



UT Health Science Center: HR0150-H Restoration in Force	
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No./Title: 150 – RESTORATION IN FORCE	Resp. Office: HUMAN RESOURCES	Effective Date:
Category: Employment	Last Review: 08/30/2018	Next Review: 08/30/2021
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Related Policies:		

OBJECTIVE

To explain the process for the equitable return to work for employees who were laid off and whose positions have been reinstated.

WHO IS AFFECTED?

Any regular exempt or non-exempt staff member who has been laid off has the potential of recall for a period of one year after the date of the layoff.

PROCEDURE

1. Notification of Restoration in Force

Human Resources-Employee Relations will maintain a list of regular staff members who have been laid off due to their positions having been eliminated. Regular employees are eligible for recall for a period of 12 months from the date of lay-off. Departments are responsible for contacting HR-Employee Relations to request that an employee be recalled. HR-Employment shall notify and recall laid-off employees. Job posting requirements are waived whenever a department intends to re-employ a former employee from the restoration in force list.

2. Right to Reinstatement

If the eliminated position formerly filled by a laid-off employee or the position formerly filled by an employee who was the subject of a reduction in percent effort is re-established within twelve months from the date of the reduction in force, that employee has the right to reinstatement to the position, as long as there are no intervening circumstances which would either render the individual unable to perform the essential functions of the position or which would have resulted in his/her termination from employment. Recalls are conducted in reverse order of the layoff, with the last employees laid off being the first recalled. When an employee is restored to a position within 12 months of the reduction in force, his/her continuous service date is restored to the date in existence at the time of the layoff. The former employee is responsible for keeping Human Resources-Records informed of his/her current address.

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3. Acceptance of Restoration

Individuals notified of the restoration of their former position must notify the department head in writing of his/her decision to accept or not accept reinstatement no later than the fifth working day after receipt of notification. If the offer of reinstatement is rejected, the employee loses all rights to reinstatement and the position is opened to other applicants. If the individual cannot be located or does not respond to notification mailed to his/her last known address within two weeks (10 working days), the department may consider other individuals for the position. Restored employees are paid at the current rate budgeted for the position at the time of recall.

4. Effect of Retirement Option on Restoration

Former employees who elected retirement in lieu of layoff are not eligible for recall.