

Prepared by the Personnel Management Office.
This is a new Administrative Procedure.

September 1983

SEPARATION FROM SERVICE

This Administrative Procedure was abolished on April 14, 1997 per Administrative Procedures Memorandum No. 97-4 signed by Senior Vice President for Administration Eugene S. Imai.

A9.790 PROCEDURES FOR WORK FORCE REDUCTIONS

1. Purpose. To incorporate the Governor's "Procedures for Work Force Reductions" into the University's Administrative Procedures, Administrative Directive No. 83-2, dated August 5, 1983.
2. Objective. To update work force reductions procedures in light of recent developments of legislative actions, reduction in federal funds, and budget allocation ceilings.
3. Applicability/Responsibility. These instructions apply to all personnel employees of the University. It is the responsibility of the University Personnel Office to incorporate the new instructions into the University procedures.
4. Procedures.
 - a. In addition to applicable collective bargaining contract provisions, the Governor's Administrative Directive No. 83-2, (Attachment A) is to be followed in cases of work force reductions.
 - b. Questions on these procedures are to be referred to the University Personnel Office.

August 5, 1983

ADMINISTRATIVE DIRECTIVE NO. 83-2

TO: All Department Heads

SUBJECT: Procedures For Work Force Reduction

This administrative directive supersedes Memorandum 1981-2, Procedures For Work Force Reductions, dated March 9, 1981, and Memorandum 1981-2(a), Procedures For Work Force Reductions, dated September 8, 1981.

Legislative actions, reductions in federal funds, and budget allocation ceilings imposed on funds and positions may at times necessitate work force reductions in some of your programs.

It is my intention that, whenever possible, the impact of a work force reduction be minimized to the fullest extent possible. In these instances, this Administration will take whatever steps are available to assist in the possible continued employment of permanent employees who may be affected by a work force reduction.

The following guidelines will be observed by all departments in the event that a reduction in work force must be effectuated:

1. A work force reduction is construed as a "layoff" if and only if a permanent, tenured employee of the civil service or Department of Education or University of Hawai'i personnel systems is terminated for lack of funds, work, or abolishment of position. The termination of temporary, probationary, limited term, and other provisional, non-permanent hires is not to be construed as a "layoff" since these employees have no tenure rights. This definition would not apply to certain types of non-permanent employees whose collective bargaining contract provide for employment preference.

The provisions of collective bargaining contracts and personnel rules regarding layoffs would be applicable insofar as they conflict with this definition and following procedure.

2. If a "layoff" becomes a possibility, the Department of Personnel Services, in the case of civil service employees, should be contacted prior to the issuance of any termination notice.

For employees under the jurisdiction of their own personnel systems, the Department of Education and the University of Hawai'i should contact their respective system's personnel office.

3. If a position occupied by a permanent, tenured employee is to be abolished, it will be the responsibility of the department head to inform the affected employee after the appropriate personnel system department or office, i.e., Department of Personnel Services, Department of Education (Office of Personnel Services), or University of Hawai'i (Personnel Office), has been notified and concurs with such an action.

Department heads will use the enclosed notice of termination to inform affected employees.

The department head should also notify the affected employee's collective bargaining agent prior to issuing this notice.

4. Upon concurrence, pursuant to Section 3 above, notification of employees shall be initiated pursuant to applicable collective bargaining contract layoff procedures. Implementation of applicable layoff procedures shall prevail until all least senior, regular, tenured employees scheduled for termination are identified. The department head shall then notify the appropriate personnel system department or office and the appropriate employee collective bargaining agent of further actions.

The Department of Personnel Services, Department of Education, and University of Hawai'i are hereby charged with the responsibility of coordinating departmental efforts to accommodate permanent, tenured state employees who are under the jurisdiction of their respective personnel systems and who may be affected by work force reductions.

/s/ George R. Ariyoshi

Enclosure

S A M P L E M E M O R A N D U M
(to be typed on Departmental Letterhead)

TO: (Name of Permanent Employee who may be affected by work
force reduction)

The Department of _____ must effectuate work force reductions to comply with the position and fund authorizations which will be imposed in fiscal year _____ as a result of funding reductions. This letter is to inform you that the position which you now occupy will be abolished as of _____, consequent to the reduced level of funding for the program under which you are employed.

An advance notice to any employee who may be terminated due to lack of funds or work, or abolishment of position is a technical procedure that is required under the provisions of the collective bargaining contract. Please be advised that the administration will take whatever steps that are available to assist you in retaining your employment with the state.

Your patience and cooperation during this period of adjustment will be deeply appreciated.

(Signature of Department Head)