personnel services in an academic department or administrative unit on the campus, or in the Chancellor's Office. Lack of work may be the result of a variety of factors such as a decline of student enrollment in a particular TSA or the need for resources in other programs of higher priority or greater demand, the mechanization of a function or the elimination of functions or positions through reorganization. Or lack of work may be the result of a judgment by the campus President, after appropriate consultation, that a particular academic program should be reduced or eliminated for academic reasons not necessarily related to budget or demand, such as the loss of accreditation, changing curricular priorities or the need to maintain a viable and balanced academic program in the University or College as a whole. Lack of work is essentially characterized by the fact that a particular service or function is no longer required; or, in view of academic priorities or according to established workload or budget formulas, should be performed by fewer persons than are currently assigned to perform that particular service or function. Lack of work thus leads to a decision to reduce, transfer or eliminate personnel funds or positions previously allocated to those departments or units.

Lack of Funds is a financial situation in which the campus (or Chancellor's Office) budget is not sufficient to meet its current or projected expenses. This fiscal situation may be the consequence of general or specific budget cuts imposed on the campus by the Governor or Legislature, or by the Office of the Chancellor. Or it may be the result of inflation, unanticipated costs or other fiscal circumstances which render a campus incapable of meeting expenses with its budgeted resources. Lack of funds is essentially characterized by the fact of its origin in budget cuts imposed on the campus from above, or its origin in the campus' overall fiscal condition as distinguished from its assessment of particular program need or priority. Lack of funds thus leads to a decision to reduce, transfer or eliminate personnel funds or positions previously allocated to particular academic departments or administrative units as necessary or reasonable means to resolve that general fiscal condition.

Class of Positions: A class is a group of positions sufficiently similar with respect to duties, responsibilities, and qualifications that the same title and tests of fitness may be applied. All classes are listed in the CSUC Salary Schedule and are generally designated by a four-digit code. Ranges within a class are considered part of that class.

In some instances it has been necessary to identify a class by more than one four-digit code because of limitations in the automated pay system.

\*Classes identified with more than one four-digit code are:

	<u>Code</u>
Medical Officer I	7727 & 7728
Medical Officer II	7725 & 7726
Medical Officer III	7723 & 7724
Physician I	7729 & 7730
Pharmacist	7791 & 7792
Registered Nurse I	8150 & 8151
Registered Nurse II	8153 & 8154
Registered Nurse III	8156 & 8157
Registered Nurse IV	8159 & 8160
Nurse Practitioner	8165 & 8166
**Assistant Librarian	2915 & 2921
**Senior Assistant Librarian	2916 & 2922
**Associate Librarian	2917 & 2923
**Librarian	2918 & 2924
Associate Director of the Library	2910 & 2925
Librarian	2919 & 2920

\*This list is effective as of October, 1978. The list will be updated as required and in the future these classes will be listed in the CSUC Salary Schedule.

\*\*These classes are replaced by the 1978 Librarian Personnel Plan.

	<u>Code</u>
Student Affairs Assistant I	2652 & 2653
Student Affairs Assistant II	2654 & 2655
Student Affairs Officer III	2656 & 2657
Student Affairs Officer IV	2658 & 2659
Student Affairs Officer V	2660 & 2661
Counselor	2341 & 2342
Counselor & Test Officer	2343 & 2344
Housing Coordinator	2339 & 2340
Placement Officer	2345 & 2346
Test Officer	2349 & 2350
Vocational Instructor	2462, 2463 & 2464
Publications Manager	2347 & 2348
Instructional Faculty	2360, 2361 & 2399
Lecturer	2358 & 2359
Coach	2376, 2377 & 2378
Coaching Assistant	2382, 2383 & 2384
Coaching Specialist	2379, 2380 & 2381
Head Coach	2373, 2374 & 2375
Director of Athletics	2370, 2371 & 2372
Resident Director, International Programs	2320 & 2321
Grant Related Instructional Faculty	2387 & 2388

A job category code is also listed with the CSUC Salary Schedule for each class and indicates whether the class is academic, academic closely related, administrative, non-academic, executive, or is an academic-administrative assignment.

Class of equal rank is a class which has a maximum salary of not more than  $\frac{1}{2}$  step (approximately 2½%) above or below the maximum salary of the employee's current class.

Class of higher rank is a class which has a maximum salary more than  $\frac{1}{2}$  step (approximately 2½%) above the maximum salary of the employee's current class.

#### Academic Employee

Instructional Faculty: An employee engaged primarily in instruction who is employed and compensated on the basis of rank. Such employees are assigned one or more teaching service area designations. See Title 5, 42700 (1)

Academic Closely Related Employee: An employee engaged in professional activities very closely related to academic activities, such as a librarian and student affairs officer. See Title 5, 42700 (1).

Administrative Employee: An employee engaged primarily in one or a combination of professional or quasi-professional activities, such as accounting, auditing, budgeting, plant management, facility planning, management and systems analysis, personnel administration, medicine, and law. See Title 5, 42700 (m).

Academic-Administrative Assignments: A work assignment filled by an academic or administrative employee when serving in a key administrative capacity, such as Dean, Vice President, Program Director, etc. Tenure does not apply to academic administrative assignments. Persons serving in such assignments retain tenure rights already earned either as academic or administrative employees, or may gain tenure in either the academic or administrative category, depending upon their qualifications and service. See Title 5, 42700 (p).

NonAcademic Employee: An employee who provides support services such as secretarial, clerical and maintenance which does not involve administrative or management responsibilities. See Title 5, 42700 (o).

Teaching Service Area: A TSA is a designation which represents distinct curricular subdivisions and reflects discrete faculty competencies. The President, after appropriate consultation, designates TSAs, assigns each instructional faculty member to one primary TSA and may assign each instructional faculty member to one or more secondary TSAs. See Title 5, Sections 42700 (y) and 42704.

These designations should be made in advance of the need for layoff, and shall be made a matter of record for all academic employees, and if possible, included as part of appointment letters for new academic employees. TSA designations and assignments should be kept current, as required by Title 5, Section 42704.

Secondary TSAs: The provision for assigning more than one TSA was an outgrowth of the report of the 1974 Steady State Task Force. The statement quoted below was accepted by the Trustees as governing the implementation of Section 42704 of Title 5.

"As an alternative procedure to the current Title 5 provision, the Committee recommends that multiple TSAs be established for faculty members, where appropriate, as systemwide policy. When multiple TSAs are designated for a faculty member, one of these shall be declared 'primary' and the others 'secondary.' A request for designation of a secondary TSA, or for the designation



of a new primary TSA, may be initiated either by the faculty member or the institution. Except in the case where TSA categories are redefined as a result of the review prescribed above,\* such a change may be made only with the faculty member's consent. Initial designations of redefined TSAs shall be made administratively after consultation with the faculty member. An individual will normally be assigned to the academic department within which his or her primary TSA falls, and will normally receive teaching assignments in that TSA unless 1) he or she is invited to teach, and consents to the assignment, in a secondary TSA; or 2) his or her position is jeopardized by layoff, in which case he or she may elect assignment in one or more of his or her secondary TSAs, even if such assignment may displace a tenured faculty member with less seniority who holds tenure in the TSA as a primary TSA. Unless his or her own position is jeopardized by layoff, an individual may not be assigned to a secondary TSA if such an assignment will force displacement of another faculty member teaching in his or her primary TSA."

Service Area Designations: A designation used for academic rank employees who have not in the past been assigned a teaching service area. The service area designation shall be used in lieu of a TSA for such academic rank employees as a means to identify special functions and programs which do not meet the criteria for assignment of TSAs. Examples of Service area designations are "Audio Visual Services," "Publications."

Some academic rank classes identify by title particular functional or program areas, e.g., Vocational Instructor (Building Coordinator) or Counselor. Such titles shall be considered Service Area Designations and used in lieu of TSAs.

Days/Calendar Days: As used in these procedures, "days" and "calendar days" are interpreted to have the same meaning.

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\*This refers to statements in the 1974 Task Force Report regarding periodic program review conducted to evaluate continued need for and viability of programs, as well as program changes resulting from shifts in student demand, either of which might result in redesignated TSAs.

Transfer: As used in these procedures, the term transfer refers to a movement from one position to another position in the same class or to a class of equal rank.

Demotion: As used in these procedures, the term demotion refers to a movement from a class to a class of lower rank.

Vacant Position: As used in these procedures, a position is vacant if the appropriate campus authority has authorized recruitment to fill the position. An unfilled position for which recruitment has not been authorized is not a vacant position.

Permanent Break in Service: As used in these procedures, a permanent break in service normally occurs when an individual is permanently separated from employment as a result of a voluntary resignation, rejection during probation, a disciplinary dismissal, termination of a temporary appointment (provided the individual does not have retreat rights which are exercised), an automatic resignation or service retirement.

Period of Continuous Service: As used in these procedures, period of continuous service means a period of service which is not interrupted by a permanent break in service as defined above. An exception occurs when faculty who teach each semester or quarter within the academic year are for fiscal convenience, permanently separated during a non-work period (e.g., between academic years). It should be noted that at QSYRO campuses it is only necessary to be in compensated employment three out of four consecutive quarters to complete an academic year.

Interruption in Service: An interruption in service is used interchangeably with a "permanent break in service," as defined above.

Reemployment List-Reappointment List: A reemployment list contains the names of permanent employees who have been laid off from a class and who have statutory rights for reemployment in that class. A reappointment list is a list of permanent employees who because they elected demotion or transfer in lieu of layoff from a class in which they held permanent status were not entitled to reemployment rights.

Employees on each list shall be ranked in seniority order. The employee with the most seniority points shall be first on the list and the employee with the least seniority last on the list. Acceptance or refusal of temporary full-time or part-time employment in the class does not affect the employee's position on the reemployment list or the reappointment list.

## APPENDIX B

### Special Demotion or Transfer Procedures

The following procedure was developed to protect individuals who, when classified in a general class (such as Equipment Technician II), have worked in one or more specialized areas of that class and who subsequently have been reclassified to specialized classes (such as Equipment Technician II, Electronics) when such classes have been established. The procedure is intended to continue certain rights and credits earned in the general class and to recognize cases where the individual served in more than one specialization in the general class.\* Such employees shall have the following rights in the event of layoff.

At the time an employee is converted to a new specialized class, the campus, after appropriate consultation, shall determine whether the employee, during the immediately preceding five-year period, had been assigned for a substantial period of time (at least 50 percent or more time in one year) to one or more specializations other than the specialization of the position to which the employee has been reclassified. If it is determined that the employee has had such assignments, then one of those specializations shall be designated by the campus, after appropriate consultation, for retreat rights and so recorded in the employee's personnel file. In the event the employee is notified that he/she is to be laid off, the employee shall have the following options for a period of five years following the date of reclassification to the new specialized class:

1. The right to retreat to a lower level position in the specialization of the class to which he/she is currently classified, provided he/she had permanent status at that lower level in the general class;  
or
2. The right to move to an equivalent or lower level position in the class of the specialization designated for retreat rights, provided he/she had permanent status at the equivalent or lower level position in either the general class or the specialized class to which he/she had been assigned;  
or
3. The right to move to an equivalent or lower level position in the general class, if it has not been abolished, provided that the employee has had permanent status at the equivalent or lower level in the general class.

\*See Technical FSA Letter, PCOS 6110, 78-17, Supplement #1.



An employee who was reclassified to a specialized class and maintained retreat rights to a different specialized class, shall retain those rights even if he/she moves to a third specialized class within the five-year period following the original reclassification to the new specialized class.

In addition to these special rights, employees retain the rights of demotion or transfer to any class in which they have had permanent status, in accordance with Sections 89555 (a) (b) (c) of the Education Code.

Employees initially appointed to the specialized class shall not be covered by these special demotion and transfer procedures.