

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Policy # II.3.014

Title: DISCIPLINE – FOR ALL EMPLOYEES

Authority: Board Action

Original Adoption: 10/10/01

Effective Date: 10/10/01

Last Revision: Initial

NOTE: Please refer to Policy II.3.020- LTC Tenure Rights/Removal Policy for employees of the LTC: (who were engaged in the performance of the postsecondary vocational-technical school functions of the State Board of Elementary and Secondary Education "BESE" and the State Department of Education, prior to July 1, 1999, and who acquired tenure status, prior to July 1, 1999.)

Where problems with employee behavior or performance arise, a supervisor will seek to correct the problem. Discipline is a means to correct substandard employee behavior and performance. The system is dependent upon the employee's recognition of his/her need to accept and conform to LCTCS standards of performance and conduct.

It is recognized that the employee-employer relationship is not the same for all employees. The employee-employer relationship for classified employees is governed by Civil Service Rules. The employee-employer relationship for unclassified employees, non-tenured faculty and tenured faculty are defined by the LCTCS employment relationship policy.

Regardless of the disciplinary approach, LCTCS philosophy is to assure that all employees are treated fairly and equitably without regard to race, color, religion, sex, national origin, age, handicap or veteran status.

Employees have the right to know what is expected of them. It is important that all employees be notified of their duties and responsibilities in order to be aware of job expectations.

LCTCS maintains an informal and open access to management and encourages the use of this avenue, as appropriate. The type of discipline imposed should reflect the seriousness of the problem. Some offenses are so serious as to justify discharge or suspension on the first offense (e.g., theft, fraud, serious negligence, etc.) For those offenses that do not justify serious discipline on the first offense, progressive discipline is applied. Types of discipline may include reprimand, denial of merit increase, demotion, suspension with or without pay, termination, or other appropriate action. Suspension is intended to be limited to a reasonable time necessary to investigate the problem and confer with appropriate individuals concerning the disciplinary decision. Suspension requires notification to the Chancellor.

Disciplinary actions are advisory and, as such, disciplinary procedures may be adjusted or modified at the discretion of the Chancellor. The following progressive discipline steps will

generally apply:

1. Verbal notification by supervisor in an informal counseling session
2. Written notification by supervisor issued to the employee in a formal counseling session
3. A discussion of specific disciplinary action applied, up to and including termination, with written confirmation of the discussion issued to the employee by the supervisor.

Progressive discipline steps are generally sequential; however, more than one of the above mentioned progressive discipline steps may be taken simultaneously, dependent upon the nature of the infraction. Nothing contained herein shall prevent the LCTCS from taking immediate disciplinary action where circumstances warrant such action.

The employee shall be given the opportunity to explain the circumstances surrounding the incident(s), and to present the reasons he/she feels that any proposed disciplinary action should not be taken, in order that the employee is afforded due process.

Supervisors must contact institution Human Resources prior to taking termination action. The LCTCS policy regarding Employment Relationship is applicable in the event of termination. LCTCS Human Resources must be provided notice of all termination actions.

The Board recognizes the necessity and desirability of providing employees a method and forum in which to resolve, in an orderly fashion, problems in the work place. However, by the adoption of this policy, it is not the intention of the Board to confer upon LCTCS employees any additional rights of substantive or procedural due process not mandated by law.

Each institution is responsible for establishing operating procedures for assuring compliance with the LCTCS Discipline Policy and to have these procedures approved by legal counsel, the President and on file with the system office.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Policy # II.3.015

Title: GRIEVANCE – FOR ALL EMPLOYEES

Authority: Board Action

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Last Revision: Initial

NOTE: Please refer to Policy II.3.020- LTC Tenure Rights/Removal Policy for employees of the LTC: (who were engaged in the performance of the postsecondary vocational-technical school functions of the State Board of Elementary and Secondary Education “BESE” and the State Department of Education, prior to July 1, 1999, and who acquired tenure status, prior to July 1, 1999.)

It is the policy of the Louisiana Community and Technical College System to develop and maintain a satisfied and efficient work force. An employee who is seeking a solution concerning disagreements arising from working relationships, working conditions, employment practices, or differences in interpretation of policy is encouraged to discuss the matter with the immediate supervisor before filing a grievance. Most concerns can be resolved informally without the need for a formal grievance.

Performance evaluations are not grievable under this formal grievance policy.

LCTCS believes that employee grievances should be resolved at the lowest possible administrative level and an employee must exhaust all administrative procedures at the institution level before an appeal can be made to the President. Only those grievances that are related to the President or that the President cannot resolve shall be sent to the Board.

When an employee feels he/she has been treated unjustly, the employee has the right to utilize the grievance policy without fear of retaliation, discrimination, or reprisal because of the action. The decision to utilize the grievance policy shall be the employee’s decision. It is understood that a grievance will be kept confidential except to the extent necessary to investigate and resolve the grievance.

When an employee feels that a condition of employment or application of a policy is unjust or inequitable, he/she is encouraged to first seek assistance from his/her immediate supervisor, who should attempt to solve the problem. The supervisor is responsible for handling the complaint and striving to arrive at a prompt, equitable solution.

Occasionally, an employee’s complaint involves his/her supervisor, or the employee does not feel the matter has been resolved by the supervisor. In such an instance, the employee should feel free to file a formal grievance. The employee may appeal a complaint through to the college Chancellor. In the event that the complaint is appealed beyond the Chancellor level, the LCTCS President will respond to the appeal through a procedure established by the system President.

When an employee feels he/she is being discriminated against because of race, color, sex, ethnic origin, religion, age, veteran status, or disability and is not able to discuss this

issue with his/her supervisor, the employee should refer to the LCTCS policy on harassment.

Only those grievances that are not eligible for appeal to the Director of Civil Service or the Civil Service Commission shall be processed through the LCTCS grievance policy.

Under certain circumstances, Civil Service classified employees should use the Civil Service procedure for appeals and hearings rather than the LCTCS system grievance policy. Examples of the types of actions over which the Civil Service Commission assumes responsibility are disciplinary actions which impact pay, such as:

- Removal of a permanent employee for cause
- Suspension with or without pay as a disciplinary action
- Reduction in pay
- Prohibited political activity
- Classification and Pay

Upon completion of the grievance process, all records are maintained by Human Resources for a period of three (3) years.

Each institution is responsible for establishing operating procedures for assuring compliance with the LCTCS grievance policy, and to have these procedures approved by legal counsel, the President and on file with the system office.

GRIEVANCE PROCEDURES

College administrators serve at the pleasure of the institution Chancellor and are not covered under the faculty grievance procedure.

Faculty Grievance Procedure

Introduction

BPCC affirms the right of faculty to fair and judicial resolution of problems, which may accompany conditions of their employment. Toward this end, the College maintains an informal and open access to administrators as an avenue by which grievances may be discussed. Should faculty not be able to resolve problems in informal, face-to-face discussions with administrators, the College provides a formal policy and the necessary procedures required for the appropriate, judicial resolution of any grievance concerning teaching responsibilities and professional activities while employed at BPCC.

General Provisions

Purpose: The purpose of the following is to establish systematic and orderly methods of providing fair and impartial procedures for legitimate grievance of faculty.

Definitions: The following terms are defined for the purposes of clarification and to assure consistency in their use and understanding:

- A. A grievance shall be defined as an expression of alleged unfair or inequitable treatment with respect to the application of policy, procedure, or regulation of a full-time faculty member acting in his/her capacity as a faculty member. Grievances may include, but are limited to, decisions affecting faculty appointment, tenure, promotion, and salary; assignment of teaching duties, space or other facilities; and general matter of academic freedom.
- B. This policy applies to faculty members whose usual responsibilities involve teaching classes or otherwise directly supporting the teaching function. These include librarians and academic counselors.
- C. A "grievant" or "appellant" is defined as any faculty member who is aggrieved because of a decision of a superior directly affecting him/her.

No grievant may appeal to a higher appellate authority until she/he has exhausted all prior appeals.

All appeals must be lodged with the proper appellate authority within two weeks (14 calendar days or ten BPCC "class days") from the date the employee discovers or is

notified of an adverse decision directly affecting him/her. Failure to appeal within the 14 day period will result in waiver of the grievant's right to appeal the decision.

An appeal to an appellate functionary shall be made by notification, in writing, of the intention to appeal the decision.

Grievance Committee, Functionaries, and Procedures

Division Head: A faculty member, as defined above, shall initially present all grievances in writing to the Division Head under whom he/she is employed. The employee should maintain one copy of the grievance. This initial appellate authority should respond orally and in writing to the employee within 14 days (fourteen calendar days or ten BPCC "class days") after receiving the grievance in writing from the employee. Responses by other appellate authorities to appeals of adverse decisions from administrative personnel should be made without undue delay.

Vice Chancellor: Regarding a grievance, a faculty member may appeal an adverse decision of his/her Division Head to the Vice Chancellor for Academic Affairs.

A copy of the grievance filed with the department head should accompany the appeal.

College Grievance Committee: The BPCC standing committee on administrative policies shall act as a committee for hearing the grievance.

A. Procedure

1. A faculty member may appeal an adverse decision of the Vice Chancellor for Academic Affairs to the Administrative Policies Committee. The appeal should be accompanied by a copy of the original grievance filed with the department head indicating the dates the grievance was formally filed with the department head and subsequently with the Vice Chancellor for Academic Affairs.
2. Upon receipt of a grievant's notification of intention to appeal to the Administrative Policies Committee, the committee will meet to determine if the appeal request identifies specific issues warranting a hearing. The Chair of the committee shall inform the faculty member in writing of the following:
 - a. The approval of the hearing. When a hearing is deemed to be warranted, the chair of the committee will provide notification of: (1) the date, time, and place of the hearing; (2) issues to be resolved at the hearing; (3) the fact that the grievant has the right to be accompanied by legal counsel at the hearing provided that the chair of the Administrative Policies Committee is notified at least 14 days (fourteen calendar days or ten BPCC "class days") of this intention before the date of the hearing. Legal counsel's role will be limited to an advisory capacity only. The College reserves the right to retain legal counsel.

- b. Request for clarification. The grievant will be asked to provide additional information before the hearing request is acted upon.
- c. Denial of the hearing. The grievant will receive information concerning the reason for the denial.

The Chancellor: An adverse decision of the Administrative Policies Committee may be appealed to the President. This appeal shall be limited to the record made at the committee hearing and no new evidence may be introduced. The Chancellor shall set a time, date, and place for the hearing and shall notify the parties concerned.

Following the hearing, the Chancellor shall take the matter under advisement and shall render a decision within a reasonable time.

Appeal to the Louisiana Community and Technical College System Board of Supervisors

An employee may appeal an adverse decision of the President to the LCTCS Board of Supervisors in accordance with the board's policies.

A. Board Review

An employee must exhaust all administrative procedures at the institutional level before an appeal can be made to the Board. The Board will review the administrative proceedings from an institution and determine whether or not the evidence warrants a hearing. Should the Board decide the evidence does not warrant a hearing; the grievant shall be notified that the hearing has been denied and the decision of the institution affirmed.

B. Granting of Hearing

The Board may grant the grievant a hearing and provide a fixed time for each party to present their case and all arguments shall be confined to the record of the administrative proceedings from the institution. However, after the review of the administrative proceedings from the institution, the Board may allow additional evidence it seeks and the procedure to be used in its presentation.

C. Board Policy on Grievance

The Board recognizes the necessity and desirability of providing employees a method and forum in which to resolve, in an orderly fashion, problems in the work place. However, by the adoption of this policy, it is not the intention of the Board to confer upon college and university employees any additional rights of substantive or procedural due process not mandated by law.

Grievance Policies and Procedures for Employees in the Classified Service

General Provisions

1. Nothing herein shall be so construed as to deprive a classified employee of the right of appeal to the Director of Civil Service or the Civil Service Commission in appropriate cases, or to alter or extend the time within which an appeal is required to be filed with the Civil Service Commission, or to alter in any way the Rules of the Commission.
2. The appointing authority's decision shall be final in all cases properly subject to processing through this grievance procedure.
3. Any employee who takes reprisal action of any kind against any employee making use of this grievance procedure shall be subject to disciplinary action.
4. If a grievance hearing is conducted under this procedure, the employee against whom the grievance complaint is made shall have the right to appear and testify at the hearing.
5. Any employee involved in a grievance complaint is entitled to be assisted and represented in the preparation and presentation of his/her complaint by any employee of his/her own choosing. The appointing authority of the College is entitled to be assisted or represented by an individual of his/her choosing.
6. A classified employee selected by a grievant to represent him/her in processing a grievance shall be granted necessary time off to investigate the grievance and represent the grievant without loss of pay and without charge to annual leave, such time off subject to the approval of his/her supervisor.
7. A grievance committee composed of five (5) members will be appointed by the appointing authority for purposes of conducting hearings as provided for in the Grievance Procedure. An employee designated as a member of the Grievance Committee shall, with the approval of the appointing authority, be granted necessary time off during working hours to prepare for and hear appeals and prepare recommendations, without loss of pay and without charge to annual or compensatory leave.

The Chairman of the Grievance Committee shall be designated by election form within its membership.

Any member of the Grievance Committee who is a party to or a party of the act resulting in the grievance in question shall be excused from the Committee during any hearing concerning said grievance. In such cases, an alternate shall be designated by the appointing authority.

8. The decision to utilize this Grievance Procedure shall be the voluntary decision of the individual employee.

Definition of Grievance

Grievance means an employee complaint or personnel problem not appealable to the Director of Civil Service or to the Civil Service Commission. As a general guide, although no all-inclusive, the following actions would normally be appealable to the Director of Civil Service:

1. Removal of a permanent employee for cause.
2. Demotion of a permanent employee as a disciplinary action.
3. Political, religious, or racial discrimination.
4. Suspension without pay as a disciplinary action.
5. Discrimination practiced by the violation of the Civil Service Law or a Civil Service Rule.

Grievance Procedures

1. First Step

All grievances should be presented within ten (10) calendar days from the date the grievant first became aware of, or should have become aware of, the cause of such grievance. The aggrieved employee should present his grievance to his immediate supervisor, and if possible, it should be settled at that level through discussion. The immediate supervisor should render a decision to the employee on the complaint as soon as possible, and must render an oral decision within three (3) calendar days. Since the grievance is being processed informally at this stage, neither the supervisor nor the employee shall have representation.

2. Second Step

If the grievance has not been settled, it shall be presented in writing by the employee to the department head within seven (7) working days after the supervisor's response is due. The department head shall respond to the employee within five (5) working days.

3. Third Step

If the grievant is not satisfied with the decision of the department head, he/she shall within five (5) working days, beginning with the first working day after receiving the decision, submit the written and signed grievance to the department head's supervisor. The department head's immediate supervisor shall respond within three (3) working days of receipt of grievance and forward to his immediate supervisor until it reaches the vice president level. The vice president shall respond to the grievant within three (3) working days of receipt.

If the grievance is settled to the satisfaction of the grievant prior to reaching the fourth step, a copy should be sent to the appointing authority.

4. Fourth Step

If the employee is not satisfied with the decision in Step Three; he/she shall, within five (5) working days, beginning with the first working day after receiving the decision, submit his/her written and signed grievance to the appointing authority of the College.

The appointing authority or his representative shall meet with the employee and his/her designated representative (if desired) within five (5) working days of the receipt of the written grievance and shall render a decision within five (5) working days thereafter.

In the event the decision of the appointing authority does not satisfy the employee, he/she may request a hearing before a Grievance Committee, in writing, within five (5) calendar days. A hearing shall then be held before a Grievance Committee designated by the appointing authority. Within five (5) days after receipt of the recommendations, the appointing authority will meet the Chairman of the Committee, the aggrieved, and the other party involved to render his/her final decision. The employee may request the attendance of a representative. A written decision notifying all interested parties, including the Director of Civil Service, will be sent within five (5) days.

Grievance Committee

Upon receipt of a grievance complaint, the Chairman shall, at the earliest practical time, but no later than five (5) days, call a meeting of the committee to consider the grievance. The committee shall then make whatever investigation is necessary. If it finds sufficient justification, the aggrieved party shall be instructed to furnish names of witnesses. The committee may conduct private sessions.

The interested parties shall have the right to request of the committee the attendance of any witness or witnesses, which they deem necessary to the proper presentation of their case.

If the committee determines that the appearance of a witness is reasonable necessary to the proper presentation of the case, the committee will request the appointing authority to require the attendance of such witness.

The committee shall submit its findings and recommendations to the appointing authority for action. The recommendations shall be signed by all members who shall designate whether they are in favor of the recommendations or dissent there-from. This report shall be delivered to the appointing authority immediately following completion of the investigation. The aggrieved party may withdraw his complaint at any time.

Summary Disposition of Grievance

At any time after the filing of a grievance in writing, the appointing authority may summarily dispose of the grievance on any of the following grounds:

1. That the appointing authority lacks jurisdiction of the subject matter, or of the person against whom relief is sought.
2. That only the Civil Service Commission has jurisdiction as stated in Part 4.1 and 4.2 of the Civil Service manual.
3. That the aggrieved has no legal right to grievance consideration.
4. That the grievance was not made in the required manner or within the prescribed period of delay.
5. That a decision on the grievance would be ineffective.
6. That the aggrieved has failed to appear at the time and place fixed for the hearing of his/her grievance.
7. That the aggrieved has withdrawn or abandoned his request for grievance consideration.

When an appointing authority summarily disposes of a written grievance, he shall notify all interested parties, including the Director of Civil Service, in writing.

Formal Hearing

The employee has the right to grieve policy actions to the Department of Civil Service after all local options have been exercised. Contact Human Resources for the necessary forms and details.

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Policy 6.026

Title: Financial Exigency/Reduction in Force

Authority: Board Action

Original Adoption: 11/09/05

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Last Revision: 11/09/05

Institution – A college in the Louisiana Community & Technical College System.

Department – An academic subunit or division

Financial Exigency may be declared by the institution with the approval of the Board of Supervisors whenever the financial resources of an institution are not sufficient to support the existing programs and personnel of the institution without substantial impairment of the institution to maintain the quality of its programs and service. Financial exigency may be declared with respect to the System as a whole or to one or more institutions of the System. Reasonable efforts will be made to ensure that students affected will be allowed to complete their programs, within the limits of budgetary constraints, at the institution or by transfer to another institution.

Furlough is a reduction in force avoidance measure that allows either a reduction in work hours or required placement of employees on leave without pay.

Reduction in Force Avoidance is the institution of steps to eliminate or mitigate the need for a layoff or reduction in force.

Realized Savings for the retirement incentive reduction in force avoidance measure is calculated as follows: Determined percent of base salary (not to exceed 50 per cent) minus terminal annual leave payout (not to exceed 300 hours) minus terminal sick leave payout (not to exceed 200 hours) equals realized savings available for retirement incentive. Note: As a result of retirement, the employee will receive payment of any available terminal annual leave payout plus any available terminal sick leave payout.

Reduction in Force (RIF) is the elimination or reduction in FTE (full time equivalency) of a regular position due to budget constraints, funding reductions, lack of work, reorganization, closure of a program, or other business reasons resulting in the necessary curtailment of personnel. A reduction in force may be done in an academic unit or other unit basis, and may occur in one area of an institution with other units not being subject to reduction in force. All staff affected by a reduction in force will receive notification within a specified notification period established at the time of the approval of the reduction in force, generally not less than 30 days; however the period specified in the plan may be less due to the circumstances resulting in the reduction in force.

Layoff – Staff displacement by position elimination when there is no transition into a similar position within the prescribed notification period. Layoff provides eligibility for recall.

Recall - The reinstatement of a laid-off employee to active status within a six-month period following layoff.

The Louisiana Community & Technical College system strives to provide stable employment. However, financial exigency, budget constraints, funding reductions, elimination of positions/programs, program changes, lack of work, and/or other material changes in duties, reorganization or other just causes may require a reduction in force. Although the institution declares financial exigency, only the LCTCS Board of Supervisors can approve the declaration of financial exigency. All program elimination, program modifications or reduction in force must be approved by the Board. Nothing in this policy is meant to alter at-will employment that exists separate from this policy.

The reduction in force avoidance measures and layoff or reduction in force of classified employees must follow the current Civil Service rules in place at the time of Board approval.

Reduction in Force Avoidance

Prior to the implementation of the application of reduction in force guidelines established in this policy, the following options for reduction in force avoidance must be considered:

- 1) Withholding of merit increase.
- 2) Furlough with reduction in work hours, which shall not exceed 40 hours in any workweek, nor extend beyond one period of 12 consecutive months.
- 3) Furloughs without pay which shall not apply for more than a total of 240 work hours in any 12 consecutive-month period without approval of the Louisiana Community & Technical College System Board of Supervisors, and in no case shall such furlough extend beyond a total of 450 work hours in any 12 consecutive-month period. The Board may approve extension of a furlough beyond a total of 450 work hours.
- 4) Required use of annual leave during an established period of time, required by the appointing authority, which may require employees to use up to a maximum of ten (10) days of annual leave in a calendar year. Employees who have exhausted annual leave shall be placed on leave without pay, but not for more than ten (10) days in a calendar year.
- 5) To avoid/reduce layoffs, an appointing authority may request authority from the Board of the Louisiana Community & Technical College System, as part of a written layoff avoidance plan, to offer eligible employees an incentive to retire in the form of a one-time, lump-sum payment. Eligibility to participate in the incentive to retire requires meeting all three of the following listed criteria: (1) Ten (10) or more consecutive years of employment attained no later than December 31, 2009, **and** (2) Service attainment shall be with an institution under the management of the LCTCS Board or its predecessor management board(s), **and** (3) The employee must meet regular retirement criteria of Teachers Retirement System of Louisiana, Louisiana State Employees Retirement System, or ten (10) years of creditable State of Louisiana Optional Retirement Plan participation.

The request to offer a retirement incentive shall be subject to the following:

- a) No employee may receive a payment that exceeds 50 percent of the savings, of base salary only, realized by the agency in the fiscal year as a result of that employee's retirement; and
- b) No such payment shall be made prior to the effective date of the employee's separation.

When an appointing authority determines that it is necessary to follow one or more of the reduction in force avoidance options, a written plan for reduction in force avoidance measures shall be submitted to the Board of Supervisors of the Louisiana Community & Technical College System prior to the effective date of the measures. Such plan shall include the following:

- Reasons for the reduction in force avoidance request
- The names and jobs of employees included in the request
- Proposed effective dates and periods of time involved

- The organizational unit and geographic area(s)

Once a layoff avoidance plan is approved by the Board of Supervisors of the Louisiana Community & Technical College System, it shall be made generally available to the employees affected by the measures outlined in the layoff avoidance plan.

Reduction in Force Guidelines:

Prior to considering a layoff/reduction in force, the department head or individual acting in that capacity is expected to make every effort to identify a position within the department for which the affected employee(s) may qualify. Departments making such reductions in workforce are responsible for retaining the staff necessary to preserve the excellence of the educational institution.

When budget and organizational circumstances require positions to be cut and employees to be separated from unclassified service with the LCTCS, those positions that the appointing authority determines that the agency is no longer able to sustain will be targeted for elimination/abolishment. It is crucial, therefore, that the appointing authority has a listing of all positions in place prior to the RIF, an identification of all positions identified as critical for continued operations, and all positions that will be eliminated/abolished as a result of the RIF.

When an appointing authority determines that a reduction in force is necessary, a written plan for reduction in force avoidance measures shall be submitted to the Board of Supervisors of the Louisiana Community & Technical College System prior to the effective date of the measures. Such plan shall include the following:

- Reasons for the reduction in force avoidance request
- The names and jobs of employees included in the request
- Proposed effective dates and periods of time involved
- The organizational unit and geographic area(s)

The department determines priority for reduction in force within the following guidelines:

Placement of employees into vacant positions previously determined by the appointing authority to remain in the budget as a result of the RIF, and consideration of employees identified for layoff/reduction in force for placement in those positions, requires the following determination:

- LCTCS needs. Determine which positions are most vital to the department in the delivery of services.
- Relative skills, knowledge, licensure/certification requirements, and productivity of employees. Personnel files and performance evaluations shall be reviewed for determination of the employee's overall performance.

- Length of service of employees and/or established tenure. In situations where skills, knowledge and overall ratings on performance appraisals are equivalent, selection for layoff shall be based on the employee's length of continuous institutional service and/or established tenure.
- Notwithstanding performance evaluation, length of service criteria, and/or established tenure, an employee who cannot satisfactorily perform the remaining work will be selected for layoff.

The effects on employees who occupy positions abolished as a result of the RIF will be determined by a number of factors. Taking into consideration the above, reduction in force should occur in the following sequence:

- Temporary staff employees and adjunct faculty (no recall consideration)
- Employees with probationary appointments (no recall consideration)
- Employees with service of short duration such that no formal performance evaluation has been completed (no recall consideration)
- Employees with a less than "satisfactory" overall performance evaluation for the last evaluation on record prior to date of the RIF (no recall consideration)
- Part time regular employees (recall consideration for a part time position only)
- Non-tenured faculty and full time regular administrative/professional staff (recall consideration)
- Tenured faculty (recall consideration)

Employee Notification:

Affected employees are to receive notice of layoff, within the prescribed notification period as defined in the Reduction in Force (RIF) section of this policy, once the reduction in force has been approved. Such notification shall include: reason for the reduction in force, the process used to select the employee to be laid off, information on the right to appeal the decision, if applicable; and information on recall/reemployment consideration.

Recall/Reemployment Consideration:

- Non-probationary regular employees, non-tenured faculty and tenured faculty shall be eligible for recall consideration for a period of 6 months from the date of layoff.
- Employees separated from regular part-time positions have priority to part-time positions only.
- No employee has recall rights to a position for which he/she does not meet minimum qualifications, as defined by the position description.
- Employees shown to have below "satisfactory" job performance will not be eligible for recall/reemployment consideration.
- Laid-off employees must request through the institution's Human Resources department, within the prescribed notification period, to be placed upon a Recall

Priority List and will be awarded priority status and must be interviewed by the department with the vacancy if the vacant position is at the same or a lower pay grade than the position the employee held immediately prior to layoff. Such Recall Priority List must be posted on the agency's website for the entire six months period and updated as employees are either recalled or lose recall rights.

- As vacancies occur, hiring authorities of each institution are expected to assure review of qualified applicants from persons in the pool prior to filling positions. Provision of such recall/reemployment consideration is not intended to and does not create a right to reemployment.

- If, while on layoff status, an employee accepts another regular position within the LCTCS, he/she will relinquish all recall rights and no longer remain on layoff status.

Response to Offers of Recall/Reemployment

A laid off or reduction-in-force employee who:

- declines reemployment in the position previously held or a comparable one will forfeit any reemployment consideration
- declines reemployment in a position at a classification lower than that previously held will retain eligibility for reemployment should a vacancy occur within six months after layoff
- accepts employment in a position at a classification comparable to that previously held will forfeit any reemployment consideration
- accepts employment in a position lower than that previously held shall retain eligibility for reemployment consideration at a classification equal to the previously held position should such a vacancy occur within six months after layoff
- does not respond within three working days to an offer of reemployment will forfeit all reemployment consideration