

2017 Civil Service Employment Rules - Proposed Amendments

Revised: October 5, 2017

Amendment #1. The Classification Plan is now referred to as Position Classification Process and references to Job Evaluations Questionnaires (JRQ/JEQ) are updated to the current process and renumbering of the section.

4.1 Preparation of the Position Classification Plan

The Vice President shall classify all Civil Service positions in the ~~University Civil Service System~~ according to the nature and scope ~~difficulties~~ of duties and responsibilities assigned to and performed by the employees appointed to such positions and shall assign to each position a classification title, number, and salary range.

4.2 Job Evaluation Questionnaires-Position Classification Process

4.2.1 Employees may submit, through supervisory and administrative channels, ~~properly completed updated Position Descriptions job evaluation questionnaires~~ when changes in the tasks, duties, and responsibilities of their position have occurred due to reorganization of work, staffing requirements, ~~or~~ technology, or when they believe their positions are inappropriately classified.

4.2.2 A ~~reclassification~~ review of any position can result in no change, a promotion, demotion, or change to a different classification which does not constitute a promotion; or demotion ~~(see definitions); or no change in classification~~. No probation is required after a reclassification unless requested by the supervisor and approved by the Vice President.

4.2.3 The reclassification of any position shall be made effective on the first day of the payroll period after the employee submits a signed and dated JRQ/JEQ Classification Review Request form, which includes an updated Position Description, to their immediate supervisor.

4.2.4 Reclassifications resulting in a demotion and reduction in salary will be made effective the first payroll period following notification of the decision by the Office of Human Resources.

4.2.5 The ~~questionnaire~~ Position Description shall be forwarded for review and classification signature within ~~periods of no more than five work~~ seven calendar days to each designated administrative level starting with the immediate supervisor and ending with the appropriate human resources office. ~~Copies of the completed questionnaire will be sent to the employee and the responsible administrator when a final version of the questionnaire has been determined.~~

4.2.6 A supervisor cannot change, or require the employee to change, the employee's content within the Position Description. ~~responses on the questionnaire~~ However, managers are able to provide, either verbally or in writing, any differing opinions about the employee's job duties.

4.2.7 The Office of Human Resources ~~appropriate human resources office~~ shall make a determination on the classification rule on the requested reclassification within ~~25 workdays~~ 35 calendar days after receiving the Position Description questionnaire and shall convey the decision in writing to the employee and the responsible administrator, who is expected to implement the decision ~~comply with the ruling~~.

4.2.8 The ~~decision of the Office of Human Resources~~ appropriate human resources office's decision may be appealed by the employee within ~~21~~ 45 calendar days after receiving the decision. Appeals must be made in writing to the ~~Office of Human Resources and a facilitated discussion will be scheduled to review the classification and come to a final decision.~~ Consultative Committee. Please refer to the ~~classification appeal process found here:~~ http://www1.umn.edu/esc/esdocuments/Final_JEQ-JRQ-Appeal-Proc.pdf.

4.3 Periodic Surveys Manager-Initiated Reclassification Reviews

4.3.1 An administrator or supervisor initiates a review of a Civil Service position within a unit by completing a ~~Periodic Survey Classification Review Request form,~~ which includes an updated Position Description. Reclassifications resulting from the ~~Periodic Survey Manager-Initiated Reclassification Review~~ will become shall be made effective on the first day of the pay period mutually agreed to by the appropriate human resources office and the administrative unit, and will be specified in writing.

4.3.2 The decision of the ~~appropriate human resources office~~ Office of Human Resources may be appealed by the manager and/or employee within ~~21~~ 45 calendar days after receiving the decision. Appeals must be made in writing to the ~~Consultative Committee~~ Office of Human Resources and a facilitated discussion will be scheduled to review the classification and come to a final decision.

4.4 Maintenance of the Classifications Plan

4.4.1 The creation of new job classifications, the elimination of obsolete ones, and changes in titles or pay ranges of existing classifications shall be recommended by the Vice President for review by the Consultative Committee and approved by the University administration.

4.4.2 ~~In cases of emergency, the Vice President may establish a job classification on a provisional basis, assign it to an appropriate salary range, and approve the appointment of individuals to positions in the classification until the classification and salary range can be reviewed by the Consultative Committee and approved by the University administration.~~

5.2 Salary Range Changes

5.2.1 ~~The Vice President shall consider all written requests for changes in salary ranges from employees, supervisors, and responsible administrators. The Vice President shall notify all affected parties of the decision for or against a change. The Consultative Committee shall review and the Vice President shall approve any proposed recommendations regarding salary range changes. Salary increases commensurate with the amount of the range adjustment shall be given to employees in job classifications that are affected, except where documented performance or documented funding considerations warrant withholding part or all of the increase or where such range adjustments are made for administrative purposes to improve the salary structure.~~

5.2.2 ~~The Vice President's decision may be appealed by the employee within 45 calendar days after receiving the decision. Appeals must be made in writing to the Consultative Committee.~~

Amendment #2. Rule 5.3.2 Compensation Policies references Rule 6.6 and there is no Rule 6.6. Also, section requires renumbering due to 5.2 removal in amendment 1.

5.3 5.2 Compensation Policies

5.3.1 5.2.1 The Vice President shall establish compensation policies for the regulation of salary increases, hiring rates, on-call rates, augmentation rates, in-range adjustments, outstanding achievement awards, and salary changes in cases of promotion, demotion, transfer, reinstatement, shift differential, and return from

leaves of absence. Administrative units have full managerial discretion within the framework of the policies except for the following:

~~5.3.2~~ 5.2.2 No one can be hired above or below a salary range, except that trainees must be hired below the salary range (Rule ~~6.6~~ 6.5.2)

~~5.3.3~~ 5.2.3 Promoted employees (see “Definitions” and Rule 4) must receive a minimum salary increase of four percent unless that increase would:

- a) place the salary below the minimum salary or
- b) place the salary over the maximum of the range of the higher level classification.

~~5.3.3.1~~ 5.2.3.1 If the minimum increase of four percent does not bring the salary to the minimum salary of the higher classification, then the employee must receive whatever percent increase is necessary to reach the new base.

~~5.3.3.2~~ 5.2.3.2 If the four percent increase places the salary over the maximum, then the employee's salary shall be set at the maximum of the range of the higher level classification.

~~5.3.4~~ 5.2.4 Employees who have been demoted and who have:

- 1) not experienced reductions in salary as a result of the demotions, and
- 2) who are subsequently promoted to classifications at or below their former salary ranges (but not below the minimum salary of the classifications in which they have been promoted), shall not receive a promotional salary increase without the approval of the Vice President.

~~5.3.4.1~~ 5.2.4.1 If, however, the employees' salaries are below the minimum salary of the classifications to which the employees have been promoted, the employees must receive the minimum salary of the higher classification (see “Definitions” and Rule 4).

~~5.3.5~~ 5.2.5 An employee who is demoted (see “Definitions” and Rule 4) shall be paid at or below the maximum of the salary ranges for the job classification into which the employee is being demoted. Depending upon administrative unit discretion, the salaries within the range after demotion should reflect the employee's experience and performance. The salary may not, however, exceed the employee's salary before the demotion.

~~5.3.6~~ 5.2.6 Employees who transfer (see “Definitions”) may receive an increase in salary over their former salary. If the beginning rate for the new position is higher than the rate the employee was at in the former position, the employee's salary shall move to the beginning rate for the new classification. Conversely, if the employee's salary in the former position exceeds the maximum of the range for the new position, the employee's salary must be decreased to the maximum of the range for the new position.

~~5.3.7~~ 5.2.7 Employees returning from unpaid leaves of absence shall be compensated at the same rate of pay they received when the leaves commenced plus any non-discretionary increases which became effective during the time of the leaves. For increases requiring a specific length of service in order to be eligible for consideration, the period of the leave of absence is not counted toward eligibility. However, if employees gain additional experience or education that is relevant to their work during the leaves of absence, the time of the leaves may, at the administrative unit's discretion, be counted toward eligibility for discretionary increases.

5.3.8 5.2.8 Employees shall receive on-call (~~see definition~~) and augmentation pay, as provided for by University policy (see OHR web site and refer to Civil Service pay plan). Employees shall also be provided with off-cycle checks under the circumstances specified by University policy.

5.3.9 5.2.9 An employee who performs work in a higher classification for longer than five consecutive workdays shall receive a temporary salary augmentation during the remainder of the time the employee works out-of-class. The augmentation must be a minimum of four percent of the employee's current hourly rate, or the percent of the employee's current hourly rate necessary to reach the minimum rate of the higher classification, whichever is greater. Any overtime shall include the augmentation. If the responsibilities of the higher classification become permanent duties of the employee, that employee has the right to submit an updated Position Description for possible reclassification a job a JEQ/JRQ questionnaire.

Amendment #3. Vacation accruals

Information for Civil Service Employees regarding the Changes to Rule 11 Vacation from Patti Dion, Office of Human Resources.

The Office of Human Resources is proposing changes to Civil Service Rule 11, Vacation.

1. The current rules provide for employees to move to a higher vacation earning rate when they reach higher years of service: 6, 9, 13, 21, 26 and 31 years of service. The rules currently define a year of service as 2080 hours. The rule change would define a year of service as a 12-month period of time. No employee will be negatively impacted and some employees will move more quickly to higher levels of vacation earnings.
This change positively impacts
 - All employees who earn vacation and take an unpaid leave of absence.
 - Part-time employees (those working between 50%-99%).
 - All employees who are 50% - 100% and have 9-month, 10-month or 11-month appointments.
 - The unpaid time will now count toward the years of service.
2. With the move to PeopleSoft 9.2, use of leave is rounded to the nearest quarter hour rather than a tenth of an hour. This means that employees will not have any vacation and sick leave deducted from their bank until they report 8 minutes. When they report 8 to 15 minutes they will have 15 minutes deducted.
3. Language is updated to direct employees to the MyU to see their vacation and sick leave balances without requesting reports.
4. The University no longer has regular work schedule of 5 ½ or 6 day work weeks. So the language is no longer relevant.
5. Renumbering the rules.

PROPOSED RULE CHANGES

11.2.3 Use of vacation leave, sick leave, and accumulated overtime or holiday leave shall be charged in units of one ~~tenth~~ quarter hour rounded to the nearest ~~tenth~~ quarter hour.

11.2.4 When eligible, an employee shall earn vacation and sick leave during a paid leave of absence.

11.2.5 ~~Employees have the right to receive from their administrative unit a report of their vacation and sick leave accumulations.~~ Employees can access their vacation and sick leave accumulations on MyU at <https://www.myu.umn.edu>.

11.3 Vacation

General Provisions for Vacation Leave

11.3.1 Full- and part-time Civil Service employees on continuing or temporary appointments who are employed in one administrative unit on a prearranged and assigned schedule of 50 percent time or more shall earn vacation with pay at the following rates:

Vacation accrual based upon straight time paid work hour

*Accrual rate does not include V-classification and/or sick leave accumulation credit

Years of University Service	Minutes of vacation leave earned per straight-time paid work hour	*Accrual rate	*Vacation leave earned per pay period if you work 40 hours/week	*Days of vacation earned per year based upon 26 pay periods of full-time employment
0-5	3.000 minutes	.05	4.0 hours	13 days
5+ to 8	3.750 minutes	.0625	5.0 hours	16.25 days
8+ to 12	5.250 minutes	.0875	7.0 hours	22.75 days
12+ to 20	5.650 minutes	.094167	7.53 hours	24.483 days
20+ to 25	6.000 minutes	.10	8.0 hours	26 days
25+ to 30	6.375 minutes	.10625	8.5 hours	27.625 days
30+ or more	6.750 minutes	.1125	9.0 hours	29.25 days

- a. ~~3.00 minutes of vacation leave accumulation for each straight time paid work hour during the first 10,400 hours of continuous service (equivalent to five years of full-time employment);~~
- b. ~~3.75 minutes of vacation leave accumulation for each straight time paid work hour from 10,401 through 16,640 hours of continuous service (equivalent to six through eight years of full-time employment);~~
- c. ~~5.25 minutes of vacation leave accumulation for each straight time paid work hour from 16,641 through 24,960 hours of continuous service (equivalent to nine through twelve years of full-time employment);~~
- d. ~~5.65 minutes of vacation leave accumulation for each straight time paid work hour from 24,961 through 41,600 hours of continuous service (equivalent to 13 through 20 years of full-time employment);~~
- e. ~~6.00 minutes of vacation leave accumulation for each straight time paid work hour from 41,601 through 52,000 hours of continuous service (equivalent to 21 through 25 years of full-time employment);~~
- f. ~~6.375 minutes of vacation leave accumulation for each straight time paid work hour from 52,001 through 62,400 hours of continuous service (equivalent to 26 through 30 years of full-time employment); and~~
- g. ~~6.75 minutes of vacation leave accumulation for each straight time paid work hour for more than 62,401 hours of continuous service (equivalent to 31 years of full-time employment).~~

~~11.3.2 A year of continuous service shall consist of 2,080 straight-time paid work hours. Years of employment is based upon the employee's anniversary hire date. If there is a gap in employment, years of employment is based upon the accumulated time of service.~~

11.3.3 Vacation leave accumulated for any one pay period becomes available for use during the same pay period.

11.3.4 When eligibility for a higher vacation accumulation rate occurs within a pay period, the extra vacation allowance starts the following pay period.

~~11.3.5 Employees who at the University's request regularly work a five and one-half or six-day week shall earn an extra .75 minutes per straight-time paid work hour of employment.~~

~~11.3.6 Each year of continuous employment shall be extended by adding to such periods the number of workdays the employee has been absent without pay.~~

~~11.3.7~~ 11.3.5 Employees may request vacation time subject to the convenience of the administrative unit concerned. Within an administrative unit, choice of available vacation time shall be determined by unit seniority.

~~11.3.8~~ 11.3.6 If an employee must be called in to work while on approved vacation leave, the employee must be paid one and one-half times that employee's regular rate for the hours worked.

~~11.3.9~~ 11.3.7 Full-time employees in those supervisory and professional classes of work designated by V after the job classification number shall accumulate an additional 1.385 minutes of vacation time (in lieu of overtime) for each straight-time paid hour of service.

~~11.3.10~~ 11.3.8 Part-time employees in V-classifications will be paid straight-time hours for all hours worked above their percent appointment up to a maximum of 40 hours per week. If the employee works more than 40 hours per week, they will be compensated in pay or compensatory time at time and one-half pay for all hours worked over 40.

~~11.3.11~~ 11.3.9 The maximum amount of accumulated vacation time may not exceed the amount of vacation time that may be earned within two work years.

Amendment #4. Remove gendered terms.

7.6.8 If the prior position was a temporary position the employee held for more than two years, there will be right of return; but if the prior position is now on temporary status, the employee will lose ~~his or her~~ continuing status upon return to that position. The employee shall notify the responsible administrator in charge of the prior position of intent to return to the prior position by the termination date of the currently held probationary position, and return to the prior position shall be within 10 workdays after notification. If the employee does not choose to return to the prior position under these circumstances, there will be right of placement on the layoff list provided the employee notifies the prior appropriate human resources office by the termination date of the probationary position of intent to be placed on the layoff list.

11.4.3 Any employee who is about to lose vacation because ~~he/she has~~ they have been denied a vacation request made in accordance with an administrative unit's leave policy and will reach the maximum accumulation, shall be entitled to take up to one week of vacation to prevent loss of vacation earned upon advance notice of seven (7) calendar days to their supervisor, or shall be allowed to cash out up to (1) one week of vacation earnings based upon percent time of appointment.

Definitions:

Bumping. Seniority-based process by which one employee may take the job of another in order to avoid layoff. A Civil Service employee may bump only within ~~his/her~~ their own seniority unit.

Amendment #5. Reference to sexual harassment changed to sexual misconduct and definition of sexual harassment removed. The Board of Regents policy will supercede the CS Rules. The Administrative Policy and Board of Regents Policy are proposed to be changed to: Sexual Harassment, Sexual Assault, Stalking and Relationship Violence. If the board approves the policy in October, both policies will undergo the 30-day posting period and become effective on or before January 1.

Definitions:

~~Sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.~~

13.1.2 Supervisors must make a record of disciplinary action except for oral warnings, with a copy to the official personnel file and a copy to the employee. Disciplinary actions entered into an employee's Human Resources file shall be removed from departmental files after one calendar year, if no further disciplinary actions have been taken during that year. Records of suspension shall be retained in the official personnel file for eighteen (18) months, with the exception of suspensions for issues related to sexual or racial ~~harassment, misconduct~~ which shall be retained in the employee's official personnel file for five (5) years; and physical abuse or violence which shall remain in the employee's official personnel file with the totality of the circumstances retained.

Amendment #6: Voting language change to reference Minnesota Statute.

11.10 Leaves of Absence With Pay

11.10.1 Upon request an employee shall be granted a leave of absence with pay for:

11.10.1.1 service on a jury provided the employee is regularly employed at a designated percentage of time of 50 percent or more. An employee serving on a jury is expected to report for work during any work hours when the jury is recessed. The employee may be requested to render some additional services to the administrative unit in order to minimize the interruption of service caused by this absence.

11.10.1.2 voting in any state-wide general or state-wide primary election, or in an election to fill a vacancy in the office of U.S. President, U.S. Senator or U.S. Representative during the election day pursuant to Minnesota Statute 204C.04.

Amendment #7: Clarify use of sick leave for University Wellbeing Program

11.5.12 Accumulated sick leave of up to 16 hours per year can be used by an employee to participate in a personal health maintenance program and/or University Wellbeing Program activity (e.g., weight control, stress management, stop smoking, biometric screening). An acceptable program is one which is sponsored by, offered by, or accepted by health, medical and fitness/wellness professionals as a health maintenance program and/or an activity of the University Wellbeing Program. Supervisory approval is needed to schedule sick leave for such purposes.

Amendment #8: Housekeeping to update language for new business process of posting to the website and reference location for finding the information rather than links that can expire or change.

1.3.2 Public hearings are required before Rules amendments are proposed to the President. Notice of intention to amend the Rules specifying the date, hour, and place of the hearings shall be published ~~in campus publications~~ on the University Senate website and the Office of Human Resources website not less than 14 days before said hearing.

1.3.3 Proposed revisions will be made available at least seven days before the public hearings on the on the University Senate website and the Office of Human Resources website not less than 14 days before said hearing. ~~Office of Human Resources worldwide web home page currently at <http://humanresources.umn.edu/> or through the Office of Human Resources~~

Amendment #9: For clarity, add a reference to the Definitions near the beginning of the Rules and remove references in the language to ‘see definitions’.

1.1.4 For the purposes of this document all the terms defined in the appendix “Definitions” have the meanings given them unless otherwise stated.

1.2 Application of the Rules

The Civil Service Employment Rules cover all University employees in job classifications included in the Civil Service Employee group (see “Definitions”) except that temporary no-post and non-public employees (also see “Definitions”) are specifically excluded from coverage.

3.4 Powers and Duties of Responsible University Administrators and Supervisors with respect to these Rules

Responsible administrators and supervisors (see “Definitions”) shall administer the policies and procedures referenced in these Civil Service Rules and exercise all rights (unless denied them or otherwise prohibited by these Rules) inherent in the management process with respect to the supervision of employees.

4.1.1 A reclassification of any position can result in a promotion, demotion, or change to a different classification which does not constitute a promotion, or demotion (~~see definitions~~); or no change in classification. No probation is required after a reclassification unless requested by the supervisor and approved by the Vice President.

4.1.2 A reclassification of any position can result in a promotion, demotion, or change to a different classification which does not constitute a promotion, or demotion (~~see definitions~~); or no change in classification. No probation is required after a reclassification unless requested by the supervisor and approved by the Vice President.

6.5.5 Temporary appointments may be made to any position and must have a beginning and ending date. Temporary appointments may be part-time or full-time and employees shall not serve a probationary period during the period of the temporary appointment. See ~~“Definitions” for different types of temporary appointments.~~

10.1.5 Split shifts (~~see “Definitions”~~) shall be avoided whenever possible. No split shift shall extend the working hours of an employee to more than 12 hours in any 24-hour period, except that in agricultural operations, working hours may extend to 14 hours in a 24-hour period.

10.2.1 As a condition of employment, employees may be required to work overtime. Overtime is the work time (~~see “Definitions”~~) in excess of 40 hours per workweek on one or more University jobs. All overtime must be approved by the appropriate responsible administrator prior to being worked. Failure to obtain approval may result in disciplinary action.

10.2.2 All employees, except those whose jobs are designated as V-class (Rule 11.2), shall be paid overtime or given compensatory time off, at the discretion of the employee, at the rate of time and one-half for work in excess of 40 hours per work week on one or more University jobs (~~see “Definitions” for what is included as work time~~).

10.5.2 On-Call

1) An employee who has been instructed by their supervisor, in writing, to remain available to work during an off-duty status shall be considered in an on-call status. On-call work shall follow the practice and procedures as established by the Vice President of Human Resources (see Rule 5.3.1) and indicated in the Civil Service pay plan: <http://humanresources.umn.edu/supervising-u/compensation-classification>. Expectations at time of hire of any on-call time shall be included in the written job description and given to the employee.

2) An employee who is called in to work from an on-call status shall receive the designated premium pay. This rule does not apply to those whose jobs are designated as V-class or otherwise exempt (~~see also Definitions for Return to Work~~).

10.5.3 Other Work Arrangements

Types of flexible work arrangements can include flextime, compressed work weeks, job sharing, telecommuting, or reduced-time/part-time arrangements (~~see “Definitions”~~). Please refer to the telecommuting agreement in your department or unit. (Guidelines and more explanation for flexible work arrangements can be found at: <http://humanresources.umn.edu/working-umn>.)

12.1 Seniority Unit

12.1.1 Seniority unit (~~see “Definitions”~~) is determined at the college or appropriate senior administrative level, with the approval of the appropriate human resources office. Employees must be informed of the seniority unit in which they have rights at the time they become eligible to earn seniority, usually after they have passed probation. (See Rule 12.2 for other examples of eligibility to earn seniority.)

13.1.1 Supervisors may discipline employees only for just cause (~~see “Definitions”~~). Disciplinary action may take the form of oral warning, written warning, suspension without pay, reduction in pay, and dismissal. Discipline shall be commensurate with the severity of the infraction and shall take into consideration factors such as, but not limited to, the employee's length of service, job history, and nature of the problems. A supervisor may require an employee to take a leave of absence with pay in order for the supervisor to conduct an investigation that may result in disciplinary action.

13.2.1 Employees who have passed probation, and temporary employees who have completed more than one calendar year of service in a 50 percent time or more appointment within the same classification, within the same administrative unit (see Rule 6.6), may be dismissed from a position for just cause (~~see definitions~~). Just cause is not required for dismissal of any other employee.

Amendment #10: In terms of seniority status, a new employee, who is on probation, has no seniority. Seniority is established once probation has been successfully completed. They fall at the bottom of the hierarchy already so there is no need to state this in each of these scenarios. It has become common practice to promote employees through a post/hire process in place of a reclassification. In this scenario, an existing employee, who may have more seniority, is placed in a vulnerable position for the window of their probationary period. The rules do not adequately address the post/rehire scenario and this appears to be an unintended consequence. Since Bumping rights are primarily based on Unit Seniority, an employee transferring to another Unit would be under probation and would be vulnerable to bumping in a layoff situation.

The proposed changes to 12.3.2.5 and 12.3.3.1 are meant to clarify that the layoff list is used as the vehicle for pursuing open positions, by employees that are being laid off, while they are under notice or actually laid off.

12.3.2 Bumping Rights

12.3.2.1 In accordance with the above, employees whose jobs have been eliminated, or whose appointment(s) are involuntarily reduced to below 75 percent, or employees on 50 to 74 percent appointments whose appointments are involuntarily reduced to below 50 percent, shall be allowed to the following, in the order listed:

1) bump the least senior (based on unit seniority) ~~or probationary~~ employee who is performing essentially the same duties within the same unit and classification.

12.3.2.2 If this is not possible, an employee may:

2) bump into the position identified by the following criteria:

a) The position is in the same classification and unit;

b) The duties are not essentially the same;

c) The bumping employee is qualified for the position;

d) The employee to be bumped is less senior (based on unit seniority) than the bumping employee. If more than one position meets the above criteria, the employee to be bumped shall be the least senior (based on unit seniority) ~~or probationary~~ employee in that set of positions.

12.3.2.3 If this is not possible, an employee may:

3) bump into the position identified by the following criteria:

- a) the position is in a previously held classification in which the bumping employee passed probation in the same unit;
- b) the position is in the same unit;
- c) the bumping employee is qualified for the position;
- d) the employee to be bumped is less senior (based on unit seniority) than the bumping employee.

12.3.2.4 If the bumping employee is eligible to bump to more than one previously held classification, this bumping option shall be applied to those classifications in the inverse order in which they were held. If more than one position in a particular classification meets the above criteria, the employee to be bumped shall be the least senior (based on unit seniority) ~~or probationary~~ employee.

12.3.2.5 If none of the above options are possible in the order listed, the employee may:

4) exercise the right to any posted vacancy within the system as identified by the following criteria, and shall be hired in classification seniority order. [See 12.3.3.1:](#)

- a) the position is in a previously held classification in which the employee passed probation;
- b) the employee is qualified for the position.

12.3.2.6 Rate-arranged employees follow the same criteria for bumping as other employees; however, they are only eligible to bump into the same classification in the same established salary range.

12.3.3 Layoff List

12.3.3.1 Employees who have successfully completed probation and who cannot or do not exercise their bumping rights and are [under layoff notice or have been](#) laid off, shall be placed on a University layoff list provided the employee submits a written request to be placed on the layoff list. These employees shall be rehired (if qualified to perform the work), in classification seniority order ahead of all other applicants (except for recalled employees), for vacancies within a previously held classification for which they apply.

12.3.3.2 An employee who is being terminated during the probationary period may choose not to exercise the option to bump another employee from a previously held continuing (non-temporary) position. The employee being terminated may then be placed on the layoff list, in accordance with Rule 7.5.

12.3.3.3 An employee on the layoff list must be recalled when a vacancy occurs in the unit and classification from which the layoff occurred, provided the employee is qualified to perform the work.

12.3.3.4 After receipt of recall notice, the employee shall have seven workdays during which to indicate intent to return and at least 22 additional workdays to report to work. Failure to accept recall shall constitute a resignation that includes removal from the layoff list.

12.3.3.5 Employees on the layoff list may apply for any vacancy, but are not entitled to hiring preference as laid-off employees except where the vacancy occurs in a previously held classification.

12.3.3.6 Rate-arranged employees follow the same protocol for access to the lay-off list as other employees but may only exercise layoff list rights in the same classification in the same established salary range.