



## Separations, Voluntary and Involuntary, Including Layoff (Excluding Academic and Bargaining Unit Staff)

Policy 6.12  
Volume 6, Human Resources  
Chapter 12, Separations  
Responsible Executive: Vice  
President and Chief Human  
Resources Officer  
Responsible Office: Workforce  
Policy and Labor Relations  
Originally Issued: September 1998  
Reissued: October 8, 2007  
Last Full Review: May 8, 2018  
Last Updated: May 8, 2018

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### **POLICY STATEMENT**

Cornell University administers involuntary and voluntary separations from the university as equitably, humanely, and consistently as possible.

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### **REASON FOR POLICY**

Appropriate staffing is critical to the university's mission of excellence in teaching, research, and public service. In addition, the university recognizes that there are situations where a staff member will separate from the university, due to changes in the wishes or needs of the university or the individual.

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### **ENTITIES AFFECTED BY THIS POLICY**

- All units of the university (excluding Weill Cornell Medicine)

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### **WHO SHOULD READ THIS POLICY**

- Deans, directors, and department heads
- College/unit human resources representatives
- Regular nonacademic, non-bargaining unit staff members
- Supervisors
- Unit administrators

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### **WEB ADDRESS FOR THIS POLICY**

[www.dfa.cornell.edu/policy/policies/separations-voluntary-and-involuntary-including-layoff](http://www.dfa.cornell.edu/policy/policies/separations-voluntary-and-involuntary-including-layoff)

Policy 6.12  
Separations, Voluntary and Involuntary  
(Including Layoff)

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## Policy 6.12 Separations, Voluntary and Involuntary (Including Layoff)

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### RELATED DOCUMENTS

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#### University Documents

- [University Policy 6.11.3, Employee Discipline \(Excluding Academic and Bargaining Unit Staff\)](#)
  - [University Policy 6.6.1, Filling Vacancies \(Excluding Academic and Bargaining Unit Staff\)](#)
  - [University Policy 6.9, Time Away from Work \(Excluding Academic and Bargaining Unit Staff\)](#)
  - [University Policy 6.4, Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct](#)
  - [Credited Service Information](#)
  - [Human Resources Policy 6.11.2, Probationary Period](#)
  - [Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure](#)
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### CONTACTS

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Direct any general questions about University Policy 6.12, Separations, Voluntary and Involuntary (Including Layoff), to your college's or unit's administrative or human resource office. If you have questions about specific issues, call the following offices:

Subject	Contact	E-mail/Web address	Telephone
Policy Clarification, Exceptions, and Interpretation	College/Unit Human Resources Representative	<a href="http://hr.cornell.edu/find-your-hr-representative">hr.cornell.edu/find-your-hr-representative</a>	
	Division of Human Resources, Workforce Policy and Labor Relations (WPLR)	<a href="mailto:equalopportunity@cornell.edu">equalopportunity@cornell.edu</a>	(607) 255-4652
Benefits, Endowed and Contract College	Division of Human Resources, Benefit Services	"Benefits according to job status" <a href="http://hr.cornell.edu/benefits-pay/benefits-enrollment">hr.cornell.edu/benefits-pay/benefits-enrollment</a>	(607) 255-3936
Career Services Consultations	Division of Human Resources, Workforce Recruitment and Retention		(607) 254-6400

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## Policy 6.12 Separations, Voluntary and Involuntary (Including Layoff)

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### DEFINITIONS

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These definitions apply to these terms as they are used in this policy.

<b>Career Services</b>	A wide range of support systems available to assist in maximizing reemployment efforts of the staff member selected for layoff. The services are available until the staff member secures regular full-time or part-time employment inside the university, the outplacement agreement ends, or six months from the date of layoff notification whichever comes first.
<b>Case Manager</b>	The person assigned to coordinate and assist with the support provided the staff member selected for layoff. This may be an internal university representative or an outplacement agency.
<b>Casual Appointment</b>	An appointment to a position of less than 20 hours per week.
<b>College/Unit Human Resources Representative</b>	The primary human resource administrator at the college or unit level.
<b>Continuous Service</b>	Uninterrupted time holding a regular appointment or a benefits-eligible temporary appointment.
<b>Credited Service</b>	See <a href="#">Credited Service</a> information on the Human Resources website.
<b>Effective Date of Layoff</b>	The official date of separation from the university's payroll due to layoff.
<b>Full-time Position</b>	A position of at least 35 hours per week. May Apply to a regular or temporary appointment.
<b>Indefinite Appointment</b>	A regular appointment without a specified ending date.
<b>Job Search Assistance</b>	A wide range of support systems available to assist in maximizing reemployment efforts of the staff member selected for layoff. The services are available until the staff member secures regular full-time or part-time employment inside the university, the outplacement agreement ends, or six months from the date of layoff notification whichever comes first.
<b>Layoff</b>	A status that results in an indefinite elimination of employment or an indefinite increase or decrease in hours of 25 percent or more that occurs over a period of 12 months or less, or a reduction below 20 hours per workweek. Layoff results from lack of funds or lack of work, reorganization, or position redesign.
<b>Layoff Package</b>	Career services, benefits, and/or severance pay, provided to staff members who are qualified under the terms of this policy.
<b>Layoff Period</b>	The layoff period for all eligible staff members, including those on term appointments, begins on the effective date of layoff and ends one year from the effective date of layoff, or when the individual is hired into a regular position inside the university, whichever is earlier.
<b>Outplacement</b>	External career services that may be provided to maximize reemployment efforts.

## Policy 6.12 Separations, Voluntary and Involuntary (Including Layoff)

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### DEFINITIONS, CONTINUED

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<b>Part-time Position</b>	A position of less than 35 hours per week. May apply to a regular or temporary appointment.
<b>Regular Appointment</b>	An appointment to a non-temporary position of at least 20 hours per week with an expected duration of at least six months.
<b>Short-Term Layoff</b>	A workforce adjustment of up to three months resulting from changes in business needs, including, but not limited to, the availability of funding or a reduction in available work.
<b>Sponsored Funds</b>	Funds provided to the university that have limitations or stipulations placed on their use by an external party. These include contracts, cooperative agreements, government grants/contracts, and non-government grants/contracts.
<b>Temporary Appointment</b>	An appointment to a position of at least 20 hours per week with an expected duration of less than six months.
<b>Term Appointment</b>	A regular appointment with an ending date specified at the time of the appointment.
<b>Unit</b>	A department, college, school, program, division, or other entity that is responsible for an individual's employment.

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## OVERVIEW AND PROCEDURES FOR REMOVAL FROM THE PAYROLL

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### **Introduction**

This document provides guidance and procedures for situations involving separations of staff members from the university, including removal from the payroll, layoff, and short-term layoff. Separations are voluntary or involuntary terminations from the university.

### **Voluntary Separations**

A voluntary separation is one that results when a staff member leaves a job on his or her own initiative, through resignation, retirement, job abandonment, or leave of absence. Voluntary resignations shall not be subject to the staff complaint and grievance procedure.

#### **Resignation**

Nonexempt staff members who resign from their positions are normally expected to provide written notification to their supervisors at least ten working days prior to the date of separation. Exempt staff members who resign are expected to provide written notification at least one month prior to the date of separation.

#### **Retirement**

A staff member who retires is considered to have voluntarily terminated employment.

#### **Leave of Absence**

For more information on university leaves of absence, see [University Policy 6.9, Time Away from Work \(Excluding Academic and Bargaining Unit Staff\)](#).

#### **Job Abandonment**

A staff member shall have abandoned his or her job when the staff member has failed to call in and directly notify the supervisor of the reason for absence from work for three consecutive work days. Job abandonment will also occur when a staff member fails to return to work or directly notify the supervisor of the reason for absence within three consecutive working days after any approved leave of absence, disciplinary suspension, or recall from layoff status.

When a staff member has abandoned his or her job, that staff member shall be immediately terminated from Cornell University employment.

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## OVERVIEW AND PROCEDURES FOR REMOVAL FROM THE PAYROLL, CONTINUED

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### **Involuntary Separations**

An involuntary separation is one initiated by the university, and may result for a variety of reasons, including layoff and discharge.

#### **Layoff**

For information on layoff, see the “*Layoff*” sections of this document.

#### **Short-term Layoff**

For more information on short-term layoff, see the “*Short-term Layoff*” section of this document.

#### **Termination of Employment**

A staff member's employment may be terminated for reasons that include but are not limited to uncorrected performance deficiencies or serious misconduct. Termination of employment is a serious action and requires consultation with the college/unit human resources representative (or designee) and Workforce Policy and Labor Relations prior to taking such action. All terminations must be documented in accordance with [University Policy 6.11.3, Employee Discipline](#).

### **Procedures for Removal from the Payroll**

Upon the termination of a staff member, a transaction in the HR/Payroll system must be processed immediately. As appropriate, either a copy of the resignation letter or a copy of the termination letter must be retained by the unit as part of the human resources record.

### **Vacation/Holidays**

Refer to the “Vacation” and “Holiday Time” sections of [University Policy 6.9, Time Away from Work](#) for information regarding endowed and contract college holiday and vacation pay at the time of termination.

### **Exit Procedures**

The Exit Procedure Checklist is a quick reference of potential items that should be collected and/or destroyed. This procedure applies to all nonacademic staff members who have terminated employment. It is suggested that a copy of the completed checklist be retained in the unit files for at least one year. This process ensures that staff terminations are processed effectively and efficiently. A sample Exit Procedure Checklist can be found at [hr.cornell.edu/hr-professional-tools/layoff-early-terminations/exit-procedures](http://hr.cornell.edu/hr-professional-tools/layoff-early-terminations/exit-procedures).

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## LAYOFF: OVERVIEW

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### Introduction

When faced with changing economic and programmatic imperatives, Cornell University may have to adjust its work force. In cases where immediate retraining or reassignment is not possible, the university will administer layoff actions in as equitable, humane and consistent manner as possible.

The three “*Layoff*” sections of this policy serve two purposes: to help ensure that procedures for staff layoff are consistent throughout the university, and to provide information and resources to staff members when layoff is imminent and during the layoff period. The procedures are presented in three major sections. The first of these, “*Layoff: Overview*,” describes the university’s policy on the administration of layoffs in units. The second, “*Layoff: Procedures*,” describes university and staff procedures before and during layoff. The third, “*Layoff Package*,” outlines what benefits laid-off staff members are entitled to and what other resources and services are available to them.

### Applicability

The “*Layoff*” sections of this policy apply to the following:

- Nonacademic, regular, full- and part-time staff members who have been employed by the university for more than one continuous year
- Nonacademic full- and part-time staff members on term appointments or extended term appointments who:
  1. Have completed at least one year of the appointment; and
  2. Are not allowed to complete their agreed-upon term of employment owing to the layoff (for information on calculating severance pay, see the “*Severance Pay*” segment of this document).

◆**Note:** In certain cases, when the university transitions work to another employer, employees affected by the transition who accept employment with the new employer may be ineligible for coverage under the layoff and severance pay provisions of this policy. Factors that will be assessed on a case-by-case basis by the human resource (HR) representative in conjunction with appropriate college/unit leadership include continuity of employment after the transition, business circumstances underlying the transition, and comparability (e.g., salary and benefits) of the successor positions.

### Decision to Adjust Workforce

Decisions to pursue a workforce adjustment(s) are the responsibility of the head of the unit. All proposed workforce adjustments require the approval of Workforce Policy and Labor Relations (WPLR), the Department of Inclusion and Workforce Diversity and University Counsel. College/unit human

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## LAYOFF OVERVIEW, CONTINUED

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resources representatives and/or WPLR should be consulted early in the process to ensure that these decisions are made in an equitable, consistent, and humane manner. Workforce adjustments may be due to changes in the availability of funding, a reduction in available work, significant changes in the duties for one or more positions, and/or a reorganization of the unit, which results in involuntary changes in hours, or the elimination of positions.

### **Involuntary Change in Hours**

An increase or decrease of 25 percent or more of a staff member's regularly scheduled hours that occurs over a period of 12 months or less, or a reduction that results in a position of less than 20 hours per week, is subject to the provisions in this policy. In such cases, the staff member may:

- Continue in the regular position (20 hrs/wk or more) with changed hours and not be subject to the provisions of this policy; or
- Enter a layoff period and receive a layoff package in accordance with this policy (see the "*Layoff Package*" sections of this document).

◆**Note:** A change in hours made at the request of a staff member is considered voluntary and is not covered by the provisions of this policy.

### **Elimination of Position**

If there is no longer sufficient work to perform for a position, if the work has been shifted to other positions, or if the position can no longer be funded, then the position may be eliminated. The staff member may be reassigned to another position or laid off (see "*Reassignment as an Alternative to Layoff*" segment of this document).

### **Reassignment as an Alternative to Layoff**

If the college or unit contains a vacant or new position and the unit head determines the staff member identified for layoff is qualified for an available position, the unit head, at his or her discretion, may reassign the staff member. The staff member who is offered a reassignment will not be required to accept a position with a lower job level or salary. In such instances, the staff member will be placed on layoff status. However, absent such circumstances, the reassignment may be made in lieu of layoff at the discretion of the unit head.

If the unit head wishes to reassign the staff member, he or she should discuss the salary level with the college/unit human resources representative. The salary must be at a level that reflects the following:

- The staff member's experience and qualifications

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## LAYOFF OVERVIEW, CONTINUED

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- The requirements of the position
- Internal equity
- The unit's financial capabilities

### Layoff Package

Laid-off staff members will generally be provided with a layoff package composed of three elements: job search assistance, severance pay, and benefits (see the "*Layoff Package*" section of this document).

### Layoff Period

The layoff period for all eligible staff members, including those on term appointments, begins on the effective date of layoff and ends one year from the effective date of layoff, **or** when the individual is hired into a regular position inside the university, whichever is earlier. During the layoff period, staff members are eligible for certain benefits according to the provisions of this policy. Acceptance of temporary or casual employment, inside or outside the university, will not affect the layoff period.

### Responsibilities of the Staff Member During the Layoff Period

The staff member has the following responsibilities during the layoff period:

- to actively seek a new position that is appropriate to skills and abilities
- to keep the case manager advised of a current address and telephone number

◆**Caution:** Failure to perform any of the above tasks may result in the termination of the layoff period and all associated benefits.

### Case Manager

A case manager is assigned to the staff member being laid off, by the college/unit human resources representative in collaboration with the supervisor. This individual, who may be the college/unit human resources representative or designee, or an outplacement agency, will work with the staff member for the six months following notice of layoff or for the duration of the outplacement agreement. The case manager will contact the staff member who has been officially identified for layoff and arrange an introductory meeting to discuss the job search process and to provide information about benefits and services available. (For more specific duties, see the "Job search assistance" segment of this document).

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## LAYOFF: PROCEDURES

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### Criteria for Selecting an Individual

1. If there is more than one staff member in the affected unit in the same university job title and pay band as the position/s to be eliminated, to determine who will be laid off, the unit head must first consider the following:
  - The ability of each staff member (in the same university job title and pay band within that unit) to perform the work following the reduction in staff, including past performance evaluations or documented employment history
  - The ability of the principal investigator or project director, where a sponsored program is affected, to meet the obligations to the sponsor in a timely manner. The principal investigator and the department chair will jointly review the impact on the sponsored program before submitting a request for layoff to the dean or executive officer, as outlined in this policy
2. If the staff members are found to possess equal abilities, (i.e., they are equally able to perform the remaining work, and the sponsored program, if applicable, is not negatively impacted), then the unit head should consider the following criteria:
  - **Affirmative Action:** The supervisor, in consultation with the college/unit human resources representative, should evaluate whether the layoff will seriously reduce the proportion of women or minorities in the unit and whether affirmative action goals have been established for the affected position(s).

◆ **Note:** When affirmative action goals are involved in the decision-making process, staff members in the Department of Inclusion and Workforce Diversity are available to discuss this action before submitting your proposal.

  - **Length of Service:** If all other factors are equal, length of service should be strongly considered, to be evaluated based on the staff member's credited service. The college/unit human resources representative can assist in determining the credited service.

### Selection and Approval Process

### Responsibility of College/Unit Human Resources Representative

In determining who will be laid off, the college/unit human resources representative has the following responsibilities:

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### **LAYOFF: RESPONSIBILITIES, CONTINUED**

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- Prepare the written layoff plan documentation in collaboration with unit leadership and supervisor(s). (See Documentation section later in this policy)
- Review the final layoff proposal with the unit head for their approval
- Submit the agreed upon layoff proposal for required central review, consideration and approval

Upon receiving central approval:

- Retain the documentation on file for purposes of compliance or potential grievance resolution
- Prepare a formal written notice of layoff for review by unit head and supervisor
- Identify the case manager or outplacement arrangement, in collaboration with the staff member's supervisor
- Notify the case manager of the impending layoff
- Obtain a layoff packet from Workforce Recruitment and Retention to provide to the employee, along with formal written notice

#### **Responsibility of Unit Head**

The unit head has responsibility for determining which, if any, positions will be affected by layoff. Throughout the proposal review process, the unit head must consult with the affected employee's supervisor, the college/unit human resources representative, and/or WPLR. In developing the proposal, the unit head must consider the following:

- Available funding
- Required staffing levels
- Proper distribution of workloads
- The type and number of positions to be reduced or eliminated
- The unit head should determine the specific knowledge, skills, competencies, attributes, and performance standards necessary to support the unit's current and prospective operational requirements

#### **Layoff Documentation**

The college/unit human resources representative must document the decision-making process that was followed in the layoff determination.

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## LAYOFF: RESPONSIBILITIES, CONTINUED

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This document must contain the following:

- The reason for layoff (e.g., reorganization, position redesign, lack of work including indefinite change in hours, or lack of funds)
- The title and pay band of the staff member(s) to be affected by the layoff plan
- The name(s), length of service, and affirmative action status of staff members within the unit, in position(s) having the same university job title(s) and pay band(s) as the position(s) to be eliminated
- The name(s) of staff members selected for layoff and the rationale for the selection
- Any plans for reassignments within the unit
- The name of the assigned case manager

### Notice Period

A staff member must receive a notice period of at least 30 calendar days for transition to layoff status. During this period, the staff member will generally remain on the unit's active payroll and continue to work until the effective layoff date.

◆ **Note:** Once a decision is made regarding layoff, it is recommended that the staff member be notified of the pending layoff as early as possible to allow the staff member to begin a job search. A notification of 60 calendar days is recommended; 30 calendar days is required. Refer to the "*Sponsored Fund Severance Pay*" segment of this document for additional information on notice period for positions funded by sponsored funds.

The unit head may delegate responsibility for the following steps to process the layoff action and start the formal notice period to the staff member's supervisor and/or the college/unit human resources representative:

Give the staff member a formal written notice of the pending layoff, at least 30 calendar days before the effective layoff date, and a copy of the layoff packet. This written notice must include the reason for the layoff, the effective layoff date, and the name of the case manager assigned to assist the staff member throughout the layoff period. [See the sample formal written notice of layoff.](#)

1. Send a copy of the formal written notice to the staff member's supervisor, the college/unit human resources representative, and the case manager.
2. Support the staff member's requests for time off for upgrading job skills and job searches during the notice period.
3. Provide the staff member with a letter of reference if requested.
4. Help the case manager identify the staff member's areas of competence, and career and job placement needs.

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## LAYOFF: RESPONSIBILITIES, CONTINUED

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5. With the staff member, establish a time by which all university property will be returned and personal property removed.
6. Complete the process to effect the change in the staff member's employment status (change in hours, reassignment, or layoff) including the appropriate reviews and approvals at the college and/or unit levels.

### Pay In Lieu of the Notice Period

In unusual circumstances, after consultation with the college/unit human resources representative, the unit head may decide that the staff member will not remain on the unit's active payroll during the required notice period. The unit is still responsible for paying the staff member an amount equal to his or her regular salary or wage through the end of what would have been the staff member's notice period. This pay in lieu of the notice period does not affect the severance pay that the staff member will receive.

◆**Note:** Units are required to honor the notice period in support of the university's commitment to consistent and humane treatment under this policy.

Tools to assist in this process are available at <https://hr.cornell.edu/hr-professional-tools/layoff-early-terminations>.

### Staff Members' Right To Grieve/Complain

If a laid-off staff member has concerns about the layoff, [Human Resources Policy 6.11.4, Staff Complaint and Grievance Procedure](#) is available to review the department head's consideration of affirmative action, length of service, and the staff member's ability to perform the remaining work. Grievances must be filed within 10 working days from the date the staff member receives written notification of the impending layoff.

The grievance procedure is not available to review other actions under the provisions of this policy regarding layoff, including, but not limited to the unit head's determination of the need for a layoff, the number of staff members to be laid off, the reassignment decision, or the positions to be eliminated.

If the laid-off staff member believes that the layoff decision has resulted in some form of discrimination, University Policy 6.4, Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct, provides an internal university procedure for complaints of prohibited discrimination.

For more information, contact the college/unit human resources representative, the University Ombudsman, or WPLR, in the Division of Human Resources.

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## LAYOFF RESPONSIBILITIES

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The major responsibilities each party has in connection with a layoff are as follows:

<b>Benefit Services</b>	Notify laid-off staff members of their right to convert to an individual health insurance COBRA policy.
<b>Benefits Resource Specialist</b>	Review available benefits for laid-off staff members. Ensure that the appropriate forms are provided to the staff member.
<b>Case Manager</b>	Work with supervisors to identify a laid-off staff member's area of competence.  When a staff member is on layoff status, provide support and assistance in helping to a) obtain information about benefits and services and b) identify career goals and job search strategies (see the " <i>Case Manager</i> " segment of this document.
<b>College/Unit Human Resources Representative</b>	Review and /or propose final layoff plans to the unit head. May consult with a representative of the Workforce Policy and Labor Relations section of the Division of Human Resources. Submit agreed upon layoff proposal for required central review, consideration, and approval. Prepare and retain written layoff plan documentation. Identify and notify a case manager for a laid-off staff member. When appropriate, act as case manager to laid-off staff members. Provide advice, guidance, and assistance throughout a staff member's layoff period.
<b>Former Supervisor</b>	Provide timely notification of layoff to affected staff members. When appropriate, act as case manager to laid-off staff members.  Give an accurate reference on laid-off applicants to prospective employers.
<b>Hiring Supervisor</b>	Interview all laid-off staff members who are qualified and apply for open positions.  Give appropriate <i>preference</i> to laid-off staff members who apply for positions.
<b>Staff Member</b>	During the layoff period, conduct regular job searches. During the layoff period, provide accurate and timely information to the case manager.
<b>Unit Head</b>	Responsible for determining which, if any, positions will be affected by layoff, the number of staff members to be laid off, and the positions to be eliminated.  Notify an affected individual of a reduction in his or her hours worked.  Consult with the staff member's supervisor, the college/unit human resources representative, and the case manager throughout the layoff process.

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Cornell Policy Library  
Volume 6, Human Resources  
Responsible Executive: Vice  
President and Chief Human  
Resources Officer  
Responsible Office: Workforce  
Policy and Labor Relations  
Originally Issued: September 1998  
Reissued: October 8, 2007  
Last Full Review: May 8, 2018  
Last Updated: May 8, 2018

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### **LAYOFF: RESPONSIBILITIES, CONTINUED**

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<b>Workforce Policy and Labor Relations (WPLR)</b>	Consult with staff members and the college/unit human resources representatives regarding administration of this policy. When appropriate, act as case manager to laid-off staff members.
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## LAYOFF PACKAGE

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### General Comments

Upon layoff, the staff member will receive a layoff package composed of three elements: job search assistance, severance pay, and benefits/services. These elements are described in the paragraphs that follow.

### Job Search Assistance

When notified of layoff, the staff member will receive assistance in the search for another position. These services may be provided internally or through an outplacement agency, as determined by the college/unit human resources representative and the case manager. The ability of the unit to pay for outplacement services and the type of position held will be important considerations when deciding the scope of these services. The section below outlines the responsibilities of the laid-off individual, of the college/unit human resources representative, and of the case manager.

#### Role of the Laid-off Individual

- Identify internal employment opportunities by reviewing the Jobs at Cornell intranet site and other resources on a regular basis and apply as directed in the job advertisement, in a timely manner, to positions for which the staff member is qualified.
- Identify external employment opportunities through local resources and apply as directed in the job advertisement, in a timely manner, to positions for which the staff member is qualified.
- It may be desirable to discuss positions of interest with the case manager before submitting application materials. This may assist in selecting positions that best match the staff member's skills and abilities.
- Request a letter of reference from the supervisor and/or unit head, which will identify strengths and assist in the job search. For suggestions on how to handle this request, contact the case manager or college/unit human resources representative.
- Review benefits. An appointment with a human resources services and transitions counselor may be set up upon request.

#### Role of the Hiring Supervisor

In support of the university's efforts to reemploy laid-off staff, when a laid-off staff member applies for an open position, the hiring supervisor will:

- Offer an interview to all laid-off applicants who meet the qualifications for the open position.

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## LAYOFF PACKAGE, CONTINUED

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- Consider whether the conditions outlined in the "*Probationary Period as a Condition of Hiring*" segment of this policy are appropriate.

### **Role of the College/Unit Human Resources Representative**

The college/unit human resources representative may help with the following:

- Identifying possible opportunities within the college/unit
- Facilitating application process within the college/unit

### **Role of the Case Manager**

The case manager will provide support and assistance in helping to obtain information about benefits and services available, and identify career goals and job search strategies. Generally, the case manager will begin working with the staff member from receipt of layoff notice. This assistance will continue until the staff member secures regular full-time or part-time employment inside the university, the outplacement agreement ends, or six months from the date the services are engaged, whichever comes first. The case manager will be determined by the college/unit human resources representative and may be the college/unit human resources representative or designee or an outplacement agency.

The case manager may help the staff member with the following:

- Understanding the application process
- Pursuing appropriate open positions within the university
- Arranging for skills and/or career assessment
- Identifying training opportunities
- Reviewing cover letter and résumé
- Improving interview skills

◆**Note:** Regardless of the expiration date of case management services, the layoff period begins on the effective date of layoff and ends one year from the effective date of layoff, or when the individual is hired into a regular position inside the university, whichever is earlier.

### **Probationary Period as a Condition of Hiring**

During the layoff period, a hiring supervisor may offer a laid-off individual an exempt or nonexempt position with the stipulation that a probationary period be served. The following conditions apply:

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## LAYOFF PACKAGE, CONTINUED

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- The probationary period will be up to 90 calendar days, with possible 30-calendar-day extension
- The details of the probationary period (including the specific length) are stated in the offer letter as a condition of the appointment, and thereby deemed agreed to upon the individual's acceptance of the position

◆ **Note:** The provision of [Human Resources Policy 6.11.2, Probationary Period](#) that states the length of the probationary period is 90 calendar days, may be waived under University Policy 6.12, Separations, Voluntary and Involuntary (Including Layoff), and a shorter probationary period may be imposed, as stated in the accepted offer letter. The probationary review form should be used to formally document the end of the probation.

Except in cases of misconduct, if the staff member does not pass probation, he/she will be returned to layoff status to complete any time that remains in the layoff period.

### **Recall from Layoff**

If the former position (i.e., same university job title, pay band, duties, and responsibilities and requiring the same qualifications) of the staff member(s) on layoff is reinstated within the same unit during the individual's layoff period, the recall decision will be based on the same criteria used for making layoff decisions (see the "Criteria for Selecting an Individual" in the "Layoff Procedures" section of this policy). If recalled, the individual(s) will return at least at the same salary level as their former position and will be eligible to enroll in the benefit program(s) available at the time of recall.

◆ **Note:** The department reserves the right to consider prior performance when determining if a laid off staff member will be recalled.

### **Severance Pay**

The purpose of severance pay is to provide some financial assistance to staff members to help them deal with the initial difficulties that may result from the loss of employment. It is not intended to be recognition of years of service with the university.

Therefore, staff members who accept a regular position at Cornell that will begin within two weeks of their effective date of layoff are not eligible for severance pay.

◆ **Note:** In certain cases, when the university transitions work to another employer, employees affected by the transition who accept employment with the new employer may be ineligible for coverage under the layoff and severance pay provisions of this policy. Factors that will be assessed on a case-by-case basis by

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## LAYOFF PACKAGE, CONTINUED

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the human resource (HR) representative in conjunction with appropriate college/unit leadership include continuity of employment after the transition, business circumstances underlying the transition, and comparability (e.g., salary and benefits) of the successor positions.

Staff members who are laid off under the provisions of the “*Layoff*” sections of this policy will receive severance pay at the rate of one week of pay per year of continuous service, not to exceed 24 weeks. Severance pay is calculated at the rate of the staff member’s regular base pay at the time of written notification, and is issued as a lump sum payment.

◆ **Caution:** Severance pay is a unit cost.

◆ **Note:** If a staff member has been laid off previously and received severance pay for prior service, and then rehired and subsequently laid off, he or she will not receive severance pay for the same period of service.

### Term Appointments Severance Pay

Staff members on term appointments who are eligible for layoff will receive severance pay equal to their pay for the remainder of their term **or** based upon their years of continuous service, whichever is less.

For example, if an employee has worked 4 1/2 years of a five-year term and will be placed on layoff status, to determine their severance pay, consider the remainder of their term, which is six months (pay would be equal to six month’s salary) and their years of service, which is 4 1/2 years (pay would be equal to 4 1/2 weeks salary). In this case, the 4 1/2 weeks salary is less than the six months salary, so the severance pay amount would be 4 1/2 weeks.

◆ **Note:** When granting agencies allow compensation only for work performed, staff members will be given extra notice up to 24 weeks, depending on their years of continuous service, in lieu of severance pay. If they do not find other employment at Cornell by the effective layoff date, any unearned portion of the severance pay will be paid in a lump sum as of that date, calculated at the rate of the staff member’s regular base pay at the time of written notification.

### Sponsored Fund Severance Pay

When a position is funded 50 percent or more by sponsored funds and is not a term appointment, notice and severance pay may be handled in one of two ways:

1. Thirty calendar days formal notice plus one week of severance pay for every year of continuous service, not to exceed 24 weeks, or
2. If the employee has

## Policy 6.12 Separations, Voluntary and Involuntary (Including Layoff)

### LAYOFF PACKAGE, CONTINUED

- Thirteen or fewer years of continuous service: 90 calendar days notice period in lieu of severance pay is required;
- More than 13 years of continuous service: 90 calendar days notice period plus additional notice or severance pay of one week per year(s) of continuous service over 13 years is required.

Maximum total notice or notice plus severance pay (including 90 calendar days) is 24 weeks.

◆ **Note:** When granting agencies allow compensation only for work performed, staff members will be given extra notice up to 24 weeks, depending on their years of continuous service, in lieu of severance pay. If they do not find other employment at Cornell by the effective layoff date, any unearned portion of the severance pay will be paid in a lump sum as of that date, calculated at the rate of the staff member's regular base pay at the time of written notification.

#### Benefits and Services

Staff members are entitled to a continuation of certain benefits. For information on university contract college and endowed benefits, refer to "Benefits According to Job Status" at [hr.cornell.edu/benefits-pay/benefits-enrollment](http://hr.cornell.edu/benefits-pay/benefits-enrollment), or contact Benefit Services by e-mail or telephone (see the "Contacts" section of this document). Refer to Table 1 below for other services available to staff on layoff status.

◆ **Caution:** Failure to make any required premium payments on any benefit will result in the discontinuation of that benefit.

**Table 1**  
*Other Services, Layoff*

<b>Faculty and Staff Assistance Program (FSAP)</b>	During the layoff period, staff members are eligible to use FSAP services.
<b>Network Identification and Access</b>	During the layoff period, network identification and access to Cornell's computer services remain active, and the laid-off staff member is expected to abide by the terms of applicable university policy. Upon acceptance of a position outside the university, or when the layoff period expires, network identification will be deactivated.  ◆ <b>Note:</b> Each unit reserves the right to restrict or deactivate access to electronic local and administrative systems as necessary.
<b>Parking Permits/Transit Passes</b>	The laid-off staff member is permitted to park, free of charge, in the "A" parking lot, during the layoff period. Parking permits for other lots must be returned to Transportation Services, which will issue an "A" lot permit. OmniRide transit passes may be used until the current pass expires (June 30 or December 31). Out-of-county transit pass holders must pay the remaining balance due for that six-month period. Transit passes may not be renewed upon expiration.
<b>Health and Personal Leave</b>	If the laid-off staff member is hired into a regular position during the layoff period, health and personal leave accrued before the layoff will be restored.
<b>Unemployment Insurance</b>	The Department of Labor has established an automated system to apply for unemployment

## Policy 6.12

### Separations, Voluntary and Involuntary (Including Layoff)

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#### LAYOFF PACKAGE, CONTINUED

	insurance. Call toll-free 1-888-209-8124 or go to <a href="http://www.labor.ny.gov/">http://www.labor.ny.gov/</a> to apply.
<b>University Identification Card</b>	The university ID card is retained throughout the layoff period, and entitles the laid-off staff member to the privileges that the card confers, including the use of libraries. To retain access to libraries, go to the Access Services' office in 101 Olin Library, where a library card will be issued.
<b>Vacation</b>	Unused, accrued vacation will be paid in a lump sum.
<b>Wellness</b>	The laid-off staff member is eligible to enroll in this program during the layoff period. Contact program staff for cost and availability.

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## SHORT-TERM LAYOFF

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### Decision to Adjust Workforce

Decisions to adjust the workforce are the responsibility of the head of the unit. College/unit human resources representatives and/or consultants from the Workforce Policy and Labor Relations office should be consulted early in the process to ensure that these decisions are made in an equitable and consistent manner. Short-term workforce adjustments of up to three months may result due to changes in business needs, including, but not limited to, the availability of funding or a reduction in available work.

Staff members impacted by such a workforce adjustment are placed on short-term layoff without pay (for information regarding the use of vacation accruals during a short-term layoff, see Table 2, below.)

Workforce adjustments that exceed three months are considered indefinite layoffs and are subject to the provisions outlined in the “*Layoff*” sections of this policy.

### Applicability

This policy applies to nonacademic regular staff members who work full- or part-time, including those on term appointments.

### Notice Period

A staff member should receive a written notice at least 30 calendar days prior to the effective date of the short-term layoff. Such a notice should include the specific period of temporary layoff, including anticipated return-to-work date for the staff member. During the notice period, the staff member will generally remain on the unit’s active payroll and continue to work until the effective short-term layoff date. If extenuating circumstances prevent a 30-calendar day notice, written notice should be provided to the staff member as soon as possible.

◆**Note:** Once a decision is made regarding short-term layoff, it is recommended that the staff member be notified of the pending short-term layoff as early as possible.

### Benefits and Services

Staff members are entitled to a continuation of certain benefits while on short-term layoff provided they met the eligibility requirements for each particular benefit at the times of their layoffs. For information on university contract college and endowed benefits contact Benefit Services by email or telephone (see the “*Contacts*” section of this document). Refer to Table 1 below for other services available to staff on short-term layoff.

◆**Caution:** Failure to make any required premium payments on any benefit will result in the discontinuation of that benefit.

## SHORT-TERM LAYOFF, CONTINUED

**Table 2**  
*Other Services, Short-term Layoff*

<b>Network Identification and Access</b>	During the short-term layoff period, network identification and access to Cornell's computer services remain active, and the staff member is expected to abide by the terms of applicable university policy. ♦ <b>Note:</b> Each unit reserves the right to restrict or deactivate access to electronic local and administrative systems as necessary.
<b>Parking Permits/Transit Passes</b>	The staff member is permitted to park, free of charge, in the "A" parking lot, during the short-term layoff period. Parking permits for other lots must be returned to Transportation Services, which will issue an "A" lot permit. OmniRide transit passes may be used until the current pass expires (June 30 or December 31). Out-of-county transit pass holders must pay the remaining balance due for that six-month period. Transit passes may not be renewed upon expiration.
<b>Health and Personal Leave</b>	A staff member will not accrue and may not use accrued health and personal leave while on a short-term layoff. Health and personal leave accrued prior to the short-term layoff will be restored upon return to work.
<b>Unemployment Insurance</b>	The Department of Labor has established an automated system to apply for unemployment insurance. Call toll-free 1-888-209-8124 to apply. ♦ <b>Note:</b> Reporting to the local unemployment office is no longer necessary. If your short-term layoff occurs between academic terms or semesters, this may impact your eligibility for unemployment insurance benefits.
<b>University Identification Card</b>	The university ID card is retained throughout the short-term layoff period, and it entitles the staff member to the privileges that the card confers, including the use of libraries. To retain access to libraries, go to the Access Services' office in 101 Olin Library, where a library card will be issued.
<b>Vacation</b>	A staff member who is notified of an upcoming short-term layoff may request to use accrued vacation, in accordance with University Policy 6.9, Time Away from Work: Vacation. The supervisor must approve such arrangements. If approved, the effective date of short-term layoff will be the first day after the use of vacation time ends. Any accrued vacation time not used will be restored upon return to work. Vacation time will not accrue while a staff member is on short-term layoff.
<b>Wellness</b>	The staff member is eligible to enroll in this program during the short-term layoff period. Contact program staff for cost and availability.

### Holiday Pay

A staff member on short-term layoff shall be eligible to receive holiday pay for university holidays if the situation meets one of the following criteria:

1. The period of short-term layoff is less than thirty calendar days.
2. He or she is placed on short-term layoff within seven calendar days:
  - Of the upcoming university holiday, or
  - Immediately before the last day of final exams before the start of the winter holiday
3. He or she is placed on, or recalled from, short-term layoff during the university holiday.
4. He or she is recalled from short-term layoff within seven calendar days:
  - After the end of the university holiday, or
  - After the first day of regular classes following the winter holiday

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**SHORT-TERM LAYOFF, CONTINUED**

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**Acceptance of Temporary  
Employment During  
Short-Term Layoff**

Acceptance of temporary or casual employment, inside or outside of the university, will not affect the short-term layoff period. For information about benefits during temporary employment while on short-term layoff, contact the Benefit Services office at 255-3936.

**Failure to Return**

A staff member's failure to return to his or her regular Cornell employment when the short-term layoff ends will result in termination of employment. For information applicable to your individual situation, contact your college/unit human resources representative or designee. Contact the Benefit Services office for information regarding benefits upon termination.

Cornell Policy Library  
Volume 6, Human Resources  
Responsible Executive: Vice  
President and Chief Human  
Resources Officer  
Responsible Office: Workforce  
Policy and Labor Relations  
Originally Issued: September 1998  
Reissued: October 8, 2007  
Last Full Review: May 8, 2018  
Last Updated: May 8, 2018

## Policy 6.12

### Separations, Voluntary and Involuntary (Including Layoff)

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## FORMS AND TOOLS

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Name	Description
<a href="#">Sample Layoff Letter</a>	Sample layoff letter for notifying employees of layoff status.

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