

**Resolution Amending the Personnel Policy & Procedures Manual
In Regard to Reductions-in-Force and Establishing a Layoff Policy**

WHEREAS, the Board of Regents of New Mexico Highlands University desires to amend the Personnel Policy & Procedures Manual in regard to the policy regarding reorganization and reductions in force and to establish policy in regard to layoffs;

WHEREAS, the Personnel Policy & Procedures Manual adopted by the Board of Regents on January 8, 1990 ("Manual"), provides that the Manual may be amended by the Board of Regents;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Policy 695, paragraph 3 (including all sub-parts), entitled "Reductions-in-Force (RIF)" is deleted in its entirety and is replaced with the following:
 3. Layoff Policy
 - 3.1 From time to time it may be necessary for the University, or any unit within the University, to reduce, change, eliminate or otherwise modify its programs and services in response to budgetary constraints, legislative mandates, or any other condition affecting the University. In the event of such circumstances, it may be necessary to eliminate one (1) or more non-exempt staff positions.
 - 3.2 When there is more than one individual employed under a position title being eliminated within the affected department(s) or office(s), those employees will be retained who will best meet the needs of the University taking into account the employee's length of continuous service and other appropriate factors.
 - 3.3 If appropriate, the University may attempt to transfer employees from positions that are being eliminated to other similar positions that are not scheduled to be eliminated.
 - 3.4 An employee being laid off shall be given written notice of no less than fifteen (15) calendar days or in lieu of advance notice will be given two weeks severance pay. The notice shall include the effective date of the layoff and the reasons for the layoff.

- 3.5 Non-exempt staff who have been laid off shall be placed on a “layoff roster” for six (6) months.

Benefits

During the time an individual is on the layoff roster:

- The individual may retain health insurance coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA) by paying the full insurance premium. (COBRA coverage is available for up to eighteen (18) months.)
- The University will stop making retirement contributions as of the date of the layoff. In the event of re-employment, retirement contributions by the employee and the University will begin as of the date of the re-employment.
- The individual may continue other employer-supported benefits, such as educational benefits, in which they participated before being laid off. Individuals who are laid off may not initiate any employer-supported benefits while on the layoff roster.

- 3.6 Individuals to be laid off or listed on the layoff roster will be given notice of any vacant position at the University of similar or lower classification. A similar classification shall mean one that is substantially comparable in duties, responsibilities, salary, and minimum qualifications. The Office of Human Resources will notify individuals on (or to be placed on) the layoff roster of a vacant position of similar or lower classification and provide information regarding the deadline for applications. Individuals on the layoff roster, along with University employees, shall be given preference, when practicable, over outside applicants as provided in Policy 475, 1.2. An individual shall be provided with notice under this policy for six (6) months from the date of the layoff and in the event of re-employment will retain accumulated seniority to the date of the layoff, but does not accrue additional seniority during the layoff period.

- 3.7 The University shall be the sole judge and determinant in implementing and applying this policy.

Policy 695, paragraph 2 is amended by the addition of the following sentence:
“Benefits in the event of layoff are addressed in Policy 695, 3.”

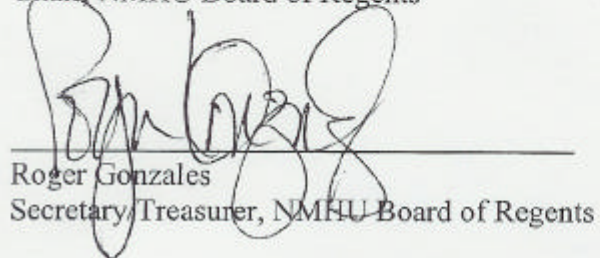
Policy 475, paragraph 1.2 is deleted and replaced with the following: University employees, along with any individuals on the layoff roster, shall be given preference,

when practicable, in selection over outside applicants provided their qualifications are substantially equal, as determined by the University.

Passed by the New Mexico Highlands University Board of Regents at its meeting of May 23, 2002.



Elmer Salazar
Chair, NMHU Board of Regents



Roger Gonzales
Secretary/Treasurer, NMHU Board of Regents