



June 16, 2009

## MEMORANDUM

TO: Deans, Directors & Department Chairs

FROM: Lawrence G. Abele

SUBJECT: Notice Requirements and Stimulus Funds

The purpose of this memorandum is to outline the next administrative steps in eliminating filled positions as indicated in your budget reduction plan. **The first step for any filled position being eliminated, regardless of the current pay plan, is to change the funding source to federal stimulus funds effective July 1, 2009.** The Budget Office will help you establish a new fund number.

Second, you must notify Human Resources via memorandum of all positions that are impacted. The memorandum should contain the names, classification titles, position numbers, budget numbers, and the effective dates for all positions being abolished. Generally that date would be June 30, 2010. These memoranda should be routed through the appropriate Vice President for verification against the reduction plan and for approval. After approval, the next step is to provide notice to the affected employee. This step is critical.

Each individual is entitled to a specific notice period prior to his or her position being eliminated. However, for the 2009-2010 fiscal year, our goal is to provide either a full year's notice or an academic year, as appropriate, to all affected individuals. Only if both the position and function are being completely abolished as of an earlier date will you provide only the minimum required notice period as described in the attached table. Human Resources will assist you with preparation of notices reflecting appropriate notice periods. Contingency language will be included to accommodate extension of employment depending on the availability of work and stimulus monies for the 2010-2011 fiscal year.

A&P employees regardless of years of service will be given a year's notice unless both the position and function are being abolished as of an earlier date, in which case you will provide only the minimum required notice period as described in the attached table.

Again, it is very important that you work closely with Human Resources as you proceed to give notice.

Salaries paid during the notice periods will be funded by federal stimulus funds. The federal stimulus funds must be used to save, continue and create jobs. Employees must be performing the requirements of the job in order to be paid from these funds. The funds may not be used to cover leave payouts. Leave payouts will be processed and paid from other funds if the employee is entitled to a payout.

Susannah Miller, Director, Faculty Relations at 645-1746, Human Resources in the Office of the Dean of the Faculties, and Renisha Gibbs, Director, Human Resources at 644-8082 should and will help with this language.

### **Faculty**

All layoff and non-renewal letters for faculty should be prepared immediately after the Board of Trustees' approval.

Layoff letters for tenured faculty should be issued as soon as possible with the notification date of July 1, 2009. You may advise all tenured faculty that an additional year visiting appointment may be offered beyond June 30, 2010, if there is a need and federal stimulus funding is available.

Nonrenewal letters should be provided for untenured faculty with a notification date of no later than July 1, 2009. These letters should follow the guidelines noted above. You may advise all untenured faculty that an extended employment contract may be offered if there is a need and federal stimulus funding is available.

### **Staff**

Nonrenewal letters should be provided for A&P employees with a notification date of no later than July 1, 2009. These letters should follow the guidelines noted above. You may indicate to all A&P employees that their employment contract may be extended if there is a need and federal stimulus funding is available for fiscal year 2010-2011.

USPS employees should be told as soon as possible after the Board of Trustees meeting that their position is included in the budget reductions. The University is required to give a minimum of 14 days official notice to our USPS employees. Therefore, you should work with Renisha Gibbs to determine the appropriate time to give the official notice at which time the layoff letters will be issued. Even though you may delay providing the layoff letters to USPS employees, you must still change the employees' funding to stimulus funds effective July 1, 2009.

Again, please be sure to contact Human Resources prior to preparing these notifications. These are especially difficult times and we would like to provide the best service to you and the affected employees.

xc: Vice Presidents  
Dr. Anne Rowe  
Ms. Joyce Ingram