

34.01 Definitions

- (a) Layoff. An involuntary cessation of employment due to: lack of work; reduction in ^{or} discontinuation of a function or programme; or a change in a process or method of operation thereby diminishing the total number of employees required to operate the department.
- (b) Recall. The calling back of a laid-off employee to fill a vacant position within the bargaining unit.
- (c) Involuntary Transfer. The movement of an employee from a discontinued position to another position in the same classification.
- (d) No provision of Article 34 shall be construed to prevent any employee from changing her/his status (continuing, sessional or temporary; part-time or full-time) by applying for and receiving a posted vacancy.

34.02 Reduction of staff

If a reduction of staff is necessary as a result of a lay-off, the department concerned shall notify Employee Relations who will notify the Union ^{immediately} at ~~least thirty~~ (30) calendar days before the reduction takes place. At the request of either the Union or the University a meeting shall be held.

34.03 Termination Dates

- (a) A sessional employee shall, at date of hire or recall, be assigned a termination date approximately corresponding to the end of the appropriate session in accordance with Article 3.03.
- (b) A temporary employee shall, at date of hire or recall, be assigned a termination date which is less than three (3) calendar months from date of hire or recall.

(c) A continuing employee may be assigned a termination date when hired into a position which is financed directly by sources outside the University (this does not include financially self-supporting functions of the University).

(d) No termination date shall apply to a continuing employee with more than one (1) year of seniority.

34.04 Involuntary Transfer Procedure

~~(a) The incumbent of a position which is discontinued shall be transferred to another position in the same classification.~~ *delete*

(a) (b) No lay-off shall take place when it can be avoided by transferring the displaced employee to a position in the same classification which is coincidentally vacant during the period of notice of involuntary transfer.

(b) (c) If more than one vacant position is available at the same time, the employee shall have the choice^c of those available positions. *where she/he qualified*

(c) (d) If, within a year a discontinued position is reinstated, the employee who was involuntarily transferred shall, upon request, be granted automatic transfer to that position. In this case, Article 22.09 (Trial Period for Transfer and Promotion) shall not apply.

(d) (e) In the case of involuntary transfer, employees within the same classification in the department or library division where the coincidental vacancy occurs shall have priority, in order of seniority, to this position and subsequent positions. The employee being involuntarily transferred shall fill the position remaining. No posting of the vacancy shall be required.

34.05 Lay-off Procedure

(a) Continuing Employees

- (i) When the position of a continuing employee is discontinued and no coincidental vacancy occurs during the period of notice of involuntary transfer, the employee with the least amount of seniority in the classification shall be laid-off and the incumbent of the position discontinued shall be involuntarily transferred to the resulting vacancy.
- (ii) When a continuing employee reaches a termination date assigned in accordance with Article 34.03 (c) and (d) and no coincidental vacancy occurs in the preceding thirty (30) calendar days, the employee concerned shall be laid-off and placed on the recall list.
- (iii) When involuntary transfer or recall causes a sessional position to be filled by a continuing employee, that employee shall retain her/his continuing status and the involuntary transfer and lay-off procedures shall be applied at the end of the session.

(b) Sessional Employees

- (i) Sessional employees shall be laid off at termination date.
- (ii) When the position of a sessional employee is discontinued before termination date, she/he shall be involuntarily transferred to a coincidental vacancy among sessional positions. Failing such a vacancy, she/he shall be transferred to a continuing or temporary vacancy. Failing any vacancy, the sessional employee with the least seniority shall be laid off and the displaced employee shall be transferred to the resulting vacancy.

Some classifiers

- (iii) It is understood that in the event the University wants to extend the termination date of a sessional employee, the employee must voluntarily agree in writing to the extension. In no circumstances may the termination date be extended beyond May in the case of a Winter Sessional employee and September in the case of an Inter/Summer Sessional employee.
- (iv) When involuntary transfer or recall causes a continuing or temporary position to be filled by a sessional employee, that employee shall retain her/his sessional status and shall be considered laid-off automatically at the end of the session in which she/he normally works.
- (v) In the event the University decides to discontinue a sessional position effective with the beginning of the following session, it shall inform the Union at the time the decision is taken. In the case of Winter Sessional positions, this notice shall be given at least one (1) month prior to the beginning of the session.

(c) Temporary Employees

When a temporary employee reaches her/his termination date and no coincidental vacancy is immediately available, the employee shall be laid-off and placed on the recall list.

34.06 Recall Procedure

- (a) A full-time employees' recall list and a part-time employees' recall list shall be maintained by the University. A full-time employee shall, ^{upon request,} ~~have the right to be listed on both lists.~~ A copy of the current recall lists shall be sent to the Union office on the first working day of each month.

- (b) When a lay-off occurs, the affected employee shall automatically be placed on the recall list effective the first (1st) day after her/his last day of employment.
- (c) Laid-off employees shall be recalled from the recall list in order of seniority within each classification.
- (d) Laid-off employees shall remain on the recall list for a period of thirteen ~~(13)~~¹² months, or until:
- (i) recalled by the University, or
 - (ii) she/he fails without good cause to report to work within five ^{working} (5) days of recall.
- "Good cause" for refusal of recall shall include objection to the temporary or permanent nature of the particular appointment. The employee shall notify the University of such objection before the effective date of lay-off.
- (e) Notice of recall shall normally be made by telephone. If no contact is made, notice shall be given by registered mail to the last address of the employee known to the University. The Union shall be notified by telephone of any recall.
- (f) It shall be the responsibility of the employee on the recall list to keep the University Employee Relations Department informed of her/his address and telephone number.
- (g) Recalled employees shall receive no less than their former salary plus any increments to which the employee has become entitled during the period on the recall list or by any change in the rate for that classification.
- (h) Employees recalled to a position other than that which they held prior to lay-off shall be on a training period for two (2) months. If the employee finds the job unsatisfactory or is unable to meet the basic ^{job} requirements, ^{unable to perform satisfactorily} she/he shall be returned to the recall list.

Recall to temporary positions for short term appointments (up to 15 days). 16 may be filled by external recruiting if telephone

(i) If, while awaiting recall, an employee chooses to apply for and obtains a position in another classification, she/he shall, upon request, remain on the recall list and shall be recalled, in turn, to a position in her/his original classification.

(j) Sessional Employee Recall

At the beginning of their session, sessional employees shall be recalled on the basis of seniority.

Sessional employees shall be recalled to their original positions, providing they have sufficient seniority.

In the event an employee's former position has been discontinued, she/he shall be recalled to another vacant position in the ^{same} classification.

Sessional employees not recalled as a result of insufficient seniority shall be placed on the recall list.

*delete
also on
recall
list*

34.07 Notice

- (a) All employees will receive one (1) month's written notice of lay-off or one (1) month's pay in lieu of notice, except temporary employees who will receive two (2) weeks notice or two (2) weeks pay in lieu^u or notice. In any case the Union shall be notified in writing at the same time as the employee concerned.
- (b) All employees will receive one (1) month's written notice of involuntary transfer. Involuntary transfer may take place before expiration of notice if a position becomes coincidentally vacant during the period of notice.
- (c) When a position is to be discontinued within one (1) month of filling, written notice at the time of filling shall be considered adequate notice of lay-off or involuntary transfer.
- (d) When a lay-off becomes unnecessary due to a coincidental vacancy, the University shall immediately notify the employee and the Union.

34.08 Full-time and Part-time Employees

- (a) A part-time employee shall not be involuntarily transferred or recalled to a full-time position.
- (b) A full-time employee shall not be involuntarily transferred to a part-time position or recalled to a part-time position unless she/he has requested to be listed on the part-time employees recall list.
- (c) A full-time employee who has exercised her/his right to be listed on the part-time employees' recall list and is recalled to a part-time position shall remain on the full-time employees' recall list and shall be recalled in turn to a full-time position.

Yes had he had a preference