

LAYOFF AND REEMPLOYMENT OF CLASSIFIED EMPLOYEES

1. The order of layoff or re-employment of classified employees is based on the criterion of "length of service." For purposes of layoff, seniority is determined by first day of service as a regular employee within his/her specific classification or higher classifications within the District minus any unpaid leaves of absence of thirty calendar days or more.
2. Re-employment is in the reverse order of layoff for a period of thirty-nine (39) months. Employees shall be mandatorily reemployed in preference to the District accepting new applicants within the classification from which the layoff occurred.
3. Employees who accept a reduction in days or hours worked to avoid layoff shall have the option for reemployment in reverse order of layoff when openings within the classification occur for a total of sixty-three (63) months.
4. Length of service is defined as follows:
 - a. For service accrued before July 1971:
Time in the current classification and any service in a higher classification(s).
 - b. Length of service accrued after July 1, 1971:
The sum of all hours in a paid status (total hours paid) in both probationary and regular status.

Including:

- 1) Normal hours of pay per month during the academic year or during recess periods.
- 2) Paid holidays.
- 3) Paid leaves.
- 4) Service in a categorically funded program while in probationary or permanent status.

Excluding:

- 5) Any time in a paid status before entering into a probationary or permanent status in the classified service of the District.
 - 6) Overtime hours.
5. If the employee who is laid off has served previously in a current lower classification, the employee's seniority status will be established in that lower classification using the same guidelines described above.
 6. Local 1 employees who possess vested job rights in order of highest seniority within the classification in which the vacancy occurs shall be notified by certified mail at the last known address of record and/or by telephone when a vacancy occurs. The employee shall have three (3) work days from proof of service, but in no cases more than seven (7) work days from date of postmark, to notify the District of acceptance; or, if notification was by telephone, two (2) work days to notify the District of acceptance. Failure to respond to the notification shall be considered a waiver of the right to the vacancy and a waiver of all future reemployment rights. Laid off employees who respond, but who do not want the particular opening shall have the right to turn down three (3) offers of reemployment. After the third offer of reemployment is declined, the laid off employee shall be removed from the reemployment list. A copy of all notifications shall also be sent to the union.

7. Checklist for Initiating Classified Layoff

- a. Lack of work
- b. Lack of funds exists
- c. The site Director of Business Services or the Chief Human Resources Officer consults with supervisor of affected employees.
 - 1) What is source of funds to be cut?
 - 2) What measure of work needs to be diminished?
 - 3) Number of hours or number of equivalent positions.
- d. The site Director of Business Services reviews with President and the Chief Human Resources Officer.
 - 1) Source and magnitude of layoff.
 - 2) Alternative that may be taken in lieu of layoff.
 - 3) Notice time line (30 days from date notice received by employee from the Chancellor).
 - 4) President or Chief Human Resources Officer make recommendations to Chancellor.
- e. Chancellor has District Human Resources Office notify employee and prepare recommendation to the Board.
 - 1) District Human Resources Office develops a seniority list as required.
 - 2) Notice of layoff sent to employee (effective date must be after the next Board meeting). Notice should state available options, if any (reduced days or hours, reduction in classification through bumping, or transfer to an open position in the same class.)
 - 3) Copy of notice is forwarded to Union.
 - 4) Union may request consultation.
 - 5) Board makes finding.
 - 6) Layoff Action Notice issued to employee.

Education Code Section 88127
Public Employees, Local 1, Article 13