

**USA Proposal #13
Seniority & Step Language**

Presented 11.20.2024

[University response 04.23025](#)

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.

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~~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:~~

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- ~~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:

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- 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.

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Rationale:

~~Extended~~ **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 [\(11.11\)](#) and sick leave [\(9.1\)](#) accruals. MSP has language that they can keep their seniority status to be on the recall list for three (3) years.