



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: November 10, 2025

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

(B) Because the university uses its own classification titles and series for classified employees, rather than those established by the State of Ohio, the provisions of this policy are applicable within the university's classification framework.

(C) An employee may be laid off due to a temporary lack of work or funding 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 workload that 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 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 vice president for the division of people, culture and belonging 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 vice president for the division of people, culture and belonging shall comply with applicable civil service regulations and the following provisions when laying off and recalling employees.

(F) In instances where displacement may occur, the employee must exercise their displacement rights within five calendar days of notification. "Displacement" is defined as the process in which an employee whose position is eliminated may exercise their right to assume another position currently held by a different employee with fewer retention points. Displacement must occur within the same layoff jurisdiction and each regional campus comprises its own separate 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 within their classification, the employee may, in lieu of being laid off, either:

(a) fill an available vacancy in a lower classification in the same classification series or,

(b) displace the employee with the fewest retention points in the next, or successively lower, classification within the series,

However, no employee may displace another employee who has more retention points.

(4) The employee may exercise their displacement rights within the classification held immediately prior to the classification from which they are being laid off, provided:

(a) The employee held the previous classification not more than three years prior to the effective date of the layoff;



- (b) The employee meets the minimum qualifications of the classification held three years prior;
 - (c) The classification previously held was in a lower or equivalent pay grade than the employee's current classification; and
 - (d) 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 (K) of this rule and of the Administrative Code, provided the employee has more retention points than the employee being displaced.
- (6) In the event more than one displacement alternative is available, and all alternatives are at the same pay grade, the vice president for the division of people, culture and belonging shall determine which alternative(s) may be offered.
- (G) Retention points will be calculated for each employee in classifications affected by a layoff or position abolishment, as well as for employees in the classification in which displacement may occur. Retention points must be calculated in accordance with applicable civil service regulations. The initial allocation and accrual rates are as follows:
- (1) Upon hire, a classified civil service employee receives 100 retention points.
 - (2) Civil service employees will continue to accumulate retention points for continuous services. Retention points accumulate based on employee's primary work assignment only.
 - (3) Employees must be in active pay status to earn retention points.
 - (a) Full-time employees must be in active pay status to earn retention points and will earn one retention point for each bi-weekly pay period of continuous service.
 - (b) Part-time employees in active pay status earn one-half point for each bi-weekly pay period of continuous service.



"Continuous service" is defined as the uninterrupted service of an employee with a state agency, a county office or a state-supported college or university where no break in service occurs. "Break in service" is defined as a separation of service of thirty-one days or more. Continuous services for the purposes of retention points include:

- (1) A transfer from one state department or agency to another, or to or from the university, if there is no break in service. Employees with applicable prior service credit from a state department or agency other than Kent state university are eligible to have these points applied to their KSU retention point total. To receive credit, written documentation must be submitted to the human resources records department;
- (2) Authorized leave of absence and continuous service retention points shall continue to accumulate during the term of a leave of absence provided the employee returns to state or university service following the leave;
- (3) When a laid off employee is reinstated or re-employed within one year from the date of layoff. However, continuous retention points shall not accumulate during the period of layoff;
- (4) A disability separation. However, continuous retention points shall not accumulate during the period of separation.
- (5) Service as a student-employee shall not be credited as service for purposes of determining continuous service retention points.
- (6) In the event two or more employees have identical retention points, the tie will be broken in accordance with rule 123:1-41-09 of the Administrative Code.
- (H) An employee shall notify the vice president for the division of people, culture and belonging, in writing, of their intention to exercise their displacement rights within five calendar days after receipt of a notice of layoff or displacement.
- (I) No employee shall displace another employee from a position or classification that has



established minimum qualifications, whether by a position description, classification specification, or bona fide occupational qualification, unless the employee meets those requisite minimum qualifications .

(J) An employee exercising their displacement rights shall be paid within the pay grade assigned to their new classification. The employee shall be assigned to a rate which is equivalent to their previous rate of pay. If the rate an employee received in their prior classification exceeds the highest rate in the pay grade for the new classification the employee will be assigned the maximum salary within the new range..

(K) The division of people, culture and belonging is responsible for maintaining the official list of classifications, including the list of positions with the same or similar duties into which an employee may displace, in accordance with applicable civil service regulations.

(L) Any accumulated unused balance of vacation and compensatory time shall be paid to the laid off employee at a time consistent with the separation/termination process.

(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 their right to displace the employee from their position. Any appeal shall be made in accordance with the rules promulgated by the state personnel board of review.