



Minnesota
STATE COLLEGES
& UNIVERSITIES

Human Resources Guideline & Interpretation

Minnesota State College Faculty (MSCF) Layoffs

STG0005

Purpose: To establish guidelines for college administrators faced with circumstances which suggest unlimited faculty layoffs may be necessary.

Affected Campuses: All Colleges.

Authoritative References: The employment contract between the Minnesota State Colleges and Universities Board of Trustees and the Minnesota State College Faculty, Article 22 – Layoff and Faculty Transfers, Sections 1-9 Layoffs.

Required Forms: [Layoff letter](#)

Responsibility for Implementation: It is the responsibility of the college president, in concert with the chief human resources officer, to assure the requirements of the MSCF employment contract are met.

Introduction: Where applicable, the following considerations should be undertaken. While the information provided below includes references to other types of faculty appointments, these guidelines are only necessary when the possibility of layoff of unlimited full-time or unlimited part-time faculty exists.

A. Prior to layoff consideration:

1. Carefully review the budget, program and enrollment data which suggests a reduction in services to ascertain that they will, in fact, necessitate a cut-back in services.
2. Review supply and expense expenditures and personnel expenditures which exceed employee base salaries for potential reduction and program implications. These could include overload, extended appointments, release time, travel and other items not contractually required. Document areas to be reduced and develop a written statement of reasons why these activities should be reduced. Be prepared to share this information with your local MSCF leadership as soon as is reasonably possible.
3. If reductions in areas identified in 2. above are not sufficient to meet anticipated changes in funding or enrollment, consider reductions in staffing as follows:
 - a. Attrition

- b. Limit unlimited postings, or freeze postings entirely
- c. Selective use of temporary full-time appointments
- d. Streamline use of adjunct and temporary part-time appointments
- e. Retraining for purposes of reassignment to another program/discipline
- f. Intra system transfers (permanent or temporary)
- g. Other assignments within the college
- h. Phased retirements
- i. Early separations

B. If it is determined layoffs are necessary

1. Ensure that the meet and confer obligation is met in advance of the layoff notice date. The college president or designee should arrange a meet and confer with local MSCF leadership as soon as it is clear layoffs must be considered. A second meet and confer session should be held to convey the decisions made after consideration of faculty views presented in meet and confer.
2. To establish the basis for layoff, college presidents or designee should have written documentation which may include budget information, program changes showing diminished need for course offerings, current and projected student enrollment figures, and any other program/discipline information relevant to the projected action of layoff. This information should be used in the meet and confer to facilitate the discussion. Be prepared to provide copies of the information to MSCF upon request.
3. If after full consideration of input provided in the meet and confer the college president or designee decides to proceed with layoffs, the college president or designee should convene a second meet and confer with MSCF at which time the college president or designee indicates in writing the particular department(s) or program(s) in which layoffs will occur. *No notice of layoff should be sent before the meet and confer obligation has been met.*
4. Upon conclusion of meet and confer, it is recommended, though not required, the college president consult with the Chancellor or designee regarding anticipated retrenchment and alternatives considered.
5. If identified layoffs would result in closure of an academic program, such action should be taken to the Academic Affairs and Standards Council for appropriate discussion. Local curriculum procedures, student needs, and Board Policy Procedure 3.36.1. Academic Programs and other applicable processes and/or regulations should be taken into consideration at this time.
6. The following faculty appointments must be discontinued in the following order *prior* to layoffs of unlimited faculty take effect:
 - a. Post retirement annuitant members in the credential field. Written notice of discontinuance is advised.
 - b. Adjunct, Temporary part-time and temporary full-time faculty members in the credential field. Written notice of discontinuance is not required due to such appointments being end date specific as part of the original offer of appointment.
 - c. Probationary faculty members in the credential field. Written notice of non-renewal must be issued in accordance with Article 20, Section 2. Subd. 1 and Section 3. Subd. 3.

Probationary appointments must terminate *prior* to the effective date of any layoff of an unlimited faculty member.

- d. Unlimited part-time faculty members in the credential field. A written notice of layoff must be given by November 1, to be effective at the end of the same academic year. Or, notice given by April 1, to be effective at the end of the following fall semester.
 - e. Unlimited full-time faculty members in the credential field. A written notice of layoff must be given by November 1, to be effective at the end of the same academic year.
7. The chief human resources officer shall provide a copy of the notice of layoff given to unlimited faculty members to the Office of the Chancellor, Human Resources Division - Personnel, with a copy to president of the MSCF. The Office of the Chancellor will maintain the MSCF Unlimited Full-time Faculty Layoff/Recall List and post on the MnSCU HR Website.

I. Former MCCFA Unlimited Full-time Faculty Members on Notice of Layoff

Retraining:

1. Faculty members who have received a notice of layoff shall receive the equivalent release time of twenty-one (21) semester credits of retraining during spring semester, the summer following notice of layoff, or any combination thereof as scheduled by the faculty member and *approved* by the college president or designee.
2. An initial retraining plan must be received by the college administration no later than December 1.
3. The initial retraining plan need only identify the area(s) of retraining, the number of release credits needed, the timing of the release time and the number of graduate credits to be taken.
4. Prior to the faculty member scheduling retraining activities s/he must consult with the college administration to resolve any scheduling conflicts.
5. Faculty members taking graduate credits as part of their retraining plan must provide the college administration with a copy of the fee statement as proof of registration for the release time.
6. Faculty members who are retraining do remain available for assignments to the percentage their enrolled credits are fewer than 9 credits ($x/9:15$).
7. Faculty on retraining release time during the summer are entitled to employment up to six (6) credits (paid pro rata) if this is needed to reach the 21 credit limit. This compensation is overload pay, but is *not* subject to the 40% total payment limit in Article 13, Section 19.

Tuition Support:

1. In accordance with Article 24, Section 3. Subd. 3, effective the date of layoff a faculty member's spouse and dependents are no longer eligible for the tuition waiver benefit provided in Article 24, Section 3.
2. During the notice of layoff period and through the four (4) year claiming period a faculty member (only) is eligible for full tuition support at any MnSCU university for up to twenty-four (24) graduate semester credits.

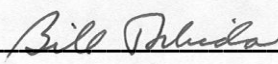
3. Payment of tuition may be managed two ways. Upon proof of registration the college will send the tuition payment directly to the university the faculty member is registered. Or, if the faculty member pays the tuition, upon proof of payment (canceled check or credit card receipt, etc.) the college will reimburse the faculty member.
4. Proof of successful completion of the course(s) is not required of the faculty member.
5. This tuition support ends at the beginning of the semester in which the faculty member begins work in a claimed unlimited full-time position.

Claiming and Reserving Work:

1. Faculty wishing to claim or reserve a vacant position must notify the Vice Chancellor of Personnel of their intent to do so in writing within 30 days of the posting in the MnSCU Employment Opportunities newsletter.
2. Claiming Period
 - a. 3 years for UFT
 - b. 2 years for UPT
 - c. The request to claim begins at the time the faculty member is notified of layoff; thus, the claiming period covers the notice period plus the 2 or 3 year period, as described above.
3. Order of claiming - See Article 19, Sec. 2, Subd. 13 for order of claiming full- or part-time work.
 - a. Faculty who exercise their claiming rights via reservation (see D(3), below) do not have first priority to available full-time work.
 - b. If more than one faculty member claims a vacancy and both have the same status for purposes of order of claiming, the most senior receives the assignment.
4. Faculty must hold the requisite assigned field or meet minimum qualifications for the assigned field in order to claim a vacancy (except for (5) below).
5. Laying off UFT or UPT faculty does not restrict the administration's ability to offer part-time work during the claiming period, so long as faculty with claiming rights are offered the work and given the first right of refusal.
6. Reservation System (UFT only)
 - a. During the layoff notice period and the three-year claiming period, faculty who wish to claim a position for which they do not possess the requisite assigned field or meet the minimum qualifications may reserve a vacant position by entering into a retraining plan which enables the faculty member to obtain the requisite minimum qualifications for the assigned field of the vacant position.
 - b. A retraining plan to secure a reserved position must be approved jointly by the president of the college with the posted vacancy and the Vice Chancellor of Personnel or designee (ensure that the faculty member's plan will in fact allow the individual to meet minimum qualifications).
 - i. Reservation plans must be completed within one year. The reservation is void if this requirement is not met.
 - ii. Multiple reservations are to be resolved on the basis of seniority by the Vice Chancellor of Personnel or designee.

- c. The administration may fill a vacant position which is the subject of a reservation on a temporary basis until the beginning of the quarter immediately following completion of their retraining plan.
- 7. 7. Faculty who claim full-time vacancies will be paid on the basis of the salary schedule. Faculty claiming part-time work will be paid on the basis of credits taught in accordance with Art. 11, Section 7.

Approved: 11/27/96
Revised: 6/21/06



Vice Chancellor, Human Resources

June 21, 2006

Date