



Ohio Administrative Code

Rule 3342-6-04.1 Administrative policy regarding layoff or position abolishment for classified civil service staff who are not in a recognized bargaining unit.

Effective: March 1, 2015

(A) Policy statement. This policy shall be used by the university to initiate a reduction in the work force through layoffs or position abolishment and, in some cases, the displacement of employees as a result.

(B) Because the university compensation plan for classified employees includes university classification titles and classification series, as opposed to the state of Ohio classification titles and classification series, the provisions of this policy are applicable within the university.

(C) An employee may be laid off due to a temporary lack of work or lack of funds expected to last less than twelve months.

(1) A lack of work, for purposes of layoff, means a department has a current or projected temporary decrease in the workload which requires a reduction of current or projected staffing levels;

(2) A lack of funds means a department has a current or projected deficiency of funds to maintain current levels, or to sustain projected levels of staffing or operations.

(D) An employee may be laid off as a result of the abolishment of a position. "Abolishment" is defined as the deletion of a position or positions from a department or the university for lack of continued need for the position or positions. An abolishment is expected to last more than twelve months. The director of personnel can abolish a position for one or more of the following reasons.

(1) Reorganization for the efficient operation of a department or the university;

(2) For reasons of economy;

(3) For lack of work.



(E) The director of personnel shall comply with applicable civil service regulations and the following provisions when laying off and recalling employees.

(F) In instances where displacement could take place, displacement is within a layoff jurisdiction. The Kent campus shall comprise a jurisdiction. Within a jurisdiction, an employee may be laid off as follows:

- (1) The employee shall be transferred to an available vacancy within the same classification;
- (2) If the employee has more retention points than another employee serving in the same classification, then the employee with the fewest retention points shall be displaced;
- (3) If the employee has the fewest retention points in the classification, the employee may, in lieu of being laid off, fill an available vacancy in a lower classification in the same classification series or, displace the employee with the fewest retention points in the next or successively lower classification, provided no employee shall displace an employee with more retention points;
- (4) The employee may exercise his/her displacement rights within the classification the employee held immediately prior to holding the classification from which the employee is being laid off provided:
 - (a) The employee was certified in the former classification;
 - (b) The employee held the previous classification not more than five years prior to the effective date of layoff;
 - (c) The employee meets the minimum qualifications of the classification;
 - (d) The classification previously held was in a lower or equivalent pay grade as the employee's current classification;
 - (e) The employee has more retention points, and displaces the employee in the former classification



who has the fewest retention points;

(5) An employee may displace the employee with the fewest retention points in a classification with the same or similar duties, as specified in paragraph (I) of this rule and of the Administrative Code, provided the employee has more retention points than the employee displaced.

(6) In the event more than one displacement alternative is available, and all alternatives are at the same pay grade, the director of personnel shall determine which alternative(s) may be offered.

(G) Retention points will be calculated for each employee in the classification affected by a layoff or position abolishment as well as for employees in the classification in which displacement may occur. Retention points shall be calculated in conformity with applicable civil service regulations.

(H) An employee shall notify the director of personnel, in writing, of his/her intention to exercise his/her displacement rights within five calendar days after receipt of a notice of layoff or displacement.

(I) No employee shall displace an employee for whose position or classification there exists minimum qualifications, as established by a position description, classification specification, or bona fide occupation qualification, unless the employee possesses the requisite minimum qualifications for the position or classification.

(J) An employee exercising his/her displacement rights shall be paid within the pay grade assigned to his/her new classification. The employee shall be assigned to a rate in the pay range assigned to the new classification which is equivalent to the rate the employee was paid in his/her prior classification. If the rate an employee received in his/her prior classification exceeds the highest rate in the pay grade assigned to the new classification the employee will be assigned the highest rate within the new classification.

(K) The following contains the complete listing of classifications with same or similar duties into which an employee may displace, in conformity with applicable civil service regulations. An employee with a classification listed on the right side of the list may, under certain conditions, displace into a classification listed as similar on the left side.



(1) Classifications with same or similar duties:

(a) EAB2 clerical specialist- EAC3 administrative clerk;

(b) EAR1 typist- ETU1 medical typist;

(c) EEH3 cashier supervisor- EEI3 cash processing coordinator;

(d) EEI3 cash processing coordinator- EEH3 cashier supervisor;

(e) EIB1 maintenance repair worker- EID1 building and ground/regional campus only-
supervisor/regional campus;

(f) EPB2 senior audio visual assistant- EPC 3 audio visual specialist;

(g) EPU1 layout design technician or EPW1 photo lab technician- EPY1 pre-print supervisor.

(L) Any accumulated unused balance of vacation and compensatory time shall be converted to a cash payment at the time an employee is laid off.

(M) An employee may appeal a layoff, or a displacement which is the result of a layoff, to the state personnel board of review. Such appeal must be filed or postmarked no later than ten days after the employee receives notice of the layoff or displacement. An employee shall be considered displaced on the date the employee is notified that another employee has exercised his/her right to displace the employee from his/her position. Any appeal shall be made in accordance with the rules promulgated by the state personnel board of review.