



UNIVERSITY OF MANITOBA PROCEDURE

Procedure:	Lay-off or Resignation for Term and Contingent Academic Staff Excluded from Bargaining Unit
Parent Policy:	Lay-off or Resignation for Term and Contingent Academic Staff Excluded from Bargaining Unit
Effective Date:	May 20, 2008
Revised Date:	
Review Date:	May 20, 2018
Approving Body:	Board of Governors
Authority:	
Responsible Executive Officer:	
Delegate: (If applicable)	President; Delegated to Vice-President (Administration)
Contact:	Executive Director of Human Resources
Application:	Employees: See List

This Procedure applies to term and contingent appointments within the following employee groups identified in Procedure: Employee Organization and Employee Groups:

- (a) Geographic Full-Time Academic Staff;
- (b) Research Academic Staff;
- (c) Sessional Professional Academic Staff; and
- (d) Other Academic Staff

Part I Reason for Procedure

To set out Procedures secondary to the Policy: Lay-off or Resignation for Term and Contingent Academic Staff Excluded from Bargaining Units, for the end of employment of term and contingent academic staff excluded from bargaining units in the event of

- (a) end of appointment/funding;
- (b) lay-off; and
- (c) resignation/retirement.

For the purpose of this Procedure a term appointment shall be defined as an academic appointment for a specified period of time and terminates automatically at the end of the specified period. For the purpose of this Procedure a contingent appointment shall be defined as an academic appointment principally dependent upon the availability of non-operating funds.

Part II Procedural Content

2.1 End of Appointment/Funding

2.1.1 End of Term Appointment

2.1.1.1 An academic staff member on a term appointment should assume that the term appointment will end on the end date of the term unless specifically otherwise informed in writing. The original appointment letter shall be deemed to be notice of lay-off at the end of the term appointment.

2.1.1.2 The Department employing the academic staff member on a term appointment shall discuss with the staff member the assessment of his/her performance at regular intervals during the term appointment.

2.1.1.3 The Department shall provide as much notice as possible of any alternate appointment or any offers of renewal of a term appointment. In the absence of any such notice, an employee on a term appointment shall assume the appointment will end on the date specified and the employee will be laid off.

2.1.1.4 A series of successive term appointments shall not constitute an expectation that the renewals will continue. However a Department shall provide as much notice as possible to a staff member who has had two or more successive term appointments.

2.1.2 End of Contingent Appointment

2.1.2.1 An academic staff member on a contingent appointment should assume that the funding for the contingent appointment will end on the end date of the appointment unless specifically informed otherwise in writing. The original appointment letter shall be deemed to be notice of lay-off at the end of the appointment.

2.1.1.2 The Department employing the academic staff member on a contingent appointment shall discuss with the staff member the assessment of his/her performance at regular intervals during the appointment.

2.1.1.3 The Department shall provide as much notice as possible of any alternate appointment or of renewal of the funding for a contingent appointment. In the absence of any such notice, an employee on a contingent appointment shall assume the appointment will end on the date specified and the employee will be laid off.

2.1.1.4 A series of successive contingent appointments shall not constitute an expectation that the renewals will continue. However a Department shall provide as much notice as possible to a staff member who has had two or more successive contingent appointments.

2.1.3 Lay-off During a Term or Contingent Appointment

2.1.3.1 Normally a term or contingent appointment shall continue to the end date of the appointment, however from time to time exceptional circumstances will cause a position to be discontinued. In this event the Department shall provide as much notice as possible and shall consult with the appropriate Human Resource Consultant on the amount of notice or pay in lieu of notice. There are minimum standards for notice of termination provided in the Employment Standards Code.

2.2 **Notice of Resignation or Retirement**

2.2.1 An Employee in a contingent or term position who wishes to resign or retire should provide as much notice as is possible. However the minimum amount of notice in writing for resignation or retirement is two (2) weeks for an employee with more than one year of service and one (1) week for employees with service of one (1) year or less.

2.2.2 Upon mutual agreement between the Department and the employee, the notice period may be waived.

2.3 **Absence without Notification**

2.3.1 Any employee who is absent from work for three (3) consecutive working days without notification may, at the University's discretion, be deemed to have resigned without notice, unless the employee can prove that such notification was not possible due to circumstances beyond the employee's control.

Part III Accountability

- 3.1 The University Secretary is responsible for advising the President that a formal review of these Procedures is required.
- 3.2 The Executive Director of Human Resources is responsible for the communication, administration and interpretation of this Procedure.

Part IV Review

- 4.1 Formal Procedure reviews will be conducted every ten (10) years. The next scheduled review date for this Procedure is May 20, 2018.
- 4.2 In the interim, this Procedure may be revised or rescinded if:
 - (a) The Approving Body deems necessary (or the President deems necessary where the approving body is the Administration);
 - (b) the relevant Policy is revised or rescinded.

Part V Effect on Previous Statements

- 5.1 This Procedure supersedes:
 - (a) all previous Board/Senate Procedures, and resolutions on the subject matter contained herein; and
 - (b) all previous Administrative Procedures, and resolutions on the subject matter contained herein.

Part VI Cross References

Cross referenced to:

Policy: Lay-off or Resignation for Term and Contingent Academic Staff Excluded from Bargaining Units