PERSONNEL POLICY BULLETIN: 436
REGULATION REFERENCE: 4.1.4, Preferred List
INDEX REFERENCE: Abolition or Reduction of Positions
Reinstatement to, Removal from, and Restoration to a Preferred List

The names of all permanent incumbents, including those employees within the Noncompetitive Class and Labor Class who have acquired lay-off rights, who have been suspended* or displaced from a title as a result of an abolition or reduction of positions shall be placed on both a College preferred list and a University preferred list for that title. All eligibles on preferred lists are presumed to be ready, willing, and able to return to work as soon as they are reached on a preferred list. The College preferred list must be used first, followed by the University preferred list, before any other eligible list may be certified. Reinstatement from either the College preferred list or the University preferred list will result in the eligible’s name being removed from the other preferred list. Reinstatement from a preferred list must be in list order among available candidates. Selections according to the Rule of One in Three, or selection from among tied scores is not permitted.

Effect of declination:

Failure or refusal of an employee, who has been suspended* or displaced as a result of an abolition or reduction of positions, to accept reinstatement from the College preferred list shall result in relinquishment of eligibility and removal from both the College preferred list and the University preferred list. Failure or refusal of a suspended or displaced employee to accept reinstatement from the University preferred list shall result in relinquishment of eligibility and removal from the University preferred list only; in such instance, the employee shall remain active for reinstatement from the College preferred list.

Approved
7/11/91
Restoration to a Preferred List:

Consideration for restoration to a preferred list based on temporary inability to serve may be requested in writing to the University Personnel Director. Decisions regarding restoration will be made on a case-by-case basis by the University Personnel Director. Circumstances which will be reviewed include:

- undue hardship as a consequence of serious personal or medical reasons which require a defined time period for resolution; or

- shift assignments which would preclude acceptable child care arrangements, or

- difficulty in accessing the work site for a physically handicapped person.

Restoration, when granted by the University Personnel Director, will result in the employee's name being interfiled to the original place on the appropriate preferred list for appointment to vacancies appearing thereafter.

* the term suspended when used in reference to a personnel action which is the result of the abolition or reduction of positions, derives from Section 80 of the NYS Civil Service Law, and should not be construed to result from a disciplinary action against the employee.