



---

## **Staff Transfers, Displacements or Lay-Offs in Relationship to the Discontinuance of Administrative, Professional, and Technical Support Positions**

Human Resources & Organizational Development (HROD)

**Policy**

---

### **1.0 Purpose**

- 1.1 The University of New Brunswick has designed this policy statement to identify the procedures pertaining to the reduction of the support staff workforce for financial reasons and/or lack of work, as well as the assistance to be provided to those employees who are adversely affected. This policy expands on the lay-off section of the Policy and Procedure Concerning Termination of Employment for Administrative, Professional, and Technical Staff.

### **2.0 Applicability**

- 2.1 University-wide
- 2.2 This policy statement applies to all University operating budget funded employees (with the exception of the President, Vice-Presidents, Deans, Associate Deans and Assistant Deans) of the University of New Brunswick who are not covered by a collective agreement. This group is defined as the Administrative, Professional and Technical group for the purpose of this policy.

### **3.0 Definitions**

- 3.1 DESIGNATED EMPLOYEE: A continuing employee in a University operating budget position that is to be discontinued shall be known as the "designated employee".

### **4.0 Implementation**

- 4.1 APPROVAL OF POSITION DISCONTINUANCE: The decision as to which position is to be discontinued requires the approval of the appropriate Vice-President in consultation with the affected administrative area(s) and the Department of Human Resources & Organizational Development.
- 4.2 NOTIFICATION OF POSITION DISCONTINUANCE: An employee shall be advised that they are a "designated employee" by means of a letter from the Dean or Director. This letter will inform the employee of the date of the position discontinuance and will advise the employee to meet with representative(s) from the Department of Human Resources & Organizational Development to review their employment status.
- 4.3 MINIMUM NOTICE OF POSITION DISCONTINUANCE: The letter of position discontinuance will provide a minimum notice of two (2) months.

---

## **Staff Transfers, Displacements or Lay-Offs in Relationship to the Discontinuance of Administrative, Professional, and Technical Support Positions**

Human Resources & Organizational Development (HROD)

**Policy**

---

### **4.4 DESIGNATED EMPLOYEE'S POSSIBILITIES**

4.4.1 Upon receipt of the letter of position discontinuance, the designated employee is to meet with a representative of the Department of Human Resources & Organizational Development who will review the following possibilities:

4.4.1.1 transferring to a vacant position for which the employee may be qualified, if such a vacancy is available,

4.4.1.2 displacing another employee at the same job level or lower level for which the employee is qualified,

4.4.1.3 accepting a lay-off.

4.5 **STAFF TRANSFER:** Should there be an available vacancy for which the designated employee is qualified; the employee shall be notified in writing by the appropriate Vice-President or President of such opportunity to transfer. A six month trial period will normally be implemented in the case of a transfer. Should the designated employee refuse the offer of the job, then this employee shall enter directly into lay-off and shall not have the option of displacing another employee. The lay-off would be effective on the date of position discontinuance.

4.6 **DISPLACEMENT:** The designated employee may be considered for another employee's position within the same type of work and campus operating budget and category (ie - an employee may displace another employee in an appropriate position with the same number of, or fewer hours worked) on the basis of qualifications and length of service. This position, if available, will be determined by the appropriate Vice-President in consultation with the Department of Human Resources & Organizational Development. Should it not be possible to make another position available then the designated employee shall be laid off.

### **4.7 SERVICE**

4.7.1 Service shall be defined as the accumulated total regular time (expressed in years to two decimal places) an employee has worked for the University of New Brunswick without termination of employment (as defined by the Policy and Procedure Concerning Termination of Employment of Administrative, Professional and Technical Staff). Service shall accumulate during the periods of Maternity or Child Care leaves defined by the N.B. Employment Standards Act.

4.7.2 The calculation of service shall be prorated on the following basis: A year of service for an employee working 40 hours per week shall be 2080 hours; A year of service for an employee working 36.25 hours per week shall be 1885 hours; A year of service for an employee working 35 hours per week shall be 1820 hours. All

---

## **Staff Transfers, Displacements or Lay-Offs in Relationship to the Discontinuance of Administrative, Professional, and Technical Support Positions**

Human Resources & Organizational Development (HROD)

**Policy**

---

regular time paid by the Employer shall be treated as time worked for the purpose of accumulating service. Service will accrue during maternity and/or parental leaves only up to the maximum period defined by the Employment Standards Act of New Brunswick.

- 4.8 OFFER OF DISPLACEMENT POSITION: An employee shall be advised in writing by the President or appropriate Vice-President that another position is being offered. The employee must reply in writing within a specified time period whether or not the position is accepted. A six (6) month trial period will normally be implemented in the case of a displacement. Failure to accept a position offered will result in lay-off notice being given.
- 4.9 NOTICE OF LAY-OFF: An employee who is laid off shall receive from the President or appropriate Vice-President a written notice of lay-off that specifies the last day to be worked. The minimum notice will be three (3) weeks. This notice period is not in addition to the notice period for position discontinuance.
- 4.10 EMPLOYEE ASSISTANCE: The notice of lay-off will refer the employee to the Human Resources Consultant (Employment), Human Resources & Organizational Development, to obtain information concerning the assistance that is available to the employee. This would include: Record of Employment, Employment Insurance, career counselling and possibilities for re-employment.
- 4.11 FRINGE BENEFITS: The Human Resources Consultant (Benefits and Pensions), Human Resources & Organizational Development, will also provide information concerning the status of the University fringe benefit plans for the lay-off period.
- 4.12 PERIOD OF LAY-OFF: An employee may retain their lay-off status for a period of up to twelve (12) months.
- 4.13 RECALL: The University shall maintain a list of employees who have been laid off and shall recall on the basis of qualifications and length of service for vacancies that occur in that twelve (12) month period.
- 4.14 TERMINATION OF EMPLOYMENT: A lay-off of twelve (12) months leads to a termination of employment.
- 4.15 TERMINATION ALLOWANCE: An employee with five (5) years or more of full-time service shall receive a lump sum payment of five (5) days' pay for each full year of service up to a maximum of 125 days' pay. This payment will be made following termination of employment.

### **5.0 Interpretation and Questions**



---

## **Staff Transfers, Displacements or Lay-Offs in Relationship to the Discontinuance of Administrative, Professional, and Technical Support Positions**

Human Resources & Organizational Development (HROD)

**Policy**

- 
- 5.1 The Department of Human Resources & Organizational Development is located in Room 102 of the Physics and Administration Building in the Integrated University Complex on the Fredericton Campus. Questions concerning this policy may be directed to the Human Resources Consultant, (Employee Relations and Salary Administration) at 453-4648.