

APT Priority Status

Article 10A of the Unit 8 Contract sets forth three different types of priority status:

- Priority 1 – When a temporary APT **with employment security** is given notice of termination (secured employee may exercise Priority 1 rights up to 90 days prior to Close of Business/Date of Termination)
- Priority 2 – After termination of appointment, maximum duration of 18 months starting the day after termination (in order to receive Priority 2 status, secured employee must have been eligible for and received Priority 1 Status under terms set forth in Article 10A)
- Priority 3 – **All members of Bargaining Unit 8** regardless of security status (include probationary employees as well)

Keep in mind that it is the applicant's responsibility to identify themselves as having Priority 1, 2 or 3 Status via the UH Employment Application Form for APTS (Form 64).

The Ins and Outs of Priority 1 and 2

- If the applicant does not check off that they are “being/have been relieved or terminated because of lack of work or other legitimate reasons and have reemployment rights as outlined in Article 9, Employment Security,” DO NOT code the employee as Priority 1 or 2.
- If the applicant checks off the aforementioned statement, see if the applicant included their termination letter in their application packet. This letter states when the employee's Priority 1 status starts and ends, and when their Priority 2 Status starts and ends. If it is not included in the application packet, ask the applicant for a copy of their letter. If the individual cannot provide one or explains that they did not receive one, contact the former unit to confirm if the applicant does in fact have Priority 1 or 2 Status and to obtain a copy of the termination letter.
- Priority 1 and 2 status will be determined as of the ad closing date. In other words, if the applicant's Priority 1 or Priority 2 Status is still effective when your ad closes, the applicant should be coded as Priority 1 or Priority 2, accordingly. If the applicant's Priority 2 status ends prior to the closing date on your ad, then the individual does not have any Priority Status for that particular recruitment. The applicant can still be considered for the position in question, provided that you do not have three (3) or more Priority Status 3 applicants in your pool.
- If you have an applicant exercising Priority 1 rights for your position, you MUST hire the applicant if they meet all of the minimum qualifications identified in your job ad (provided that there are no other Priority 1 candidates who meet all of your MQs).
- If you have an applicant exercising Priority 2 Status (but no Priority 1 candidates), you MUST hire the applicant if they meet all of the MQs identified in your job ad (again, provided that there are no other Priority 2 candidates who meet all of your MQs).

- Be very cautious when determining whether a Priority 1 or Priority 2 candidate meets your MQs. You should not apply requirements/standards that exceed your minimum qualifications. If you are uncertain whether a Priority candidate meets MQs, please contact your designated HR Specialist in Mānoa Human Resources.
- In accordance with Article 10A (F), an employee who is employed or reemployed utilizing their Priority 1 or 2 Status shall be on probationary status for six (6) months, even if there was a break in service. As long as the applicant was exercising their Priority 2 Status when reemployed, they are not expected to serve another initial probationary period of three (3) years. Keep in mind that the six (6) month new probationary period can be extended an additional six (6) months by the Employer if needed.
- Under the same Article 10A (F), an employee shall not forfeit the original reemployment rights if they are separated during the Employee's probationary period, unless dismissed for cause. Meaning that if the reemployed individual separates from their new probationary period (for reasons other than cause) and their initial Priority 2 Status is still effective, the individual may continue to exercise Priority 2 rights when applying for other APT positions until their Priority 2 Status expires (refer to the date specified in their termination letter).

Other Important Information about Priority Status

- Priority 3 Status needs to be confirmed at the time of the offer. Essentially, the applicant still needs to be employed and in Bargaining Unit 8 when you offer the applicant the position. If they separate from the University before the time of offer, the individual no longer has Priority 3 Status.
- When rehiring former UH employees, please double check the Tenure Code/Security Status field in PeopleSoft. If there was a break in service and the selectee did not have/exercise reemployment rights under Article 10A, then the Tenure Code needs to be changed to APR and the individual needs to serve another initial probationary period of three (3) years. Ensuring proper coding will assist in determining whether an individual is truly eligible for reemployment rights under Article 10A.

To ensure consistency in our application of Article 10A, please contact your designated HR Specialist in Mānoa Human Resources if your unit is contemplating the release of an individual who may be eligible for Priority 1 and 2 Status under the collective bargaining agreement. Our office can assist in you in confirming the employee's eligibility under Article 10A, providing guidance on the language to include in the separation notice, etc.