

## Administrative Regulation

Classified Employees, Layoff Procedures forA. Notification

Employees to be laid off shall be given not less than 45 days written notice of layoff for lack of work or lack of funds.

B. Computation of Seniority

The names of permanent and probationary employees who are laid off shall be placed upon the reemployment list for the class from which they were laid off. Names on the reemployment list shall be in relative order of seniority as determined by length of service.

For purposes of this rule for service commencing or continuing after July 1, 1971, "length of service" shall be determined by date of hire into the regular classified service or date of hire into a specific classification but does not include any service performed prior to entering into a probationary or permanent status in the classified service, except service in restricted positions.

Time on the following leaves of absence shall be counted towards seniority:

- Military Leave
- Peace Corps Leave
- Illness Leave
- Leaves resulting from an Industrial Accident or Industrial Illness
- Retraining and Study Leaves

Time on leaves of absence for other purposes shall not be credited toward seniority if the leave extends beyond ten consecutive working days.

Laid-off employees do not accumulate seniority credit while on reemployment lists.

When reclassification results either in the merger of two or more classes or the separation of a class into two or more classes, seniority rights of regular employees who are reclassified with their positions, and whose former class or classes have been abolished or separated, shall be computed from the date of earliest entrance into regular service in such classes.

An employee transferred from one class to another shall not be credited in the new class with seniority accumulated in the class from which transferred, but will retain all seniority carried in the previous class.

Regular employees who are to be laid off may exercise “bumping rights” in an equal or lower class in which they hold seniority greater than that of an incumbent. The employee to be bumped shall be the one with the least seniority in the class. Exception to the above shall be made for employees in positions requiring speaking and writing in a language other than English, in which case no employee shall be displaced by an employee who has not been certified by the Personnel Commission as competent in the language required of that position.

C. Demotion in Lieu of Layoff “Bumping Rights”

An employee who has been bumped shall have the same bumping rights afforded by this rule as if his/her position had been abolished or discontinued.

An employee who is laid off may elect demotion to a lower classification in which he/she had not served in a permanent or probationary status if there is a vacant position in the lower classification.

The employee who is to be demoted to a lower classification in which he/she has not served in a permanent or probationary status shall be determined by seniority within the district.

D. Rights of Laid-Off Employees

The reemployment list for a class shall be used before any other means of filling vacancies for that class, with the exception of the exercise of bumping rights or the transfer of employees within the same class.

Offers of reemployment shall be made in inverse order of layoff.

An employee accepting a transfer, voluntary demotion, or voluntary reduction in status or assigned time in lieu of layoff shall have his/her name placed on the reemployment list for the class.

An employee on a reemployment list may decline three offers of reemployment. After the third refusal, no additional offers need be made; and the employee shall be considered unavailable until written notification indicating current availability is submitted to the Office of Personnel Services.

If an employee is on an eligibility list and is laid off, he/she shall retain his/her place on the eligibility list for the life of that list.

Employees on reemployment lists shall be eligible to compete in promotional examinations for which they qualify.

Persons whose names are placed on a reemployment list shall retain their eligibility for reemployment for a period of 39 months from the day of layoff or demotion. Employees who take voluntary demotions or reductions in assigned time in lieu of layoff, or who remain in their present positions rather than be reclassified or reassigned, shall retain eligibility for reemployment for an additional 24 months.

If incumbents cannot be placed following the reclassification of their positions, they shall be laid off and given reemployment rights in the class from which they were reclassified.