

# USA Proposal #13

## Seniority & Step Language

Presented 11.20.2024

### ARTICLE 23 SENIORITY

#### **SECTION 1. DEFINITION OF SENIORITY**

Seniority is defined as the length of time an employee in a full-time or regular part time position has been continuously employed from the last date of hire by the campus. notwithstanding the source of funding.

#### **SECTION 2 EXTENSION OF SENIORITY**

In the case of institute, grant, or contract employees, seniority for the purpose of applying for vacant positions shall be extended ~~two (2)~~ **three (3)** years beyond the actual expiration date of the then current funding source.

An employee, who is reinstated or re-employed after less than three (3) years, shall have their prior service included in determining their continuous service ("seniority") if approved by the parties, where such absence was caused by:

1. Illness of said employee or providing care for a family member or household member;
2. Dismissal through no fault or delinquency attributable solely to said employee; or
3. Injury while in the employment of the Employer in the line of duty and for which said employees would be entitled to receive Workers' Compensation benefits.

#### **SECTION 3 TERMINATION OF SENIORITY**

An employee's seniority shall be terminated and ~~his/her~~ **their** rights under this Agreement forfeited for the following reasons:

- A. Discharge for cause, resignation (**except as outlined in section 2, above**), or retirement.
- B. Exceeding an authorized leave of absence unless excused by the appointing authority.
- C. Failure to **respond to the employer** ~~return to work~~ within three (3) ~~calendar~~ **business** days after notification of Recall from layoff by the appointing authority. Such notice shall be by registered mail to the last address furnished to the campus by the employee.
- D. If an employee is laid off for a continuous period of ~~two (2)~~ **three (3)** years or ~~his/her~~ **their** length of service whichever is less.
- E. If an employee gives a false reason for a leave of absence.
- F. Acceptance of a settlement for total and permanent disability.
- G. Absence from work for fourteen (14) workdays without valid reasons and proper and timely notification to the appointing authority except when excused by the appointing authority.

Rationale:

~~Exenteded~~**Extended** seniority for the purpose of applying for vacant positions to three (3) years. Retain seniority for three (3) years to be consistent with the rest of the contract, including vacation and sick leave accruals. MSP has language that they can keep their seniority status to be on the recall list for three (3) years.