



May 6, 2021

TO: Dr. Edward Montgomery, President
Jan Van Der Kley, Vice President – Business and Finance
Dr. Warren Hills, Associate Vice President – Human Resources

On behalf of the Professional Support Staff Organization (PSSO) and the Administrative Professionals Association (APA), we would like to request a change to the Western Michigan University Reduction in Force (RIF) policy, specifically the loss of seniority for employees who are laid off, separated and then rehired by WMU.

PSSO and APA are requesting the RIF policy be changed to include a two-year timeframe from an employee's termination date that restores all previous years of service to employees who have been laid off, separated, and rehired to their previous position, or are rehired into another position with the University. We request that the hire date revert back to the employee's original hire date. This would reinstate the employee's retirement plan and eligibility guidelines, thus restoring their seniority with regards to retirement vesting and WMU retirement contributions. Additionally, we request that sick and annual leave accrual be restored to include all previous years of service and reinstate sick and annual leave balances as they were prior to lay-off. The current RIF policy only allows for previous years of service to be used as a benefit in calculating annual leave and does not provide any other benefits to the returning employee.

The practice of losing seniority is demoralizing for employees, especially if they have devoted their career to WMU. It conveys a lack of empathy and gratitude, while also devaluing the employee's past contributions to the university and their institutional knowledge. RIF lay-off is something that happens beyond the employee's control and the current University policy seems to penalize employees rather than value employees.

In bringing forth this request, we have researched the RIF policies of several Michigan Universities, specifically those to whom we regularly compare ourselves. In all cases, seniority is restored to the employee upon recall or starting a new position within the university. We have included the pertinent parts of those policies, with this letter.

PSSO and APA request a joint meeting with you as soon as possible to further discuss this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Shannon Rininger'.

Shannon Rininger
President
PSSO Executive Board

A handwritten signature in cursive script that reads 'Malia Roberts'.

Malia Roberts
President
APA Executive Board

CENTRAL MICHIGAN UNIVERSITY

<https://www.cmich.edu/fas/hr/Documents/pa-handbook.pdf>

Section 24

An employee who has been laid-off who is recalled and returns to work within two years will be credited with continuous service for the purpose of determining vacation accrual rate.

The sick leave balance at the time of lay-off will be reinstated when the person is recalled or returns to another staff position at the University within two years of layoff. Retirement contribution rate will be reinstated to the rate in place prior to the layoff.

WAYNE STATE UNIVERSITY

<https://policies.wayne.edu/non-rep/1-20-separation>

Section 1.20.3

If an employee is rehired within three year of their release, they will have all eligible benefits reinstated the first of the month following their return.

EASTERN MICHIGAN UNIVERSITY

<https://www.emich.edu/hr/documents/union-contracts/emu-coam-contract.pdf>

Any employee who is recalled from a layoff shall be restored his/her seniority including that which he/she otherwise would have acquired during the period of his/her layoff.

GRAND VALLEY STATE UNIVERSITY

<https://www.gvsu.edu/hro/union-contracts-9.htm>

Section 3.2.1 f4

Full credit for seniority earned in the event the staff member returns to their position.

FERRIS STATE UNIVERSITY

<https://www.ferris.edu/administration/president/generalcounsel/contracts/CTAcontract.pdf>

Article 12 - LOSS OF SENIORITY Section 12.1 - Causes Bargaining unit members shall cease to have seniority and be released from employment with the University if (s)he: Quits or retires. Is discharged for just cause. 1. 2. 13 FSU-CTA/MEA 2018-2024 3. Is absent for three (3) consecutive workdays without notification to the University and/or without justifiable reason for the absenteeism. Does not return to work when recalled from layoff as set forth in the recall procedure. Does not return to work after a sick leave of absence for the period of one (1) year or the employee's seniority, whichever is less under Article 20.

WESTERN MICHIGAN UNIVERSITY

Retirement Programs

EMPLOYEE HANDBOOK SECTION 14

Vesting determined by your Federal Labor Standards Act (FLSA) status

Non-exempt (hourly-paid) employees

Time in layoff status does not count toward vesting, effective July 1, 2003.

Rehire provisions

If an employee leaves University employment for any reason (including discharge and resignation), there is no guarantee of future University employment. If, however, an employee is rehired by the University, certain provisions apply:

Prior service credit will be granted to individuals entering benefits-eligible positions, who had prior service in a benefits-eligible position (also see [annual leave](#) and [sick leave](#) rehire provisions). However, the retirement eligibility requirement of 15 years of consecutive service remains; prior service credit cannot be counted toward this requirement if a break in service has occurred (see [retiring from WMU](#)).

EMPLOYEE HANDBOOK SECTION 11

WMU Annual Leave Rehire Policy

Rehire. Prior service credit may be given to employees who have separated from University employment and are later rehired. Those prior years of service are included to determine the employee's total "years of service" on the annual leave lump sum allotment schedule. The employee's lump sum allotment of annual leave will be determined by the schedule in effect at date of rehire.

Sick Leave Rehire Policy

Rehire. The University does not restore any unused/unpaid sick leave hours to employees who separate from University employment and are later rehired.