

## **ARTICLE 10**

### ***Reduction in Force***

#### **10.1 General**

Prior to a decision to discontinue or reduce an academic program which would result in the termination of unit members, the University shall meet and confer with United Academics. Upon request of United Academics, the University shall provide available information regarding the potential program reduction or discontinuance, including a list of unit members whose positions are under consideration for elimination, and the criteria used for determination of those positions.

#### **10.2 Discontinuance of Program**

When a decision is made to discontinue a program, a good faith effort shall be made to place tenured unit members in another program where appropriate. The chancellor or the chancellor's designee shall notify unit members of the decision to terminate employment in writing on the following schedule based upon consecutive years of uninterrupted service within the University of Alaska.

- a. Within the first year, regardless of contract extensions, the unit member shall be notified no later than February 15, for appointments based on the academic year, or three (3) months prior to the end of an appointment, for appointments based on an alternative nine (9) month base.
- b. Within the second year, regardless of contract extensions, the unit member shall be notified no later than November 15, for appointments based on the academic year, or six (6) months prior to the end of the base appointment for appointments based on an alternative nine (9) month period.
- c. After two (2) or more years of uninterrupted service, the unit member shall be notified twelve (12) months prior to the expiration of the final appointment.

If the discontinued program is reactivated within two (2) years, previously tenured and qualified unit members shall be invited to return prior to hiring new full-time unit members. The unit member shall be provided at least thirty days from the mailing of the invitation to notify the University of the decision to decline or accept. If the former unit member does not respond within thirty days, the invitation shall be assumed to have been declined. Former unit members wishing to receive such invitations shall be responsible for maintaining a current mailing address with the hiring authority.

### **10.3 Reduction in Program**

When a decision is made to reduce a program pursuant to University Regulation 10.06.01, a good faith effort shall be made to retain tenured unit members qualified in the discipline (as defined in Article 9) in preference to non-tenured unit members, to place in another program those tenured unit members qualified in the discipline (as defined in Article 9) in the MAU where appropriate, or to compose a workload for qualified unit members from activities assigned to part-time faculty in the program.

Opportunities for continued employment in a reduced program, or transfer to another program, shall be offered to unit members qualified in the discipline in the following order:

Tenured unit members

Non-tenured, tenure track unit members

Non-tenure track term unit members on full-time appointments

Non-tenure track term unit members on less than full-time appointments

Overload or other additional assignments, only to the extent of the additional assignment

Unit members not provided opportunities for continued employment according to the terms of this Section shall be terminated. The chancellor or the chancellor's designee shall notify unit members of the decision to terminate employment in writing on the following schedule based upon consecutive years of uninterrupted service with the University.

- a. Within the first year, regardless of contract extensions, the unit member shall be notified no later than February 15 for appointments based on the academic year, or three (3) months prior to the end of the base appointment for appointments based on an alternative nine (9) month period.
- b. Within the second year, regardless of contract extensions, the unit member shall be notified no later than November 15, for appointments based on the academic year, or six (6) months prior to the end of the base appointment for appointments based on an alternative nine (9) month period.
- c. After two (2) or more years of uninterrupted service, the unit member shall be notified twelve (12) months prior to the expiration of the final appointment.

If the program is expanded within two (2) years, previously tenured and qualified unit members shall be invited to return in the order provided in this Section above prior to hiring new full-time unit members. The unit member shall be provided at

least thirty (30) days from the mailing of the invitation to notify the University of the decision to decline or accept. If the former unit member does not respond within thirty days, the invitation shall be assumed to have been declined. Former faculty members wishing to receive such invitations shall be responsible for maintaining a current mailing address with the hiring authority.

#### **10.4 Financial Exigency**

Following a declaration of financial exigency in accordance with Regents' Policy 04.09.060, unit members are entitled to written notice of termination a minimum of sixty (60) calendar days in advance of the cessation of their employment.

#### **10.5 Other Rights of Retrenched Unit Members**

Any terminated faculty member whose re-employment rights have not expired shall have the right to purchase, through the University, insurance coverage identical to that offered other faculty at group rates, with the full cost to be paid by the terminated person.

#### **10.6 Exclusions**

Non-retention or non-renewal of appointments under Article 9, or disciplinary actions under Article 11, shall not be considered a discontinuance or reduction of a program.