At-Risk and Layoff Letter Sample Templates

[Date]

[EmployeeName/Address]

Dear [Name]:

Pending decisions regarding the FY20XX-20XX biennial budget, you are currently under consideration for layoff effective [date]. I am bringing this to your attention in advance with the hope that, should the final decision for layoff be effected, this notification would give you enough time to pursue whatever actions you may find necessary prior to the actual elimination of your position.

You have been selected for possible layoff in accordance with UWM Academic Staff Personnel Policies & Procedures Chapter 110.04, Seniority Policy for Lay Off Decisions and Chapter 110.05, Order of Lay Offs for Academic Staff Members with Fixed-term, Probationary, and Indefinite Appointments.

{For probationary/fixed-term staff} In the event that the layoff is enacted, you will be given written notice in accordance with the Wisconsin Administrative Code, UWS 12.03 and the notice periods identified in ASPPP Chapter 108. You may request a hearing regarding the layoff decision in accordance with UWS 12.06. The request for a hearing shall not delay a layoff. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110.

{For probationary/fixed-term staff cases in which “there are compelling reasons to the contrary (e.g., almost immediate cutoff of funds)” (UWS 12.03)} In the event that the layoff is enacted with almost immediate cutoff of funds, it is possible you will receive no further written notice before notification that you are in layoff status. You may request a hearing regarding the layoff decision in accordance with UWS 12.06. The request for a hearing shall not delay a layoff. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110.

{For indefinite staff} In the event that the layoff is enacted, you will be given twelve months’ written notice. You may request a hearing regarding the layoff decision in accordance with UWS 12.05. The request for a hearing shall not delay a layoff. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110.

{For indefinite staff cases in which “there are compelling reasons to the contrary (e.g., almost immediate cutoff of funds)” (UWS 12.03)} In the event that the layoff is enacted with almost
immediate cutoff of funds, it is possible you will receive no further written notice before notification that you are in layoff status. You may request a hearing regarding the layoff decision in accordance with UWS 12.05. The request for a hearing shall not delay a lay off. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110.

UWS 12 and ASPPP Chapter 110 stipulate rights afforded to Academic Staff members while they are on layoff status, including alternative employment within the institution as well as reappointment rights to new positions with reasonably comparable duties within their operational area.

More information about layoffs and how your benefits would be affected is located at https://www.wisconsin.edu/ohrwd/benefits/empcha/

If you have general questions about layoff policies and procedures and your rights, you may contact Academic Staff Committee Chair [Name], at [phone/email].

Sincerely,

[Appointing Authority]

CC:  [Employee’s Supervisor]
     [Chancellor]
     [Chair, Academic Staff Committee]
[FOR INDEFINITE APPOINTEES]

[Date]

[Employee Name/Address]

Dear [Name]:

Due to decisions regarding the 20XX-20XX biennial budget, [Division] has decided to implement changes in the organization of [program/unit]. You will be laid off effective [date – at least 12 months later unless exception made as per the Wisconsin Administrative Code UWS 12.03].

Pursuant to the requirements of UWM Academic Staff Personnel Policies & Procedures (ASPPP) Chapter 110 and UWS 12.01 of Wisconsin Administrative Code, the Chancellor has consulted with the Academic Staff Committee and explored alternatives to this action. This layoff has been deemed necessary due to the decision to [describe budget or program decision requiring program discontinuance, curtailment, modification, or redirection]. This decision was made for the following reasons: [State reasons for the determination that the budgetary or program needs should be met by curtailing or discontinuing the program in which the employee works (UWS 12.05)]

You have been selected for layoff in accordance with UWM Academic Staff Personnel Policies & Procedures Chapter 110.04 Seniority Policy for Lay Off Decisions and Chapter 110.05 Order of Lay Offs for Academic Staff Members with Fixed-term, Probationary, and Indefinite Appointments.

{For indefinite staff receiving less than 12-months’ notice of layoff} The Chancellor has determined that, in accordance with UWS 12.03, there are compelling reasons to exempt [Division] from complying with the notice period to which you would otherwise be entitled due to [state “compelling reason”: e.g., the enactment of the layoff with almost immediate cutoff of funds]. You are hereby notified that you will be in layoff status as of [date].

**RIGHT TO HEARING:**

You have a limited time period as specified in UWS 12.05 to request a written statement of the reasons for the layoff decision and a submit a subsequent request for a hearing. Formal
submission of a request for a hearing requires that you complete paperwork pertaining to your appeal. Please contact [Name] in the Secretary of the University’s office at [phone/email] should you choose to exercise this right. The request for a hearing shall not delay a layoff. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110. Copies of the relevant policies are attached to this letter.

**RIGHT TO ALTERNATIVE EMPLOYMENT WITHIN UWM:**

*UWS 12.08 and UWM 110.12* stipulate that the University of Wisconsin-Milwaukee shall devote its best efforts to securing an alternative appointment for you within the institution in a position for which you are qualified. UWM shall seek to provide financial assistance for you to readapt within [Division] or within another Division of the university where such readaptation is feasible within one year’s time.

To date, the following efforts have been made to identify an appropriate position for you. [Cite efforts made.] As of yet, we have been unable to establish an alternative appointment for which you are qualified.

**RIGHT TO REAPPOINTMENT WHILE IN LAYOFF STATUS:**

*UWS 12.07-12.11* establish terms for remaining in layoff status and reappointment rights for indefinite academic staff in layoff status. While you are in layoff status, no person may be employed in [Division] within three years to perform reasonably comparable duties to those of your position without you first being offered reappointment without loss of rights and status.

Subject to the terms established under *UWS 12.07(b)*, you shall remain in layoff status for up to three years or until such time as you accept or decline a reappointment, formally resign your position, or fail to notify the Chancellor on an annual basis of your desire to remain on layoff status.

In accordance with *UWS 12.07*, you must notify the Chancellor or [name of designee] not later than December 1 of each year while on layoff status as to your location, employment status, and desire to remain on layoff status. Failure to provide such notice of your desire to remain on layoff status shall terminate your association with the university. Notification may be sent to the Chancellor or [name of designee] at the following address: [address]

**BENEFITS:**

More information about layoffs and how your benefits are affected is located at: [https://www.wisconsin.edu/ohrwd/benefits/empcha/](https://www.wisconsin.edu/ohrwd/benefits/empcha/)

**QUESTIONS:**

Please contact [Name/title] at [contact information] with any questions pertaining to this layoff decision.

If you have general questions about layoff policies and procedures and your rights, you may contact Academic Staff Committee Chair [Name], at [phone/email].
Sincerely,

[Appointing Authority]

Attachments:  UWS 12
               ASPPP Chapter 110
               ASPPP Chapter 112
               Academic Staff Hearing and Appeals Committee Information Packet

CC:  [Employee’s Supervisor]
     [Chancellor]
     [Chair, Academic Staff Committee]
[FOR PROBATIONARY/FIXED-TERM APPOINTEES]

[Date]

[Employee Name/Address]

Dear [Name]:

Due to decisions regarding the 20XX-20XX biennial budget, [Division] has decided to implement changes in the organization of [program/unit]. Your position will be laid off effective [date – use notice periods in ASPPP Chapter 108 unless exempt as per UWS 12.03].

Pursuant to the requirements of UWM Academic Staff Personnel Policies & Procedures Chapter 110 (ASPPP) and UWS 12.01 of the Wisconsin Administrative Code, the Chancellor has consulted with the Academic Staff Committee and explored alternatives to this action. This layoff has been deemed necessary due to the decision to [describe budget or program decision requiring program discontinuance, curtailment, modification, or redirection]. This decision was made for the following reasons: [State reasons for the determination that the budgetary or program needs should be met by curtailing or discontinuing the program in which the employee works (UWS 12.05)].

You have been selected for layoff in accordance with UWM Academic Staff Personnel Policies & Procedures Chapter 110.04 Seniority Policy for Lay Off Decisions and Chapter 110.05 Order of Lay Offs for Academic Staff Members with Fixed-term, Probationary, and Indefinite Appointments.

{For staff receiving less notice than entitled under ASPPP Ch.108} The Chancellor has determined that, in accordance with UWS 12.03, there are compelling reasons to exempt [Division] from complying with the notice period to which you would otherwise be entitled due to [state “compelling reason”: e.g., the enactment of the layoff with almost immediate cutoff of funds]. You are hereby notified that you will be in layoff status as of [date].

RIGHT TO HEARING:

You have a limited time period as specified in UWS 12.05 to request a written statement of the reasons for the layoff decision and submit a subsequent request for a hearing. Formal submission of a request for a hearing requires that you complete paperwork pertaining to your appeal. Please contact [Name] in the Secretary of the University’s office at [phone/email] should you choose to exercise this right. The request for a hearing shall not delay a layoff. The hearing shall proceed under UWS 12.04-12.06 and ASPPP Chapter 110. Copies of the relevant policies are attached to this letter.

RIGHT TO ALTERNATIVE EMPLOYMENT WITHIN UWM:

UWS 12.08 and ASPPP 110.12 stipulate that the University of Wisconsin-Milwaukee shall devote its best efforts to securing an alternative appointment for you within the institution in a position for which you are qualified.
To date, the following efforts have been made to identify an appropriate position for you. [Cite efforts made.] As of yet, we have been unable to establish an alternative appointment for which you are qualified.

RIGHT TO REAPPOINTMENT:

UWS 12.07-12.11 establish terms for remaining in layoff status and reappointment rights for academic staff. Subject to the terms established under UWS 12.07(a), you shall remain in layoff status until your current appointment expires under its own terms or you fail to accept an alternate appointment.

As per UWS 12.09, no person may be employed in [Department, Program, and/or Division] within three years to perform reasonably comparable duties to those of your position without your first being offered reappointment without loss of rights and status, provided you notify the Chancellor or [name of designee] not later than December 1 of each year as to your location, employment status, and desire to retain your reappointment rights. Failure to provide such notice of your desire to pursue reappointment rights shall terminate your reappointment rights under UWS 12.09. Notification may be sent to the Chancellor or [name of designee] at the following address: [address]

BENEFITS:

More information about layoffs and how your benefits are affected is located at: https://www.wisconsin.edu/ohrwd/benefits/empcha/.

QUESTIONS:

Please contact [Name/title] at [contact information] with any questions pertaining to this layoff decision.

If you have general questions about layoff policies and procedures and your rights, you may contact Academic Staff Committee Chair [Name], at [phone/email].

Sincerely,

[Appointing Authority]

Attachments:  
UWS 12  
ASPPP 110  
ASPPP 112  
Academic Staff Hearing and Appeals Committee Information Packet

CC:  [Employee’s Supervisor]  
[Chancellor]  
[Chair, Academic Staff Committee]