

Guide to Administering Layoffs

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COUNTY OF SONOMA

HUMAN RESOURCES DEPARTMENT

A practical guide for managers, supervisors, and staff that administer the process, as well as general information for employees wanting to understand the process and their rights.

Includes: Overview, Civil Service Rules, Interpretations, Related Policies, How to Develop Seniority Lists, and Sample Layoff Notices

Recruitment and Classification Division
March 2011

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General Guidelines, Roles, and Timing

The following section is intended to be a general overview of the layoff process as well as a matrix that demonstrates roles, steps, and timelines associated with processing layoff. In general the Recruitment and Classification Division (R&C) of the Human Resources Department is the “subject matter expert” on layoff administration and interpretation. If the subject matter is not within the expertise of your R&C Analyst, the analyst will inform departments on the best person/department to contact.

Departments are encouraged to contact their assigned R&C Analyst to discuss unique situations or ask any questions that are not addressed in this document.

Communication to HR/CAO

Communication and the timing of communication are critical during the layoff planning/administration stage. A number of areas need to be addressed during the communication process such as finalizing reduction numbers with the CAO’s Office, then seniority list preparation, displacement impacts, interpretations of rules, discussions with employees, employee organizations, etc. with HR. The layoff process can take up to several months and communication with HR and the CAO’s Office should begin as early as possible to ensure adequate time to prepare and address issues that arise prior to implementation of any layoffs. Additionally, Board authorization is required prior to any layoff action and formal noticing to affected employees. Missed communication could result in issues with the process and the effective dates of layoff.

General Guidelines

One of the most important concepts to understand regarding lay-off (deletion of full or partial allocation) is that lay-off occurs in a job classification, and the employee with the least seniority in that particular classification is affected; however, displacement rights to another classification is based on total, continuous, county hours.

Department representatives also need to be familiar with the rules, processes, employee rights, etc. regarding layoff such as calculating seniority hours, preparing seniority lists, and writing and distributing layoff notices. The County of Sonoma Civil Service Rule 11 is the equivalent of the County’s policy and procedure on layoff as well as provisions in applicable labor agreements or the Salary Resolution.

In budget years where a significant amount of layoffs are imminent, Human Resources R&C staff will schedule training for appropriate departmental staff on the rules, interpretations and administration of layoff, as well as provide training sessions for those employees who are/may be affected by layoff and/or displacement. (See Support Services)

Seniority Lists

The computation of seniority hours for purpose of layoff and displacement is the responsibility of each department and is a critical component of layoff. Information can generally be obtained from the employee’s official personnel file and time sheets. In some cases, microfiche research may be needed. This process is very manual and time intensive. Depending on the severity of

anticipated layoff and number of affected classes, and department resources, developing seniority lists can take up to a few weeks.

At this point, developing seniority lists is a manual process, is time intensive, and must be verified in order to ensure accuracy. Typically, payroll staff or positions that act as “Human Resources Liaisons” develop the lists in departments and R&C Analysts audit the lists.

Each department is also responsible for preparing, updating and distributing seniority lists to the appropriate parties such as affected employees and union(s). Sample formats, training and technical assistance are available from R&C Analysts as well as the information and resources in this Guideline. Representatives of the Payroll Section in the Auditor-Controller’s Office can assist department staff with using microfiche and researching payroll records. Seniority lists must be reviewed by your analyst in the R&C Division before any official communication and distribution to employees and unions.

Implementation of layoff and displacement may be appealed to the County’s Civil Service Commission. Affected employees and employee organizations need to have an opportunity to review layoff lists and resolve any discrepancies prior to effective dates. R&C staff can assist with these discussions.

Order of Layoff and Displacement

Civil Service Rule 11 details layoff order and displacement. In general, employees are subject to layoff when there are reductions within their department within their job classification. Layoff within the job classification shall follow the order detailed in Civil Service Rule 11 and affects the least senior employees in a job classification. Displacement is based on total continuous county service.

Layoff Notices

Departments are responsible for preparing layoff notices for affected employees but must have an analyst in the R&C Division review and approve the notices prior to distribution. (Templates are included in this Guideline.) The labor agreement with SEIU, ESC and the Salary Resolution require three weeks (21 days) advance notice. Human Resources recommends and the past practice has been the same time period for employees in other groups and for employees of special agencies, provided special agencies personnel policies don’t state otherwise. A copy of the layoff letter to the employee needs to be placed in their personnel file, emailed to the employee’s union representative, the Auditor-Controller’s office, Human Resources’ R&C, Employee Relations, and Employee Benefits Divisions.

Support Services

HR has developed two training sessions to provide support to affected employees. One session covers career planning with the County and the other covers the layoff process, employee rights, and also covers how employee may find other job opportunities. Employees may register through SCORS. Human Resources has also developed a Layoff Mitigation Plan (see pages 38-40) and once a layoff notice has been given, the Layoff Mitigation Policy is effective (see pages 36-37).

Severance and Benefits Upon Layoff

The labor agreements with SEIU, ESC and the Salary Resolution provide that employees who have received formal written layoff notice, and who are unable to displace another County employee or secure other regular County employment, may separate from County service after the eighth work day of the three week layoff notice period and receive his or her normal base salary for the remainder of the three-week period. The eight day period begins on the day the notice is given to the employee. The term “work day” means days that work is taking place in the impacted employee’s business unit, not just the days that the employee actively reports to work. (Otherwise, for part-time employees, the intended severance period would not be realized.)

Laid off employees should have the same outgoing/exit interview process with payroll staff or HR Liaison staff as regularly separating employees. COBRA rights info and enrollment forms will be mailed to employees within 14 days of the layoff date. The Human Resources’ Employee Benefits Division ensures delivery of COBRA information.

Please refer to the document on benefits upon termination/layoff towards the end of this document for more details.

Restoration

Any full or part-time employee who is laid off has a right to be restored to his or her former department if any hiring occurs in the employee’s former job class within two years of the date of layoff. R&C staff will establish restoration lists and notice the terminated employee of the offer. Shall a vacancy occur in the affected classification, in which the Department chooses to fill, the Department must offer the position to employees with restoration rights before any kind of recruitment is conducted. Order of restoration is the reverse order of layoff – most senior employee affected in class will receive the first offer of restoration, and so on.

Overview of Administration Process

Roles	General Process	Timing
Departments	<ol style="list-style-type: none"> 1. Identify their budget needs and identify the appropriate classifications/allocations to eliminate 2. Communicate with and involve appropriate Human Resources staff for guidance and approval 3. Communicate with their CAO Analyst on the reduction plans 4. Develop seniority lists and maintain the order of the lists until finalization 5. If the reductions are “mid-year”, draft the necessary related board reports in order to receive authorization to executive reductions and present to the Board of Supervisors 6. Distribute seniority lists 7. Participate in meet and confer process with unions as appropriate 8. Draft and distribute layoff notices 	<p>As budget information is available</p> <p>As soon as possible after confirming budget scenario</p> <p>As soon as possible after confirming budget scenario</p> <p>Begin drafting initial seniority lists as soon as possible after identifying affected classes and finalize the list a minimum of 6 weeks prior to implementation date in order to provide enough time to M&C with union and meet noticing requirements</p> <p>Must be a minimum of 4 weeks to implementation date and ideally 6 weeks or more prior to implementation date; affected employees and unions should be notified prior to agenda item being public; HR must be notified by this date, but should be sooner.</p> <p>As soon as Union is noticed and/or in coordination with the public notice date of BOS agenda item requesting authorization for reductions</p> <p>Typically HR schedules ASAP after BOS authorization</p> <p>21 calendar day noticing requirement; regardless of multiple “tiers” due to displacement, all notices should be distributed the same date.</p>

	<p>9. For employees whom are being displaced, or voluntarily demoting/transferring in-lieu of layoff, new assignment notices should be provided in accordance with the MOU if applicable</p> <p>10. Conduct exit process with affected employees</p> <p>11. Notify Human Resources when vacancies occur in a class formerly affected by layoff</p>	<p>As needed and in accordance with timing in bargaining agreement</p> <p>Final day in office or a close as possible is recommended</p> <p>ASAP upon knowing of vacancy in prior affected class via job requisition</p>
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Roles	General Process	Timing
Human Resources – Recruitment & Classification	<ol style="list-style-type: none"> 1. Provides guidance and training to departments on layoff rules and/or any closely related policies, procedures, etc. 2. Provides guidance and training to departments on overall layoff process including seniority list development 3. Audits seniority lists 4. Reviews BOS reports and approves resolutions regarding allocation changes PRIOR to submittal to CAO's Office 5. Reviews and approves layoff notices 6. Maintains Restoration Employment Lists and notices terminated employees of restoration offers 	<p>As needed</p> <p>As needed</p> <p>As soon as provided by departments (departments should factor in time for R&C Analysts to perform audits in the planning/timeline process)</p> <p>As needed with at least 10 business days prior to due date to CAO's Office</p> <p>As needed with at least 10 business days prior to due date for noticing</p> <p>Ongoing maintenance of restoration list and ASAP notification to employees of restoration rights</p>
Human Resources – Recruitment & Classification	<ol style="list-style-type: none"> 1. Notifies unions of layoff in affected classes and coordinates and conducts meet and confers as necessary (R&C involves ER if necessary) 	<p>At some point before or coordinated with the public notice date of BOS agenda item requesting authorization for reductions; M&C will be scheduled ASAP depending on scheduling issues with participating parties</p>
Human Resources – Employee Benefits	<ol style="list-style-type: none"> 1. Provides the standard information to separating employees such as COBRA notification, benefit conversion options, etc. 	<p>In accordance with appropriate timing of separation materials</p>
County Administrator's Office	<ol style="list-style-type: none"> 1. CAO Analyst understands and approves reduction plan/budget 2. Provides feedback to department as appropriate 3. Provides information to CAO as necessary and reviews BOS information 	<p>Check with CAO Analyst on expected timing and expectations</p>

Civil Service Rule 11

LAYOFFS

SECTION 11.1 ORDER OF LAYOFF

- A. Employees shall be subject to layoff whenever their positions are abolished or whenever necessary because of lack of work or lack of funds.

Layoff procedures shall be applied on a departmental basis. Where appropriate, after meeting and conferring with the recognized employee organization which represents the affected employees, the Director of Personnel may authorize that layoff procedures be restricted to employees of one or more divisions or smaller units of a department.

- B. Whenever it is necessary to layoff one or more employees in a department, division or unit in which there is more than one employee in the class in which the layoff is necessary, employees shall be laid off in the following order:
- (1) Extra help employees as defined in Rule 1, and provisional employees.
 - (2) Probationary employees.
 - (3) Full-time and part-time employees with permanent status in the class.
- C. Continuous County service in the class in which the layoff occurs or in any other class having at the date lay-off notice is served the same or higher salary allocation shall be counted as service in the affected class.
- D. Employees with less total continuous County service in the affected class shall be laid off before those with greater total continuous County service in the affected class. Continuous part-time service shall be prorated on an hour-for-hour basis in its relationship to full-time work.
- E. Social Service Workers III and Social Service Practitioners who have become Social Service Workers IV shall carry into that new classification, the seniority which they had in their former classification.
- F. A full-time or part-time employee appointed to a class with a Project or Limited Term designation by job classification (ex: Programmer Analyst - Project) may be exempted by the Director of Personnel from the order of layoff of the affected project or limited term class based on a continuing need for a specialized technical skill/skill mix combination. Such skill/skill mix shall have been determined by a written plan (project or recruitment/certification) prior to filling the position as an essential function inherent to the overall purpose of the job. The incumbent(s) must have been appointed based on the required specialized technical skill/skill mix. (revised 3/5/97)

- G. After September 1, 1998, no extra help hours will be counted toward seniority for layoff, displacement or restoration. After September 1, 2002, no extra help hours, regardless of when accumulated, will be thereafter counted toward seniority for layoff, displacement or restoration. (revised 11/19/98)
- H. Employees placed (pursuant to Rule 3.3C) into a newly established class or class series, which resulted in the abolition of a previously existing class or class series, shall carry into the new classification, the seniority which they previously acquired in the equivalent level (former and new classes are within a $\pm 4\%$ salary range) of the abolished class or class series for all purposes, including displacement rights within the new class or class series. (revised 8/21/03, 7/1/10)

SECTION 11.2 ALTERNATE CLASSES

For purposes of layoff and/or displacement, alternate classes shall be treated as one class such that continuous County service in one alternate class shall be considered as service in each of the other alternate classes in the same class series and shall be counted cumulatively.

SECTION 11.3 DISPLACEMENT

- A. An employee who is laid off and who has greater total continuous County service than another employee in the same department in another class with the same or lower salary allocation in which class the employee previously had permanent or probationary or part-time status and for which the employee is qualified for certification, transfer or voluntary demotion, may elect to displace the junior employee with the lesser total continuous County service. An employee who is displaced shall be laid off and replaced by the employee who displaces him/her.
- B. An employee who is displaced because of layoff may in the same manner displace an employee who is junior to him/her.
- C. Should an employee have the right to displace in more than one class, the employee shall first displace in the class with the highest allocated salary.
- D. An employee who was transferred with a position reallocated from one department to another department may, upon layoff from the second department and if eligible under the conditions stated in subparagraph A. above, exercise displacement rights in the first department.
- E. A permanent full-time or part-time employee who is laid off and who has greater total continuous County service than another employee in the same department in the same job class with a project designation (ex: Programmer Analyst, Programmer Analyst - Project), may elect to displace the junior employee in the project designated class. Should the junior employee in the class possess a required specialized technical skill/skill mix not possessed by the laid off employee, the next most junior employee in the project class shall be displaced. (revised 3/5/97)

- F. For Information Systems Department employees, all current classification titles will be equated to classification titles previous to the implementation of the April 15, 1999 Information Systems Department Classification Study. This special rule will terminate 36 months after the study approval date of June 3, 1999. (Revised 9/16/99)

- G. Employees retained into a class (pursuant to Rule 3.3B-C) in which the class or class series was retitled, shall have displacement rights to the retitled class or the equivalent level in the class series. (added 7/1/10)

- H. If an employee held a classification that was reclassified after he/she left that classification, the employee will have displacement rights to the newly titled class (or the equivalent level in the class series), provided the following criteria is met:
 - 1. the employee held permanent or probationary status in the class that was subsequently retitled/reclassified; and
 - 2. the newly titled class or class series' purpose, scope, complexity, duties, and knowledge and abilities did not significantly change (as identified in the classification study and recommendations and determined by the HR Director); and
 - 3. the salary range for the newly retitled class or class series did not change; and
 - 4. the employee held the former class up to five years prior to the date of the reclassification; or
 - 5. the employee currently holds a position that is either a higher level in the new class series or is a logical career progression within the department's organizational structure. (added 7/1/10)

SECTION 11.4 RESTORATION

- A. Each person who has been laid off or displaced from, or who has in lieu of layoff been demoted or transferred voluntarily from position which the employee had permanent status shall, in writing by certified mail return receipt requested, be offered restoration to a vacant position in the classification and department from which the employee is laid off, which the County determines to fill within two years after the date the employee is laid off or displaced. The County shall make a reasonable attempt to notify an employee who is eligible for restoration. If an employee cannot be reached within 20 calendar days from the date of mailing of notice of offer of restoration, the right to restoration shall be forfeited. Should an employee not accept restoration within 5 regular County business days after the receipt of the offer or should the employee decline to begin work within 15 regular County business days after the receipt of the offer, the employee shall be declared unavailable and shall forfeit right to restoration unless further offer of restoration is granted by the Civil Service Commission. (revised 7/1/10)

Employees laid-off from a project or limited term position have restoration rights for the specific project for which they were hired. Restoration rights shall not exceed the duration of the project or 24 months immediately following layoff whichever is lessor. (revised 3/5/97)

Employees laid-off from a recurring defined term positions shall have restoration rights for the duration of the specific term to which they were appointed, as set forth within their job specifications. Restoration rights shall not exceed the duration of the specific term as set forth within the job specifications. (Revised 7/7/05)

- B. An employee eligible for restoration has the right to waive a restoration offer to a vacant position in the classification out of which the employee was laid off or displaced under the circumstances described in (1), (2), and (3) below.
- (1) An employee is removed under this Rule 12, Section 12.1 from a part-time position. A full-time position in the classification becomes vacant and available for restoration. The County offers restoration to the employee. The employee may waive the restoration offer.
 - (2) An employee is removed under this Rule 12, Section 12.1 from a full-time position. A part-time position in the classification becomes vacant and available for restoration. The County offers restoration to the employee. The employee may waive the restoration offer. If the employee, under either (1) or (2), above, waives the restoration offer, the County may fill the position. The employee who waives the restoration offer will remain on the restoration list for that classification for the balance of the two years restoration eligibility. The employee must exercise this waiver right under this subsection B.(2) within the same 5 regular County business days standard in subsection B.(1) above. The employee's waiver must be in writing in order to be valid.
 - (3) Two employees previously "job shared" a position and were both removed under this Rule 11, Section 11.1. If a vacant position in that classification becomes available for restoration and the County desires to restore that position, it shall either:
 - (a) Make a restoration offer based on the same job sharing allocation to both of the two employees who occupied it, or
 - (b) Determine that the position needs to be filled on a full-time basis and make a restoration offer to the most senior of the two eligible employees. Each of those employees may exercise the restoration waiver option in B (1) above.
- C. Whenever more than one person has been laid off and/or displaced in the same class in the same department, the order of restoration shall be in the reverse of the order of layoff. An employee, who has restoration rights in more than one class because of layoff or displacement in more than one class shall have restoration rights in each of the classes from which the employee was laid off or displaced. Refusal to accept restoration in one class does not eliminate the right to restoration in the other class or classes.
- D. Whenever a person is unavailable for restoration in the same class in the same department, the next senior person who is eligible for restoration shall be offered restoration in the same

manner and under the same conditions. Should there be no person eligible and available for restoration, the position shall be filled by the County.

- E. A person who has forfeited for restoration may, within 10 regular County business days after forfeiture, request in writing to the Civil Service Commission that the employee be considered for further offer of restoration, should such occur within one year after layoff or displacement. The employee's request shall contain a full explanation of the reason for the employee's unavailability. Within 30 calendar days after the request is filed, the Commission shall either grant or deny the offer for restoration. The Commission may specify conditions under which further offer of restoration may be granted.

SECTION 11.5 APPEALS

- A. The Civil Service Commission shall act as a separate and final hearing body for layoff appeals for all employees who have appeal rights.

Within the provisions of Rule 11, Section 11.1, Layoff, part-time and full-time employees have right of appeal to the Civil Service Commission; temporary and provisional employees affected by layoff or actually laid off do not have a right of appeal for any action taken under these layoff rules.

- B. Implementation of a layoff decision may be appealed by an employee laid off; however, the decision to layoff may not be appealed.
- C. Any formal written notice to a part-time or full-time employee stating that the employee is subject to layoff or layoff resulting from displacement may be appealed as follows:
 - (1) Within ten (10) regular County business days from the date of the receipt of the notice, an employee may, within the provision of Section 11.5 B, appeal in writing, the action to the Director of Personnel.
 - (2) Within seven (7) regular County business days after receiving the appeal, the Director of Personnel shall give a written decision to the employee.
 - (3) If the employee is not satisfied with the decision in C.(2) above, the employee may, within seven (7) regular County business days after receiving the decision, appeal the decision in writing to the Civil Service Commission.
 - (4) The Civil Service Commission shall review an appeal resulting from C.(3) above at its next scheduled meeting.

This review and appeal procedure which applies to layoff and displacement action in no way supersedes restoration appeal procedures set forth under Section Rule 11.4 E.

**SECTION 11.6 COMPETING IN EXAMINATIONS/EMPLOYMENT SELECTION PROCESS
AFTER LAYOFF**

Employees who are separated from County service due to layoff and who have applied to County positions on or before to the layoff effective date may continue to compete in the examination/selection process, be placed on the employment list(s) if successful in the examination process, and continue to be certified, provided the employment list is either active or reinstated pursuant to Rule 6.10. County service points will still be applied to final examination scores pursuant to Rule 6.4 A (3) regardless of the employee no longer holding an allocated position. Employees who have been separated from layoff do not qualify to compete in promotional examinations but may have opportunities to be re-employed pursuant to Rules 6.8 and 11.4. (Added 7/1/10)

END OF RULE 11

CIVIL SERVICE RULE 11 INTERPRETATIONS

QUESTIONS AND ANSWERS RELATED TO LAYOFF, DISPLACEMENT, RESTORATION AND SENIORITY

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COUNTY OF SONOMA

Human Resources Department

GENERAL LAYOFF GUIDELINES

1. Q. **Is a layoff confined to a department?**
 - A. For the most part yes, layoffs are confined to the affected department. There is one provision in the Civil Service Rules, 11.3 D, which provides for an exception when an employee who was transferred with a position *reallocated* from one department to another department may, upon layoff from the second department and if eligible, exercise displacement rights in the first department

2. Q. **Is a reduction in hours considered to be a layoff? Must a reduction in hours be accomplished in accordance with the order of layoff as defined by Section 11?**
 - A. Any reduction of hours that is involuntary and is a result of budgetary limitations or lack of work, is a form of layoff and must be administered in accordance with Civil Service Rules governing the order of layoffs and displacement.

3. Q. **Is the employee whose position is abolished the person actually laid off; or is the person in the class with the least seniority the one to be laid off?**
 - A. The person to be laid off is the employee in the class with the least seniority, based on the order of layoff in Section 11.1. In the case where a program is cancelled and therefore the position no longer needed, the order of layoff is still by seniority and not the program.

4. Q. **Does a bilingual designation of a position have any effect of differentiating that position in the order of layoff?**
 - A. No. Section 11.1 speaks to layoff by class. Any designation of the bilingual status of a position does not affect or alter the order of layoff.

5. Q. **Can departments limit layoff to a division?**
 - A. Yes, in accordance with Rule 11.1 A. However, it requires approval of the Human Resources Director and a meet and confer process. If departments are considering this, they are strongly encouraged to initially obtain advice from their Recruitment and Classification (R&C) Analyst, and then discuss with the Recruitment & Classification Manager as soon as possible to ensure the support and viability of the concept.

6. Q. **Does overtime count in computing seniority?**
 - A. No.

7. Q. **Do extra-help service hours count for purpose of layoff, displacement or restoration?**
 - A. No. Since September 1, 2002, no extra-help hours, regardless of when accumulated, will be counted toward seniority for layoff, displacement or restoration (see CSR 11.1G.).

8. Q. **Does provisional service (appointment of an outside candidate to a vacant position pending completion of competitive exam process) count as continuous County service?**
- A. Yes, if it is in the same class or in another class with the same or higher salary allocation.
9. Q. **If regular part-time service counts, how is it to be calculated?**
- A. Yes, regular part-time service counts. Rule 11.1D. states that it shall be prorated on an hour-for-hour basis in its relationship to full time work. Count all hours actually worked exclusive of overtime. Any leave without pay is to be based on the employee's allocated hours or full-time equivalent (FTE) position. For example, a .5 part-time employee would receive 20 hours per week toward seniority while on leave without pay.
10. Q. **In the case of layoff, what criteria determines who is to be laid off?**
- A. Section 11.1 specifies the order of layoff. Within that order, the hours in the class in which the layoff is to occur includes all hours the employee has in the affected class as long as there was no break in service. Hours in class include time spent as a CETA employee or provisional employee in any department. *For the purpose of seniority, hours in class also include time in another class with the same or higher salary allocation on the date notice of layoff is served.*
11. Q. **In the case of two employees having the same seniority hours in a class, what criteria should be used in breaking the tie?**
- A. Per Civil Service Rule 11.1D, the criteria to break a tie in seniority are to first consider continuous County service irrespective of class; second, prior total County service; and third, chance. (Example: Number draw, or coin flip).
12. Q. **Does a leave of absence constitute a break in service?**
- A. No. The Civil Service Rules define continuous County service as meaning continuous employment by the County, with or without pay status.
13. Q. **Should time on leave without pay be deducted from continuous County service?**
- A. No. Continuous service is with or without pay status.
14. Q. **Does an employee on leave without pay accumulate seniority hours for purposes of layoff and displacement.**
- A. Yes.
15. Q. **How are seniority hours to be calculated for an employee on a leave without pay?**
- A. The employee would accumulate seniority hours based on his or her allocated position's normal work schedule (i.e. full-time (80 hrs/pay period), .75 (60 hr/pp), .5 (40 hrs/pp), etc).
16. Q. **Does resigning and then returning to County employment in the same position constitute a break in continuous service?**

- A. Yes. Once an employee separates, seniority status terminates. An employee who is reemployed is treated for this purpose as a new employee.
17. Q. **An employee resigns from County employment and is later reappointed. Does continuous employment begin with the date an employee is reappointed, or the date payroll uses for purpose of vacation accrual?**
- A. The date the employee was reappointed.
18. Q. **Does a layoff constitute a break in continuous County service?**
- A. Yes, except for permanent and probationary employees who have been restored in accordance with Sections 11.4A. and 9.4. Restoration nullifies separation. Continuous employment prior to layoff and after restoration are added together. Time not employed is not counted.
19. Q. **An employee held status in two different classes that were assigned the same salary range at one point in time (e.g., Assessment Clerk Trainee and Clerk Typist II). They are no longer tied due to subsequent negotiations. What date is used to determine if service in one class counts towards service in the class affected by layoff?**
- A. If both classes still exist, seniority is determined based on each class's current salary allocation (salary range Step "A") as of "the date lay-off notice is served".
20. Q. **Years ago a number of employees were reclassified from an existing class to a new class of equal pay, and the former class was abolished (ex.-Clerk Typist II to Office Assistant II). Given continuous County service, should time worked in the class that was abolished, count towards seniority in the new class?**
- A. Yes, when limited to a change in title. Time in a class which has the same or higher salary allocation as the new class, counts towards seniority. If the prior class had a lower salary allocation than the new class, seniority for purpose of layoff is the date of appointment into the newly created class. This concept is the same if the reclassification was to currently established classification. (ex. HR Technician reclassified to HR Analysts).
21. Q. **What happens if an employee with probationary status has more seniority hours than an employee with permanent status?**
- A. Section 11.1 B. states that Probationary employees are to be laid off before those with permanent status. An employee who has attained permanent status at any level of an alternate class (ex. Correctional Deputy I/II) has permanent status for purpose of layoff, even if serving a probationary period at the higher level.
22. Q. **Can an appointing authority release a probationary employee who was promoted from another department so that the employee can be restored to his or her former department and class, rather than being laid off from County employment?**
- A. Yes, but inter-department transfer or voluntary demotion in lieu of layoff is strongly advised.

23. Q. **Is a probationary period required when an employee with permanent status *transfers* from one class to a closely related class with the same salary range?**
- A. No, a probationary period is not required when an employee transfers to a closely related class.
24. Q. **A person has been continuously employed by the County with work experience in a higher paying class which is interrupted by experience in a lower paying class (e.g. SOA, OAll, SOA). What time period(s) are to be included in calculating seniority hours for the higher class? (Note OAll and SOA are not alternate classes.)**
- A. A break in County employment does not exist, so all service in the higher class is added together. Time in the lower class is excluded unless displacement rights are being calculated.
25. Q. **Does time worked in another department in a totally unrelated class of equal or higher pay count towards seniority hours for a class in which layoff is to occur?**
- A. Yes. Section 11.1 C. states continuous service in any other class that has the same or higher salary shall be counted a service in the affected class provided that it has the same or higher salary as the affected class at the date layoff notice is served.
26. Q. **Does employment in a regularly allocated position interrupted by a "contract" service arrangement constitute a break in County service?**
- A. Yes. Employment as a County employee would have been voluntarily terminated.
27. Q. **Does employment in a regularly allocated position interrupted by extra-help employment constitute a break in County service?**
- A. Not unless separated from County employment; even a day of separation would constitute a break in service. The transition between regular/extra-help employment status must be consecutive
28. Q. **When implementing layoff, should the COS for Extra-Help Employees read "laid off"?**
- A. No, "Separated". Extra-Help employees have no right to continued employment.
29. Q. **One form of layoff is an involuntary reduction in regularly scheduled work hours. An incumbent has routinely been scheduled to work 64 hours per pay period, although the annual budget has approved funds for 80 hours. Does a reduction in hours occur if funding for the position is reduced to 64 hours?**
- A. No. The incumbent's allocated FTE/regularly scheduled hours have not been reduced, therefore there is no reduction of hours/layoff for this employee.
30. Q. **When reviewing an employee's employment history, how do you know if employment has been terminated?**
- A. The primary resource for determining if a break in continuous County employment has occurred is the payroll "Change of Status/Personnel Action Form." This information should also be reflected in HRMS.

31. Q. **Are different payroll class codes separate classes?**
- A. No. A class is defined by the class specification formally adopted by the County's Civil Service Commission as part of the Classification Plan; not reference to differences in employment status, compensation, payroll code, department, or work assignment.
32. Q. **A position is reclassified and the incumbent promoted without examination in accordance with Section 3.3 B. based on having "...satisfactorily performed the duties of the position for a continuous period of not less than one year." Does seniority in the affected class start when the employee is promoted or one year prior to promotion?**
- A. Upon promotion following reclassification by the Civil Service Commission and adoption of the Civil Service Commission's action by the Board of Supervisors.
33. Q. **If someone is transferred into County service from another county or city, does the employee's time in the other county or city count for seniority purposes?**
- A. No. Civil Service Rule 1 states, "COUNTY" means County of Sonoma.
34. Q. **Is "total continuous County service" to include non-civil service agency employment such as in the Sonoma County Water Agency, or the Sonoma County Superior Court?**
- A. Civil Service Ordinance Section 12-B. states "Whenever such employees (employees holding permanently allocated positions with the Sonoma County Water Agency, Community Development Commission, the Sonoma County Library, or the Sonoma County Fair) transfer to the County service without a break in pay status with the other agency or organization greater than two working days, service with the agency or organization, shall be deemed to be service with the County for purpose of...seniority credit...and other such benefits to which the employees would be entitled to had the employees been continuously employed by the County of Sonoma." Similar language is not known to exist for Superior Court employees.
35. Q. **An employee with permanent status in the County's classified service transfers to a position in the same class in the Water Agency (non-civil service) and then transfers back to a position in the classified service. Does a break in service exist, or does "total continuous County service" include service prior to transfer to the Water Agency and after return to the classified service?**
- A. No break in continuous County service would exist unless there was a break in pay status with the Agency of greater than two working days. See Civil Service Ordinance Section 12-B.
36. Q. **Is layoff or voluntary demotion restricted to employees who have received a written notice of layoff?**
- A. An employee is not to be laid-off or voluntarily demoted in lieu of layoff until a written notice of layoff has been issued. This formal notice of layoff distinguishes layoff/displacement from dismissal or voluntary resignation, and is required by Section 11.5 C. (**Note:** Notice period requirements are outlined in employee MOUs and the Salary Resolution.)

37. Q. **After formal layoff notices have been received, may an employee not scheduled to be laid off, choose layoff in place of another employee?**
- A. Although Section 11.1 D. requires employees with "less" seniority in the affected class to be laid off first, past practice has enabled an employee with greater seniority to volunteer for layoff in lieu of a less senior employee in the affected class who has been formally notified of layoff. Acceptance of the employee's offer would need to be conditioned on the employee being separated in place of the most senior employee in the affected class formally notified of layoff, at the time of layoff, and the employee being separated forfeiting any right of displacement pursuant to Section 11.3. However, the employee may request voluntary demotion to a vacancy in a lower class in accordance with Section 8.8.
38. Q. **Given multiple layoffs within the affected class at the same time or within a short duration of time, what is the order of restoration for an employee who volunteers to be laid off in place of an employee with less seniority in the affected class?**
- A. Section 11.4 C. requires that restoration be in the reverse order of layoff. The last employee in the class to be separated based on seniority would be the first employee to return.
39. Q. **How do we count seniority for an employee who has worked both full-time and part-time during his or her most recent period of continuous County service?**
- A. The employee is to receive credit for each hour worked, less overtime. Any leave without pay is to be based on the employee's allocated full-time equivalent position. (Ex. f/t = 80 hrs; .75 = 60 hrs; .5 = 40 hrs.)
40. Q. **A time limited position exists in a job class that is not specifically classified as a "limited term" or "project" class (Ex: Programmer Analyst – Project). The term expires. Absent a vacancy in same job class, who would be laid off – the person in the time limited position or the least senior employee of the job class?**
- A. The least senior employee of a represented job class would be laid off, unless layoff were further restricted pursuant to CSR 11.1 A. after meeting and conferring in good faith with the position's recognized employee organization.
41. Q. **A "limited term" or "project" position is in a job class that has been specifically established by the County's Civil Service Commission and adopted by the Board of Supervisors as a project/limited term class (ex: Programmer Analyst - Project). The term expires. Who would be laid off - the least senior person in the job class or the least senior person in the job class within the same project?**
- A. Civil Service Rule 11.1 F states, "A full-time or part-time employee appointed to a class with a Project or Limited Term designation by job classification (ex: Programmer Analyst - Project) may be exempted by the Director of Personnel from the order of layoff of the affected project or limited term class based on a continuing need for a specialized technical skill/skill mix combination. Such skill/skill mix shall have been determined by a written plan (project or recruitment/certification) prior to filling the position as an essential function inherent to the overall purpose of the job. The incumbent(s) must have been appointed based on the required specialized technical skill/skill mix. (revised 3/5/97)"

42. Q. **Is there any exemption to layoff/displacement based on a specialized technical skill or skill mix above and beyond that required of the job class in general?**
- A. Yes. Civil Service Rule 11.1 F. authorizes such an exemption by the Director of Human Resources for job classes with a project or limited term designation. To qualify for an exemption there must be a continuing need for a specialized skill/skill mix identified by a written plan as an essential function of the job prior to filling it, and the incumbent(s) must have been appointed to the job based on that skill/skill mix.
43. Q. **If an employee is temporarily promoted to a higher job classification, does service time in the higher job class count towards that class?**
- A. This question is answered by Civil Service Rule 9.3 F. Service time in a temporary promotion would only count if the employee is appointed to an allocated position in the same class as the temporary promotion and there is no break in service between the temporary promotion and the permanent appointment.

ALTERNATE AND SUBSTITUTE CLASSES

1. Q. **How do we deal with alternate classes?**
- A. Alternate classes are treated as one class. The duties of alternate classes are essentially the same and only the degree of supervision or independent judgment varies. Generally, when a position is abolished, it is abolished as an alternate, e.g., Office Assistant I/II
2. Q. **An employee worked as a Correctional Deputy (CD) I/II (alternate) prior to becoming a Probation Officer I/II (alternate). If layoff were to occur in the Probation Officer I/II series, what hours should be applied towards the affected class?**
- A. The salary allocation attached to the "highest alternate level" of the alternate class series should be compared. (Ex. CD II to PO II) Service as a CD I/II (alternate) should be counted towards the affected class, if the salary allocation ("A" Step) of the CD II is greater than the A step of PO II.) See definition of "Alternate Position."
3. Q. **Is a "substitute or underfilled position" treated the same as an alternate position or class?**
- A. No. Substituting or underfilling an allocation does not equate to status in the allocated class. However, since Civil Service Rule 11 provides that hours worked in any class with the same or higher salary range as the affected class be counted towards seniority, the hours worked in the substitute assignment (Senior Office Assistant) would count towards seniority hours in the employee's allocated class (Receptionist) if the salary range for both classes is the same. This still does not grant "status" in the Senior Office Assistant class as the employee was never appointed to the class.
4. Q. **A department does not have an allocated Receptionist position. They granted permission to substitute a Receptionist for an allocated Senior Office Assistant position. A year later the Senior Office Assistant position is reallocated as a**

Receptionist. Does the incumbent have probationary/permanent status as a Receptionist and a Senior Office Assistant?

- A. No, only as a Receptionist. Status in a "substitute position" (class) does not equate to status in the class being substituted.
5. Q. **A Legal Processor I/II is used to under fill a Senior Legal Processor. If a Senior Legal Processor position is abolished, would an employee in the "substitute position" (class) or the least senior Senior Legal Processor be laid-off?**
- A. An employee in a "substitute position" (class) should be removed from the substituted class allocation (Sr. LP) and returned to a position in the class in which they hold permanent or probationary status (LP I/II). If removing the employee from the allocation which they are substituting/underfilling (Sr. LP) and returning the employee to an assignment in their allocated class (LP I/II), necessitates a reduction in that class (LP I/II), a layoff would occur in the employee's allocated class (LP I/II). As this reassignment creates a layoff, not a displacement, implementation would occur based on order and seniority as defined in Civil Service Rule 11.
6. Q. **May an employee in a substitute position (class) which is not contained in the department allocation list be laid off if the department abolishes a position in the class being substituted? (Ex. Appraiser Aide substituting for Appraiser I/II/III)**
- A. Yes. However, the appropriate class would need to be referenced. In this case, the Appraiser Aide.

DISPLACEMENT

1. Q. **Can an employee displace outside the department?**
- A. Displacement is confined to the same department, except when a position and the incumbent have been transferred together from one department to another department pursuant to Section 11.3 D.
2. Q. **How is displacement exercised under Section 11.3D (allocation transferred from one department to another) if an employee has displacement rights to job class(es) allocated in both the current and former departments?**
- A. Displacement rights are exercised in the current department first. If an employee is not eligible for displacement in the current department in accordance with Section 11.3A, then the employee will seek displacement in the former department.
3. Q. **What criteria determines which class(es) an employee may displace in?**
- A. Displacement may be to any and all other classes with the same or lower salary allocation in which a laid-off or displaced employee previously had permanent, probationary, or part-time status, and for which the employee is qualified for certification, transfer, or voluntary demotion. Section 11.3 C. requires the employee to first displace in the class with the highest allocated salary.

4. Q. **Is the formula for counting seniority for displacement different than for layoff?**
- A. Yes. **Layoff:** total continuous County service in the affected class, based on order of layoff defined in Civil Service Rule 11.1B. **Displacement:** total continuous County service for all job classifications held in a permanent or probationary status since hire, regardless of current status (probationary or permanent). The same displacement date (total continuous service) is applicable for any and all classes into which the employee can displace.
5. Q. **Does an employee have a right to displace to a class held prior to a break in service resulting from resignation or dismissal?**
- A. No. It is not the intent of Section 11.3 A. to extend a right of displacement to a class in which the employee has no status or seniority during his or her most recent period of continuous County employment.
6. Q. **When an employee exercises displacement rights to a class, is the employee's displacement date compared with other employee's date of hire into the class or with other employee's date of hire into the County?**
- A. In cases of displacement, both employees total continuous County service irrespective of class is compared.
7. Q. **"What does "the junior employee" mean in Section 11.3 A.?**
- A. The least senior employee in the affected class and department. (Ex. the least senior OAll in the same department as a laid-off SOA who has a prior permanent, probationary, or part-time status as a OAll.)
8. Q. **May the displacing employee elect to displace anyone with less seniority?**
- A. No. The employee displaces the least senior employee in the class, based on total continuous county service hours.
9. Q. **Does the department have the right to tell an employee trying to displace that the employee must accept a vacant position rather than displacing someone less senior who has a more desirable job?**
- A. Yes, the department has the right.
10. Q. **Does a person impacted by displacement need a formal written notice of layoff?**
- A. Yes, however the notice would not be a "layoff notice" but "notice of displacement". Ideally, the notices should be personally presented to the employee. If not possible, then it should be mailed via certified mail to the employee's last known address. The notice of displacement needs to indicate that the employee has been displaced pursuant to Section 11.3 and accordingly informed of layoff effective (date) pursuant to such rule.
11. Q. **Does the displacement rule in Section 11.3 A. equally apply to the displaced employee in determining his/her displacement right?**

- A. Yes. For example, a laid-off Office Support Supervisor may be able to displace a SOA within the same department; who in turn may be able to displace a Receptionist or OAll within the same department. Often times, layoff has a domino effect.
12. Q. **Must the department follow this displacement scenario exactly, or may consideration be given towards the needs of the department?**
- A. Displacement needs to be conducted in accordance with the County's Civil Service Rules and past practice. Questions or concerns related to service needs that appear to be in conflict with existing interpretations should be discussed with the Human Resources Department, and the Civil Service Commission having final authority.
13. Q. **Does time in grade (salary step) in the class from which the employee is being displaced count as time in grade in the class to which the employee is displacing?**
- A. Yes. Displacement is based on total continuous County service.
14. Q. **Is displacement by department, division, unit, or class regardless of location?**
- A. An employee's seniority is based on his or her total continuous County employment irrespective of department. Displacement is applied on a departmental basis unless further restricted in accordance with Section 11.1 A. or 11.3 D.
15. Q. **What happens if an employee has displacement rights to more than one class with the same salary allocation?**
- A. The employee shall exercise his or her displacement right against the junior most employee in all such classes, absent a vacancy which is equal in allocation to that held by the employee immediately prior to layoff. If such a vacancy exists, the employee shall be appointed to the class with the vacancy, unless not qualified. (Example: An Admin Aide allocation is being eliminated. The employee has displacement rights to Senior Office Assistant, Receptionist and Legal Processor, all of which have the same salary range. There is a Receptionist vacancy in the department. The employee shall displace to Receptionist, even though the class held immediately prior to layoff was Senior Office Assistant.
16. Q. **May a laid off employee elect to displace the junior employee of a class when a vacancy exists within that same class and department?**
- A. No.

RESTORATION

1. Q. **If an employee voluntarily demotes in lieu of layoff, does the employee have restoration rights to the class from which he or she voluntarily demotes?**
- A. Yes, provided the voluntary demotion is *in lieu* of layoff as stated in their layoff notice. It is important that the employee not voluntarily demote until a layoff notice is "in hand" otherwise it's not considered a layoff and restoration rights don't apply.

2. Q. An employee goes on long-term medical leave and returns to work. All positions have been filled. What Civil Service restoration rights does the employee have?
- A. The Civil Service Rules give an employee on a medical leave of absence the same rights to his or her job as any other employee. Additional rights are provided by Federal and State laws such as family leave, pregnancy and disability laws.
3. Q. **Who is eligible for restoration?**
- A. Sections 11 and 9.4 (A) limit restoration to probationary and permanent employees who have been laid off, displaced from, or demoted voluntarily in lieu of layoff.
4. Q. **Is restoration the same thing as reappointment?**
- A. No. Reappointment does not confer the same benefits and rights as restoration.
5. Q. **Does an employee have a right to be restored to exactly the same job (assignment, premiums, location, program, shift work, department, job class, allocation (ex. 1.0, .9, .75, .5), etc.) from which separated?**
- A. No, the County's Civil Service Rules only authorize restoration to the same department, job class, and allocation from which laid off or displaced.
6. Q. **Is restoration restricted to a vacant position?**
- A. Yes.
7. Q. **Can a restoration letter be handed to an employee as opposed to sent "certified mail return receipt requested"?**
- A. As a matter of past practice yes, however Human Resources strongly recommends a certified mail return receipt copy be mailed as well. Written notification shall be receipted or witnessed to minimize problems related to a waiver or forfeiture of the offer. More information regarding the time and noticing requirements for a restoration can be found in Civil Service Rule Section 11.4. It's important to contact your R&C Analyst before sending restoration notices. HR is the "keeper" of the official restoration list, and there is a process involved in administering restoration.
8. Q. **An employee is "laid-off" based on a reduction in hours from a 1.0 FTE to a .50 FTE. The employee subsequently resigns, or requests and is granted a voluntary demotion or further reduction in hours. Does the employee maintain a right of restoration to a full-time allocation?**
- A. No, not to a 1.0 FTE allocation, however the employee retains the right of restoration to the .50 FTE allocation that they were originally "laid off" from.
9. Q. **How is restoration to be offered, given the interpretation that different methods are to be used to determine seniority for purposes of layoff based on total continuous County service in the affected class, and displacement based on total continuous County service irrespective of class?**

- A. Section 11.4 C. requires that restoration be in the reverse order of layoff. The last employee in the class to be separated based on seniority would be the first employee to return.

For example: Assume Employees "A" and "B" are the two least senior OALLs in a department. On 10-1-93, Employee "A" has more seniority than Employee "B" in the affected class (10,000 hrs. vs. 3,000 hrs.) for purpose of layoff, but less overall seniority irrespective of class (13000 hrs. vs. 14,500 hrs.) for purpose of displacement.

If both Employee "A" and "B" were laid-off on 10-1-93 pursuant to Section 11.1, "A" would be restored first as the more senior employee in the affected class.

If both Employee "A" and "B" were displaced on 10-1-93 pursuant to Section 11.3, "B" would be restored first as the more senior employee irrespective of class.

If Employee "A" were to be displaced on 10-1-93 as the class's junior employee pursuant to Section 11.3, and Employee "B" were to be subsequently laid-off on 1-24-94 pursuant to Section 11.1; Employee "B" would be restored first, having been entitled to remain in the class on 10-1-93.

10. Q. **A Secretary is laid-off. Based on total continuous county service, she cannot displace the junior SOA in the department, however, she can displace the junior OAll and does. A SOA position in the department becomes vacant. Does a right of restoration exist to the SOA vacancy?**

- A. No. However, the employee may request and be granted reappointment if done in accordance with Section 6.8 B.

11. Q. **An allocated position is reduced from full-time to part-time (.7). Two months later a .5 allocated position becomes vacant in the same department and class. Does the employee who was "laid off" have an absolute right to have his or her regular work hours restored up to F/T, before the department can fill the vacancy by some other means?**

- A. No. An employee only has a right to be restored to a vacancy with the same allocation in the department and class from which laid-off or displaced. However, the .5 allocation may be split and the employee restored to a higher allocation, or employee's hours increased above the present allocation based on the needs of the service.

12. Q. **Can an offer of restoration be contingent on an employee possessing a certain skill (ex. licensure or certificate, bilingual) based on the needs of the service or reimbursement requirements of a funding source. If so, if the most senior employee on the restoration list does not possess what is required, may the department offer restoration to the next most senior employee who does, or if none qualify fill the position from an open recruitment?**

- A. Section 11.4 presently does not authorize an exception based on a skill.

13. Q. **If layoff is restricted to one or more divisions or smaller units of a department in accordance with Section 11.1 A., is restoration to the divisions or smaller units in addition to the department?**

- A. Section 11.4 authorizes restoration to a vacant position in the classification and department which the employee was laid-off.

SENIORITY LISTS

1. Q. **Does the County's Civil Service Rules require that a seniority list be established?**

A. No. Seniority lists are a tool for implementing layoff.
2. Q. **What date should a seniority list reflect in the context of anticipated layoffs?**

A. The list should be based on the last payroll closest to the anticipated date of layoff as possible.
3. Q. **Given limited time, how important is it to update seniority lists to reflect changes in employee status and/or seniority hours?**

A. The more accurate a list, the better it is. The order of layoff can easily change with a change in employment status (temp/prob/perm) or seniority hours between the date a list is published and layoff.
4. Q. **Should a seniority list have a particular format?**

A. Yes. Human Resources has prepared sample seniority lists, as well as layoff mapping documents. The list should identify the job class; date (usually the end of a particular payroll period); each employee's name, employment status, FTE, and seniority (usually in terms of hours) for the affected class and displacement. Employees should be listed in descending order based on employment status and/or continuous County service. A comment section is recommended. Additionally, each Department must submit a Layoff and Displacement Mapping Summary. This document lists the affected job classes, as well as job classes affected by displacement. For more information on how to complete seniority lists and the mapping document, please refer to the samples provided within this packet, and/or on the HR website, or contact HR for more information.
5. Q. **When positions are allocated on an alternate basis (eg. Eligibility Worker I or Eligibility Worker II), are separate seniority lists to be prepared for each class?**

A. No. A single consolidated seniority list is to be prepared whenever all persons employed in the lower alternate class (eg. Eligibility Worker I) may be promoted to the higher alternate class (eg. Eligibility Worker II), and all could be employed in the higher class at the same time.
6. Q. **Who is responsible for preparing and maintaining seniority lists?**

A. The department head or designee.

Preparing Seniority Lists

The best way to calculate seniority hours is to sit down with the employee file and list each position held, effective date for each change, leave periods, status (permanent, probationary, extra-help), FTE, etc., for all employees in a classification. This information is based on Change of Status/Personnel Action Forms, which are the official records for seniority calculation purposes. The Seniority Calculation Worksheet should be used to capture the details of each employee's employment history and a method to calculate the hours needs to be established by the departments. The worksheets may also be used to review/verify information with employees or union representatives prior to implementation of layoffs.

Once you have captured the employee's history on the worksheet, you can use payroll calendars to calculate hours worked for each period, based on the employee's FTE.

RULES:

- Time in class is all continuous hours in the affected class and any hours worked in any class with the same or higher salary level. Look for voluntary demotions, previous layoff situations, transfers, temp promotes with no break between temp. promote and permanent appointment.
- Time served in alternate classes in a series count as time in one class
- Total county continuous hours are all seniority hours in any class (no breaks in service)
- If someone has been laid off and then restored, the hours prior to layoff will count toward seniority, but the time off between layoff and restoration will not count.
- Overtime does not count towards seniority
- Extra help hours are not counted towards seniority
- A regular allocated position interrupted by extra help employment may not constitute a break in County service, unless the employee is separated by County employment. The extra-help employment time may serve as a "bridge" between two regular allocated work periods, as long as the employee went from regular to extra-help employment from one day to the next, and returned directly from extra-help to regular employment on consecutive days. In this situation, previous job classes may count for displacement purposes. Please contact HR if you have this situation.
- Part-time hours are calculated according to FTE. For example: A .5 part-time employee would receive 40 hours per pay period in seniority hours. Any time worked by a part-time employee over their allocation (up to 80 hours in a pay period) must be included in seniority hours.
- Temporary promotion status only counts towards higher level seniority hours if the employee is promoted to that class with no break between the temporary promotion and

permanent appointment. The time served in a temporary promotion will count towards the employee's permanent job class seniority, since it is time served in a higher level class.

PART TIME EMPLOYEES

If you have part-time employees who have worked regular hours over their FTE, you will need to include these hours in your seniority calculation. To determine additional hours worked, you will have to use employee timesheets, or you can go to the Auditor-Controller's Payroll Office to look at microfiche for part-time staff employed before 1/1/2004. If you need to use microfiche, print a copy for backup. HR will require a copy of your back-up material to review seniority lists.

HELPFUL INFORMATION FOR RESEARCH USING MICROFICHE:

- Years 1986 to 2006 have 26 pay periods EXCEPT 1991 and 2002 which have 27 pay periods
- You will need to use Auditor-Payroll microfiche for part time staff employed before 1/1/2004
- Pay periods are set up in the file drawer by Warrant Date (Pay Date). The pay period ending date is shown on the microfiche
- Each year of the microfiche ends with a set dated 12/31. Do not use as this is an end-of-year report. (Exception: 12/31/91 was an actual warrant date)
- There are different packets of microfiche in each pay period. From 1986 to 1988 use "P/R Master". The employees are in Social Security number order. From 1989-1999 use the "P/R Time Report". The employees are by Dept/Division number. Get employees Dept/Div. number changes before going to Auditor Payroll.

WHY PAYROLL SYSTEM "HOURS" BUCKETS CANNOT BE USED TO DETERMINE SENIORITY:

In the PF5 screen in the payroll system there is an hours bucket called "Total Service Hours". There are a couple of reasons you can't use this number for purposes of determining seniority in class or total continuous service hours:

- 1) This bucket does not include leave without pay, and leave without pay must be counted toward seniority hours.
- 2) The hours in this bucket could have been adjusted. In the "Re-appointment" sections of the MOU's there are provisions that if you worked for the County for more that 5 years, leave County employment and come back within 2 years, you can accrue vacation at a higher rate. To make this happen, this hours bucket is adjusted and it looks like the individual has 2 more years of service than they really should have.

- 3) There is also an issue with extra-help service time. Extra-help hours used to count toward seniority. This practice and the Civil Service Rules that define seniority for layoff purposes changed in 1998. At that time, extra-help hours stopped accruing in this bucket, but any extra-help hours worked before 1998 still remain.
- 4) Depending on how overtime hours are captured, this bucket may include overtime worked, which is not counted for purposes of seniority.

There are some other hours “buckets” on the PF3 screen related to merit hours. One of these is the one that counts time in class. The reason you cannot use this bucket for calculating “time in affected position” hours is because this bucket may not have been maintained consistent with Civil Service provisions for seniority, may not include hours worked after the employee reaches I-Step, and would not include hours worked in an equal or higher job class.

SENIORITY LIST CALCULATION FORM

SENIORITY CALCULATION WORKSHEET

Date Prepared: 04/05/10 Completed by: Sally Sue

Name: John Jones

Empl. ID# 111111

Hire Date: 11/17/97

Job Class	Notes	From	To	Affected Job Class			Total County Service		
				FTE	Hours in Job Class	Total hours in Job Class	County Regular Hours	Total Cont. County Service Hours	Extra-Help Hours (do not count)
Accountant II (0416)	Promo	10/10/06	04/05/10	1.0		28177		46331	
Accounting Asst (0405)	Transfer	07/05/05	10/09/06	1.0		2640			
Payroll Tech (7384)	Promo	09/08/00	07/04/05	1.0		10063			
Account Clk II (0402)	Promo	05/20/98	09/07/00	1.0		4811			
Office Asst II (0002)	New Hire	11/17/97	5/19/98	.5		640			
Office Asst II (0002)	Extra-Help	10/05/97	11/16/97						123

Notes should include all relevant COSs = status changes, LOAs, temp promos, etc.

Hrs include the base .5 hrs for this period plus all hours worked over the base FTE.

Does not include EH hours.

SAMPLE SENIORITY LIST

EMPLOYEE SENIORITY LIST FOR ACCOUNT CLERK III (JC 0403) EFFECTIVE PPE 2/22/10									
DEPT	FTE	L NAME	F NAME	DEPT HIRE DT	SC HIRE DT	DT IN JC	CO CONT HRS	HRS IN JC	DISPLACEMENT JC
XXX	1.00	Employee	One	09/24/1985	09/24/85	1/3/1989	50960.0	44080.0	Acct Clk II
XXX	1.00	Employee	Two	11/27/1990	11/27/90	11/4/1997	38530.6	25680.0	Acct Clk II
XXX	0.80	Employee	Three	8/11/1999	8/11/1999	8/11/2009	20442.4	20442.4	None
XXX	0.90	Employee	Four	04/05/1999	04/05/99	4/5/1999	20459.2	20459.2	None
XXX	1.00	Employee	Five	06/18/2002	06/18/02	10/14/2003	15960.0	13200.0	Clerk Typ II
XXX	0.50	Employee	Six	02/06/2002	02/06/02	2/6/2002	10162.4	10162.4	None
XXX	1.00	Employee	Seven	04/06/1999	02/09/99	9/27/2005	22720.0	9200.0	Acct Clk II
XXX	1.00	Employee	Eight	01/09/2008	01/09/08	1/9/2008	8604.0	8604.0	None
XXX	1.00	Employee	Nine	10/05/2008	10/05/08	3/11/2008	7064.0	4080.0	Acct Clk II
XXX	1.00	Employee	Ten	06/17/2008	06/17/08	6/17/2008	2960.0	2960.0	None
XXX	1.00	Employee	Eleven	08/08/2005	08/08/05	11/4/2008	9488.0	2720.0	Med Rec Clk II
XXX	1.00	Employee	Twelve	02/08/2005	02/08/05	7/28/2009	8521.1	1200.0	Acct Clk II

Layoff Scenario

1.5 FTE Reduction

Results:

Employee #12: Layoff 1.0 FTE with displacement rights to Acct Clerk I/II

Employee #11: Layoff .5 FTE (remains .5 Acct Clerk III) with displacement rights to Medical Record Clerk II and is then .5 Medical Record Clerk II and .5 Acct Clerk III

Displacement Scenario

(Other department reduction = Accounting Techn & Admin Aide)

1.0 FTE AC III caused by displacement from Acct Tech reduction

(EE has 7549 County Cont. Hrs.)

.5 FTE AC III caused by displacement from Admin Aide reduction

(EE has 10061 County Cont. Hrs.)

= 1.5 FTE Additional AC III layoff due to FTE reduction in other classes

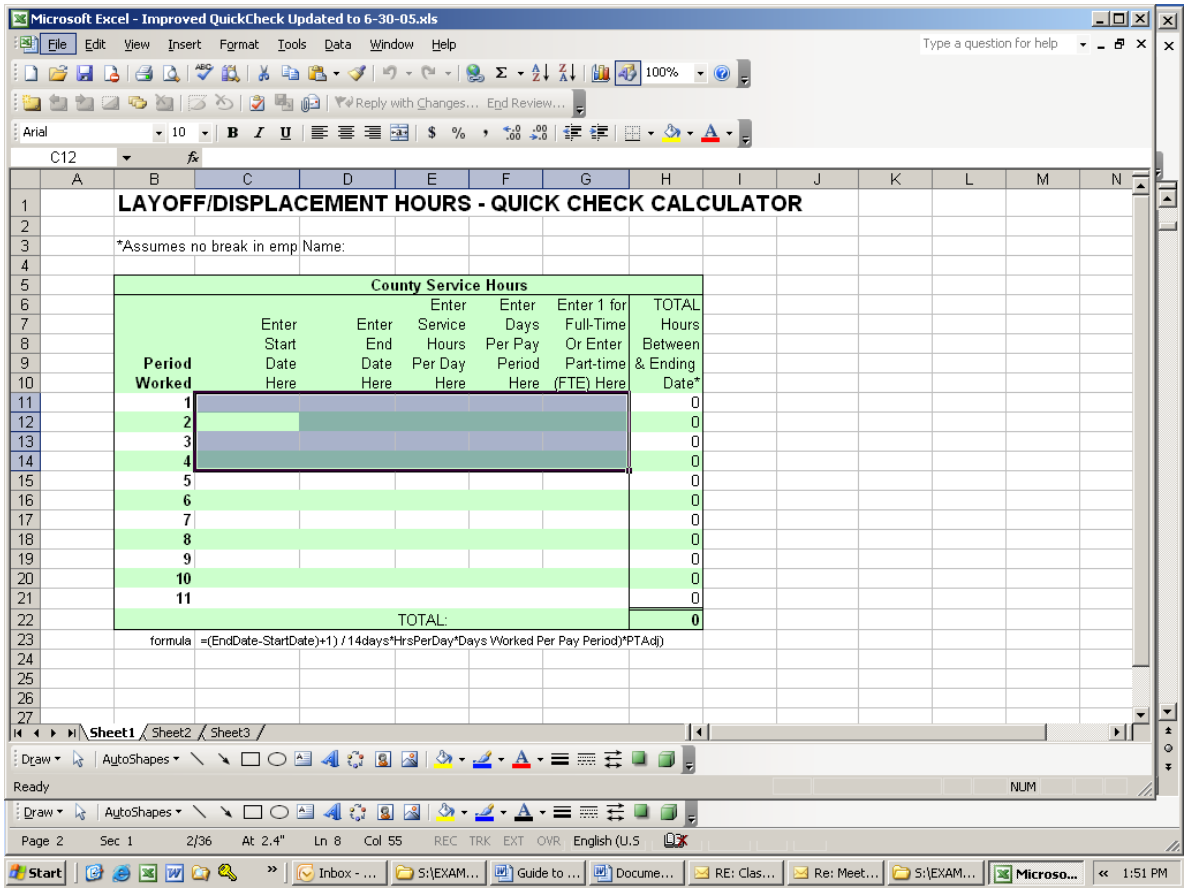
Results:

Employee #10: Then has the least County Continuous Hrs (in comparison to the EEs displacing from other job classes), therefore is displaced by 1.0 FTE with no rights to displacement to another JC. This EE is laid off.

Employee #9: Then has the next least County Continuous Hrs (in comparison to the EEs displacing from other job classes), therefore is laid off by .5 FTE, with displacement rights to AC II. EE has right to displace the least senior in the AC II job class by .5 FTE, and will remain .5 AC III.

SENIORITY “QUICKCHECK” CALCULATOR

Located at <http://hr.sonoma-county.org/> under “Layoff Information” is this tool. It can be used by departments to audit the totals calculated on the Seniority Calculation Worksheet. It IS NOT 100% accurate and will only give staff the “sense” that their Worksheet totals are accurate. **DO NOT** use this spreadsheet as the only tool when calculating seniority hours.



LAYOFF AND DISPLACEMENT MAPPING - SAMPLE

Job Class	FTE Allocated	FTE Deletions	FTE Vacant	FTE Layoff	FTE Displaced	FTE Transfer/ Demote Lieu of Layoff	Layoff Notes	FY 11/12 Final FTE Allocated
Affected Classifications (deleted allocations)								
Department Analyst	5.00	(3.00)	1.00	1.00	1.00		One vacant position cut; Jack Bauer laid off, and Sue Sylvester Displaces into Admin Aide	2.00
Administrative Aide	3.00	(1.00)	0.00	0.00	1.00		Dexter Morgan displaces into SOA	2.00
Senior Office Assistant	10.00	(5.00)	2.00	2.00	0.00	1.00	Two vacant positions cut, Marilyn Monroe and James Dean laid off. Bella Swan offered to demote in lieu of layoff.	5.00
Telephone Operator	2.00	(2.00)	1.00	1.00			One vacant position cut; Edward Cullen laid off.	0.00
Total for Affected Classification								
		(11.00)	4.00	4.00	2.00	1.00		
Classifications Affected by Displacement (impacted due to deleted allocations above)								
Administrative Aide				1.00	1.00		Sue Sylvester displaces Gabrielle Solis. Gabrielle laid off.	
Senior Office Assistant				1.00	1.00		Dexter Morgan displaces Charlie Sheen. Charlie laid off.	
Totals for Displacement								
				2.00	2.00			
Deletion Summary								
Deleted Vacant Positions	4.00							
Deleted Filled Positions	7.00							
Deleted positions that are "out of a job"	6.00							
Deleted positions that displaced and retained employment	2.00							
Deleted positions that demoted or transferred in lieu of layoff	1.00							

HUMAN RESOURCES LAYOFF MITIGATION POLICY

Priority Transfer Employment Lists

Preamble

County employees under the Civil Service Rules may at any time request consideration to transfer or voluntarily demote to another department and/or another classification provided the request is pursuant to the Civil Service Rules and follows the procedures identified by the Human Resources Department. This policy on Priority Transfer does not impact or supersede the County's Civil Service Rules or procedures on transfer and voluntary demotion.

When employees have been identified as being impacted by a reduction in force, the County Department Heads have agreed that for those individuals impacted and who wish to be considered for transfer or voluntary demotion, that the departmental appointing authority will give them special consideration by committing to interviewing all names on the Priority Transfer List.

Purpose

When County Departments have a need to eliminate permanent, regular allocations, Priority Transfer Employment Lists will be established for the classifications of employees who have received formal notice of impending layoff to mitigate the impacts of layoff to the degree possible.

Policy

Regular employees who have been noticed of impending layoff by receiving an official notice of layoff may work with Human Resources staff to determine classifications for which they are eligible for consideration for a transfer or a voluntary demotion. Those employees will be placed on a Priority Transfer Employment List for those classifications which have been identified.

When departments submit a request for certification and a Priority Transfer Employment List is available, Human Resources will certify the Priority Transfer list along with freename, regular, and the standard transfer employment lists where applicable. Department hiring authorities shall conduct interviews with those candidates on the Priority Transfer, freename, and regular employment lists.

In accordance with the Civil Service Rules, employees must meet the criteria for transferring or voluntarily demoting in order to be placed on a priority transfer list.

Upon termination of employment from the County, employees no longer qualify for Priority Transfer and their names will be removed from the respective transfer lists. Employees who have been terminated due to a layoff have re-employment rights pursuant to Civil Service Rules and should work with Human Resources staff to determine their re-employment options such as restoration and freename.

Process

1. Employees will contact Human Resources staff to determine transfer eligibility
2. The normal transfer request form will need to be completed; the notice of layoff must be attached in addition to the employee's job application and most current performance review
3. Where qualified, employees will be placed on Priority Transfer Employment Lists

4. The normal requisition and certification process between departments and Human Resources will take place, and when there is a Priority Transfer Employment List for a class, the Priority Transfer Employment List will be certified to the department along with any other applicable employment list the department is eligible to receive for their vacancy(ies)
5. Human Resources will follow the normal process of noticing candidates on Priority Transfer Employment Lists of their certification to a department and further instructions to schedule selection interviews
6. Hiring authorities shall interview all candidates on Priority Transfer Employment Lists for consideration
7. Candidates may be removed from Priority Transfer Employment Lists in the same manner as regular employment lists if they submit three waivers
8. If an appointment is made from a Priority Transfer Employment List, normal transfer documentation and processes should be followed
9. Once employees are terminated, they no longer qualify to be on a Priority Transfer Employment List; they must then work with Human Resources staff to be placed on either restoration or freename lists where eligible and applicable

Interpretation

This policy does not supersede Civil Service Rules on transfer, freename, layoff, restoration or any other Civil Service Rules that may apply. Questions on the interpretation of this policy should be directed to the Human Resources Director or designee.

2010 Layoff Mitigation Plan Plan Overview and Processes

The Board of Supervisors' and County Administrator are committed to, and have approved, only recruiting for and filling critical positions during this period of fiscal crisis and pending layoffs. The Board and the CAO have further directed that when a recruitment must be conducted, all departments will make every effort possible to fill the position with County employees in order to mitigate layoffs. Therefore, the Layoff Mitigation Plan is an effort to assist employees with finding alternative employment-within the County when a department has a vacancy for which they need to receive a certified list of candidates in order to fill the position. The Layoff Mitigation Plan exists to assist employees to find employment within the County, if possible. It also provides resources for employees to help them find jobs outside the County. In general, the plan is intended to inform County employees of job opportunities and to have processes and resources in place for them to pursue the opportunities, and to conduct County promotional recruitments for entry and journey level positions where there is likely to be a viable internal candidate pool. Employee participation in the plan and layoff mitigation effort is voluntary. All regular and probationary County employees are eligible to participate in this process including employees of the Water Agency, Fair and Exposition, Community Development Commission, Agricultural Preservation and Open Space District. Employees do not need to be "at risk" to participate. Extra-help or temporary service employees are not eligible.

1) Approval to Fill Vacancies.

Departments receive authorization from the CAO's Office to fill a vacancy by following the designated process.

2) Recruitment Options.

When approved, departments contact their HR Analyst. Discussions with the HR Analyst will determine if:

- a) it is most appropriate to promote the opportunity as a transfer and/or voluntary demotion opportunity, or
- b) it is most appropriate to conduct a county promotional recruitment, or
- c) it is most appropriate to conduct an open, public, recruitment.

3) Definitions for Purposes of the Layoff Mitigation Plan.

- a) **Transfer:** An employee can transfer within the same or to a different department in the same class that they currently hold probationary or permanent status. Or they can transfer to a closely related class within the same department or to a different department, to a class with a salary range within 4.0±% of their current class and in which they meet the minimum qualifications of the class.
- b) **Voluntary Demotion:** An employee can voluntarily demote to any class that they previously held probationary or permanent status or to a closely related class that has a lower salary range for which they meet the minimum qualifications.
- c) **Transfer/Voluntary Demotion list:** a list of the employees who have been deemed qualified for transfer and/or voluntary demotion for that particular job class.

4) Recruitment Process.

- a) **Option:** Attempt to fill position with a Transfer/Voluntary Demote candidate *if deemed appropriate by HR staff*. Each recruitment will be considered on a case by case basis.
 - i) Every Monday, a weekly email will be distributed to all County employees that notifies/reminds them of the different options and resources accessible if they wish to pursue other County job

opportunities. The e-mail will also provide information about how to view other local government agencies' job pages.

- ii) Included in the weekly email to all county employees, Human Resources will list the transfer/voluntary demotion opportunities as well as what processes the employees should follow.
 - (1) Employees will have until 5:00 p.m. Friday of the same week the email is distributed to submit their transfer/voluntary demotion applications for any of the listed positions.
 - (2) Once HR approves their application for the class, employee names will be placed on a transfer/voluntary demotion list(s). Names will remain on that/each list for 6 months.
 - (3) Employees can also proactively submit applications for transfer/voluntary demotion lists for their current class or any classes for which HR determines appropriate (they meet the criteria for closely related transfer or voluntary demotion).
 - (4) If the weekly email communication listing the transfer/voluntary demotion opportunities creates a candidate pool of three or more candidates and/or if there is an existing and current transfer/voluntary demotion list with a total of three or more candidates for the job class, then HR will create a job requisition for the hiring department and forward the candidates to the department through the applicant tracking system. The department will then conduct interviews.
- iii) If there are fewer than three candidates available on the new and/or an established transfer/voluntary demotion list for the position, HR will advise the department if a promotional or open recruitment should be conducted. (See below.)
- b) **Option:** Fill the position by conducting a recruitment if deemed appropriate by HR staff, or if a transfer/voluntary demote effort is not successful.
 - i) HR will advise departments if a promotional or open recruitment should be conducted based on criteria such as entry/journey level, specialized knowledge and skills, licenses, certifications, estimated qualifications and number of internal county candidates who may apply, etc.
 - ii) Once the type of recruitment is determined (promotional/open), the department must submit a job requisition that includes the typical information contained in a job requisition, including whether the recruitment is promotional or open. *However*, the department must NOT designate which type of certification (department or county promotional) they wish to receive or the number of standings they wish to receive on the job requisition. On a case by case basis, HR will advise departments of the type of certification they may receive once the examination process is completed and will then complete this information on the job requisition. Human Resources will not disclose candidate names at that time. Candidate names will only be disclosed to departments upon certification. Human Resources will make every reasonable effort to open recruitments as quickly as possible.

5) Miscellaneous

Human Resources will conduct frequent trainings offered through HR's Training Department via CORS that will train employees on how to best prepare themselves for County job opportunities and the different ways to seek new opportunities such as promotions, transfers, voluntary demotions, and/or career changes.

Human Resources will also offer trainings on general layoff rights and information via CORS and also has relevant information posted at the following location: <http://hr.sonoma-county.org/>

2010 Layoff Mitigation Plan Frequently Asked Questions

1. What is the Layoff Mitigation Plan?

The Layoff Mitigation Plan is the County's effort to fill vacant positions, which would otherwise be filled through new recruitments or through certification of existing open employment lists, with current County employees where there is a viable internal candidate pool. The Plan also includes efforts to assist County employees who may be at risk of layoff to have information and resources to assist them in their internal or external job search efforts.

In broader terms, the County is making efforts to mitigate layoffs for the coming fiscal year as well as the remainder of this fiscal year through past and current actions and other programs such as the hiring and spending freeze, the Voluntary Separation Incentive Program, Mandatory Time Off, etc.

2. How is HR going to determine what kind of recruitment to conduct to fill vacancies?

Human Resources keeps a master list of all the department's potential reductions and the HR team is in frequent contact with departments on their reduction plans and seniority lists. HR will apply their expertise of the required qualifications and the typical duties of the County's job classifications. Additionally, departments will provide input to HR on the ideal job candidate and necessary knowledge, skills, and abilities for the position.

With this combined knowledge and information, HR will review the "big picture" and the Analysts will estimate the internal job candidate pool who may qualify for the position and the projected interest level in the position. Depending on the estimate, the HR Analysts may recommend attempting to fill the position through soliciting transfers, voluntary demotions, and freename candidates, or conducting a County promotional recruitment or an open recruitment.

3. Who has authority over what kind of recruitment to conduct?

Human Resources will advise the department on the recruitment plan based on the information that is provided on the position and the analysis of the internal/external candidate pool and likelihood of success with the internal candidate pool. Departments can share concerns with the proposed plan and HR will consider the concerns and seek positive solutions. Ultimately, HR will determine the recruitment plan.

4. Will departments be required to interview all employees affected by layoff?

In order to have an interview, employees must be a candidate for an open position. Candidates must have submitted an application through one of the recruitment options (transfer, promotional recruitment, etc.), and the information provided on the application will be assessed to make sure candidates meet minimum qualifications and other requirements. Interviews are not automatically set up for employees. Employees must make a proactive effort to provide responsive applications, and to actively seek employment in positions eligible to be filled that they do not have displacement rights to. (Civil Service Rule 11.3)

Department heads have agreed to interview transfer/voluntary demotion candidates, but it is not a requirement of the Civil Service Rules. There may be a limited number of exceptions, but the exceptions will only be with HR management approval.

5. Are departments required to hire someone who is impacted by layoff?

Departments are not required to hire someone who is impacted by layoff. Departments are encouraged to hire the best qualified candidates. We have confidence that the strong County

workforce will yield some excellent candidates for positions eligible to be filled. Human Resources strongly encourages employees to be well prepared for interviews and demonstrate why they are the best candidate for the position.

6. Are departments required to go through HR to fill all of their positions?

Not necessarily. The mitigation plan is intended for situations where departments have a vacancy where they need help from HR to create and/or provide a candidate pool to fill the position. For example, if a recruitment needs to be conducted, or the department is requesting certification from an existing employment list, HR would facilitate the recruitment and/or the certification process.

If departments have internal candidates who are able to fill vacancies in their department through transfer or voluntary demotion in accordance with Civil Service Rules, then the process is the same as it normally is. This existing process should include department's confirmation from HR of the positions involved being closely related and eligible for transfer/voluntary demotion. The department then completes the COS and HR reviews the COS, the employee's application and performance review for approval. Additionally, departments may chose to hold a vacancy as a "landing spot" for an employee who is impacted by layoff to then offer a demotion in lieu of layoff. The department should confirm the appropriateness of the position with HR and then the employee is offered the position in a layoff notice.

7. Can employees contact departments directly about transfer/voluntary demotion opportunities?

Human Resources requires that employees and departments have HR facilitate the transfer/voluntary demotion process until further notice.

8. If I'm on a transfer/voluntary demotion list, will I be entitled to an interview?

It depends. If you are on a Priority Transfer/Voluntary Demotion List, then yes. (See question #12.) There may be some exceptions where departments are not able to interview transfer/voluntary demotion candidates (see question #4) if, for example, positions require skills, certifications, or education not demonstrated by internal County applicants. If you are on a freename list and the list is certified to the department, you are entitled to an interview.

Another way to ensure you're entitled to an interview is to apply as a job candidate if a promotional or open recruitment is conducted. If you score high enough to be certified, then you are entitled to an interview. Employees are expected to respond in a timely manner to department's attempts to schedule interviews. If not, you may lose the interview opportunity.

9. How can I find out if I can transfer or demote to a particular class?

The definitions are:

Transfer: An employee can transfer within the same or to a different department in the same class that they currently hold probationary or permanent status. Or they can transfer to a closely related class within the same department or to a different department, to a class with a salary range within 4±% of their current class and in which they meet the minimum qualifications of the class.

Voluntary Demotion: An employee can voluntarily demote to any class in which they previously held probationary or permanent status or to a closely related class that has a lower salary range for which they meet the minimum qualifications.

Human Resources will notify you if you have submitted an application for a position that doesn't meet the criteria. You can also call the HR department, Recruitment and Classification Division, to inquire about particular classes at x2331.

10. If I transfer/voluntarily demote, will I serve a probationary period?

If you transfer to the same class that you current hold or to a closely related class, you will not serve a probationary period unless you are currently on probation in which case you need to complete the balance of the probationary period. If you voluntarily demote to a class in which you held permanent or probationary status, and you have permanent status currently, then no probationary period is required.

A probationary period is required when you are appointed to a non-closely related class, regardless of the salary range (higher, same, lower).

11. What happens if I do not successfully pass probation in my new job?

If you were on probation due to a promotion, then in accordance with Civil Service Rule 9.7, you shall be restored to your position from which you were promoted and in which you had permanent status. If that job class is in your current department, you will remain in that department. If that job class is not in your current department but is still in your former department, you will return to your former department.

Your return to your former class may, depending on the circumstances, trigger a layoff. In this case, Civil Service Rule 11 would apply. Depending on your level of seniority, you may have rights to your former class, or you may be subject to layoff.

12. Where do I go to find out more about the plan or about layoff in general?

HR's homepage has a considerable amount of information including the specific plan documents. Website: <http://hr.sonoma-county.org/>

13. How is the Layoff Mitigation Plan different from the Layoff Mitigation Policy?

Both are efforts to mitigate layoffs. The Layoff Mitigation Policy is a *policy* that requires departments to interview candidates who are on transfer lists when they have a layoff notice in hand. The Layoff Mitigation Plan is a more comprehensive and proactive *plan* to mitigate layoff. They can be concurrent.

14. How long will it take to fill my vacancies? Will this add time to the process?

It will depend on the recruitment plan and the success of the initial efforts. When the recruitment plan is a promotional or open recruitment, the time it takes to conduct the recruitment and establish an employment list should be consistent with current practice. If HR determines it's most appropriate to first solicit transfer/voluntary demote candidates, then approximately two weeks could be added to the process. Human Resources will make every effort possible to conduct recruitments as quickly and as efficiently as possible.

COUNTY OF SONOMA BENEFIT INFORMATION UPON LAYOFF OR TERMINATION OF EMPLOYMENT

Medical, Dental, and Vision Insurance: Contact Human Resources Benefits Unit 565-2900 or benefits@sonoma-county.org

Your active employee medical, dental, and vision coverage end on the last day of the month after or coinciding with the layoff/termination/loss of eligibility. You have the option of continuing coverage under a federal program called COBRA (Consolidated Omnibus Budget Reconciliation Act). COBRA allows you to continue your medical, dental, and vision coverage for generally up to 18 months from your coverage termination date by paying the full cost of the coverage plus a 2% administration fee. You will receive information and the COBRA Notification regarding COBRA eligibility and your option to continue coverage within 45 days after your last day of coverage. **Important note:** You only have 60 days from the date you receive the COBRA Notification to make your elections for COBRA health coverage and must pay the premiums within 45 days of your election, retroactive to the last day of coverage. So you may want to act promptly to prevent a loss of coverage or a large retroactive premium invoice.

You have the option to drop coverage for any one or all of your dependents at the time you elect COBRA coverage, but you may not add coverage for anyone not already covered except newly eligible dependents such as a newborn.

You will receive the COBRA offer at your home address from a third party administrator, Conexis. If you have questions after you receive your COBRA offer, please contact Conexis at 1-877-722-2667 or www.conexis.org. Be sure to keep your payroll clerk informed of any address changes for you and your eligible dependents.

Medical Severance Benefit (Layoffs Only)

For employees covered by SEIU, Salary Resolution, and ESC in bargaining units 00, 01, 05, 10, 25, 45, 49, 50, 51, 52, 60, 75, 80, and 95:

If you are enrolled in medical coverage offered by the County and are laid off, the SEIU MOU (20.3.6), the ESC MOU (19.5e), and the Salary Resolution (32.4) provide for a continued County contribution toward your medical coverage.

The County will make its usual *medical* insurance contribution for the first six pay periods following layoff and one half (50%) of its normal contribution for the next six pay periods following layoff. This is coordinated with COBRA.

Dental and Vision Insurance:

If you are enrolled in dental and/or vision coverage offered by the County and are laid off, you and your covered dependent(s) will receive a COBRA offer at your home address from a third party administrator. If you have questions after you receive your COBRA offer, please contact the number on the notice.

Life Insurance: Contact Human Resources Benefits Unit 565-2900 or benefits@sonoma-county.org

Eligibility for life insurance ceases upon termination from County employment. You may convert to an individual policy through the Hartford Life Insurance Company. Your application must be submitted and the first premium paid to Hartford Life and Accident within 31 days after termination of insurance under the

County's group policy. The conversion application is provided to you by your Payroll Clerk. More detailed plan information may be obtained from the Human Resources Benefits Unit or The Hartford Life Insurance Company, (888) 563-1124.

Employee Assistance Program:

You are eligible to obtain benefits through the Employee Assistance Program until your last day of employment. Contact them at 800-227-1060 for details.

HRA (Health Reimbursement Arrangement):

If you have an HRA account, and are age 50 or older or are retiring, you may be eligible to begin receiving reimbursements from your HRA for eligible medical expenses.

If you are under age 50 and not retiring, you may leave your funds on deposit until attaining age 50 or retiring, when you will then be eligible to begin receiving reimbursements.

No withdrawals are allowed prior to age 50 or retirement.

Contact the HRA plan administrator for more details or the Human Resources Benefits Unit at 565-2900 or benefits@sonoma-county.org.

Retirement: Contact Sonoma County Employees' Retirement Association (SCERA), call 565-8100 and ask to speak to a Benefits Specialist. Refer to the handout: ***TERMINATION OF EMPLOYMENT BEFORE RETIREMENT.***

Deferred Compensation: Contact Karen Davis, Deferred Compensation, 565-3221

457 Retirement Plan. Contributions cease at the time of termination. You may take your account balance as a withdrawal and applicable taxes will be withheld. If your account exceeds a specific amount (\$1,000), you may leave the funds in the account until such time as you wish to take a withdrawal; maximum age is 70½. To take any action on your account, you will need to complete a Payment Option Form available through the Auditor-Controller-Treasurer-Tax Collector's Office. If your balance is less than \$1,000 and no action is taken within 30 days from your termination date, the amount will be automatically distributed less applicable taxes. There are no early withdrawal penalties for 457 plans.

401(a). Contributions cease at the time of termination. You may leave the funds in the account until such time as you wish to take a withdrawal and applicable taxes will be withheld. If you are under the minimum age is 59½ at the time of withdrawal, there is an early withdrawal penalty (10%). There is no minimum dollar amount for maintaining a balance in your account. To take any action on your account, you will need to complete a Payment Option Form available through the Auditor-Controller-Treasurer-Tax Collector's Office. A copy of the IRS Rules will be provided when the Payment Option Form is requested. For 401(a) accounts, there will be no automatic lump sum payment if no action is taken on your behalf.

With both types of accounts, should you wish to maintain a balance, you can still change your investment options.

You can contact the above number to discuss related questions.

Vacation, Compensatory Time Off, and Sick Leave Payoffs: Contact your department Payroll Clerk

Employees who terminate employment, are entitled to payment for all unused vacation and compensatory time off accrued at the time of separation, and 25% of all unused sick leave accrued at the time of separation. Payment is at the employee's base hourly rate. Payoff is normally received one to two pay periods following termination of County employment. If you are eligible to retire or to defer your retirement, please contact the Retirement Office (565-8100) regarding vacation buy-back before retirement/layoff.

Flexible Spending Accounts – DCAP/Health FSA Contact Auditor-Controller's Office, Payroll Division
565-6024

Dependent Care Assistance Plan (DCAP)

No additional deposits can be made to your DCAP account after your termination date and this program is not eligible for continuation through COBRA. However, you can continue to submit eligible expenses until your account is exhausted. Expenses must meet the eligibility requirements defined in the Summary Plan Document.

Health Flexible Spending Account (FSA) Claims for valid Health FSA expenses incurred during the portion of the plan year in which you were covered prior to the termination date of your coverage can be submitted until the end of the plan's runoff period (March 31st). **However services must have been incurred on or before your coverage termination date to be eligible for reimbursement, unless you continue your coverage through COBRA, (see below).** If you wish to continue to make deposits to your account or submit eligible expenses incurred after your coverage termination date you must elect COBRA continuation coverage as explained below.

You may be eligible to continue your Health FSA account through COBRA. This continuation will only be available until the end of the plan year's grace period, which is March 15th in the year following your termination. If you have a positive unreimbursed account balance, COBRA enables you to continue participation by making after-tax contributions to your account. To receive reimbursement for eligible medical expenses incurred after coverage termination, a COBRA election must be made within 60 days of your receipt of the COBRA Notification and premiums made by the due date specified in the notice.

Severance Period (only for employees who are terminated due to lay-off): Contact your designated department contact.

All employees generally receive at least three weeks notice in advance of being laid off. If you are covered by SEIU, ESC, or the Salary Resolution, and are laid off and cannot displace another employee or secure other regular County employment, you may also separate from county service after the eighth work day of the three-week notice period and receive your normal base salary for the hours you would normally be scheduled to work during the remainder of the three-week period.

Housing Advisory Committee (HAC): Contact Janie Camacho, Community Development Commission, 565-3203

The Housing Assistance Committee has adopted a deferral policy for employees that are laid off and may have a Rental/Mortgage Assistance Loan, a First-Time Home Buyer Loan, or a Housing Rehabilitation Loan from the Housing Assistance Fund. At an employee's request, loan payments can be deferred for up to six months from the date of termination from County employment.

Use for layoff without displacement

Subject: NOTICE OF LAYOFF

Dear [REDACTED]:

I regret to inform you that your employment as a full-time [REDACTED] with this department is hereby terminated at the end of your work shift on [REDACTED]. This action is necessary due to a lack of funds

You are to be laid-off as the least senior employee in the class of [REDACTED] in accordance with Civil Service Rule 11.1. You may review a copy of this department's seniority list for your job classification. Attached is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact [REDACTED] at [REDACTED] by [REDACTED].

Civil Service Rule 11 outlines your rights and obligations related to layoff and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the actual decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position.

I also wish to advise you that your name will be placed on a Restoration List for the class of [REDACTED] in [REDACTED]. Should a [REDACTED] vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

(If employee is covered by the Salary Resolution, ESC, or SEIU add the following paragraph about severance period)

Under the provisions of your employee organization, you have the right to a severance period. This allows you to separate from County service after the eighth workday of the three-week notice (21 days) period and receive your normal base salary for the hours you would normally be scheduled to work during the remainder of the three-week period.

You may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment

with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources (Recruitment & Classification, Employee Relations and Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Termination/Layoff
Layoff Mitigation Policy

Use for layoff with displacement

██████████

██████████

Subject: NOTICE OF LAYOFF AND RIGHT OF DISPLACEMENT

Dear ██████████:

I regret to inform you that your employment as a **Select One** ██████████ with this department is hereby terminated at the end of your work shift on ██████████. This action is necessary due to **Select One**.

You may elect to be laid-off as the least senior employee in the classification of ██████████, or to remain employed by displacing the junior employee in the class of ██████████ in accordance with the County's Civil Service Rule 11.1, and 11.3.. Regardless of which option you choose, your name will be placed on a Restoration List for the classification of ██████████ in ██████████. Should a vacancy occur in the class of ██████████ in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact ██████████ at ██████████ by ██████████.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the decision to layoff cannot be appealed.

If you elect displacement, please return the attached response form **no later than** ██████████. If I do not hear from you by that time, I will assume that you have chosen to be laid off, and will proceed accordingly. If you decide to displace into the classification of ██████████, the effective date will be ██████████. Salary will be based on the job class you displace to and the Article: **Select One** of your employee organization's labor agreement with the County.

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of remaining employed by displacing another. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources (Recruitment & Classification, Employee Relations & Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Separation/Layoff
Layoff Mitigation Policy
Response Memo

Employee Response – Layoff and Option to Displace

MEMORANDUM

DATE: [REDACTED]

TO: [REDACTED]

FROM: [REDACTED]

RE: Displacement/Lay-off Employee Response

This is to inform you that I choose the following:

- I elect to exercise my displacement rights to the classification of [REDACTED] effective [REDACTED], per Civil Service Rule 11.3, as indicated in your letter dated [REDACTED].

- I elect to be laid-off as the least senior employee in the classification of [REDACTED], in accordance with Civil Service Rule 11.1.

Signature

Use for layoff when employee has no displacement rights, but does have an opportunity to demote/transfer in lieu of layoff.

Subject: NOTICE OF LAYOFF AND OFFER OF DEMOTION/TRANSFER IN LIEU OF LAYOFF

Dear [REDACTED]:

The purpose of this letter is twofold:

First, to notify you that your employment as a **Select One** [REDACTED] with this department is hereby terminated at the end of your work shift on [REDACTED]. This action is necessary due to **Select One**

You are to be laid-off as the least senior employee in the classification of [REDACTED] in accordance with Civil Service Rule 11.1. You may review a copy of this department's seniority list for your job classification. We are also sorry to inform you that you do not have any displacement rights to another classification. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact [REDACTED] at [REDACTED] by [REDACTED].

Civil Service Rule 11 outlines your rights and obligations related to layoff and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice, however, the decision to layoff may not be appealed.

Second, I would like to extend you an offer of **Select One** to a [REDACTED] vacancy, effective [REDACTED]. You may elect to accept this offer of **Select One** in lieu of being laid off according to Civil Service Rules 8.8 A, 8.7 A and 11.4, or you may choose layoff. If you elect demotion/transfer, please notify me in writing no later than [REDACTED]. If I do not hear from you by that time, I will assume that you have chosen to be laid off.

A decision to demote/transfer into the class of [REDACTED] will result in that action being implemented the beginning of the workday on [REDACTED]. Salary will be based on the job class you displace to and your employee organization's labor agreement with the County (see your MOU, Salary Upon Voluntary Demotion, Salary Upon Transfer). Your probationary status in the new classification will be determined in accordance with Civil Service Rule 8.7, 8.8 A, and 9.2.

Whether you choose layoff, voluntary demotion, or transfer, your name will be placed on a Restoration List for the classification of [REDACTED] in [REDACTED]. Should a regular **Select One** [REDACTED] vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

If you elect separation from employment, you may qualify for various benefits. Enclosed are several documents you may find useful regarding layoff and separation from the County. You are strongly encouraged to contact the subject matter experts shown as soon as possible for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of accepting a voluntary demotion. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources (Recruitment & Classification, Employee Relations & Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rules 8.8, 11
Benefits Upon Separation/Layoff
Layoff Mitigation Policy
Response Memo

Employee Response – Layoff and Option to Demote/Transfer

MEMORANDUM

DATE: [REDACTED]

TO: [REDACTED]

FROM: [REDACTED]

RE: Employee Response to Layoff Notice

This is to inform you that I choose the following:

I elect to Select One to the classification of [REDACTED] effective [REDACTED], as indicated in your letter dated [REDACTED].

I elect to be laid-off as the least senior employee in the classification of [REDACTED].

Signature

Date

Use when employee is being laid off due to a displacement and also has displacement rights

Subject: NOTICE OF DISPLACEMENT AND RIGHT TO DISPLACEMENT

Dear [REDACTED]:

I regret to inform you that your employment as a **Select One** [REDACTED] with this department is hereby terminated at the end of your work shift on [REDACTED]. This action is necessary because you will be displaced by another employee as a result of layoff.

As the least senior employee in the classification of [REDACTED], you are to be displaced pursuant to Sonoma County Civil Service Rule 11.3 A. and are accordingly informed of layoff pursuant to this rule. Enclosed is a copy of Civil Service Rule 11. You may review a copy of this department's seniority list for your job classification if you wish. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact [REDACTED] at [REDACTED] by [REDACTED].

You may elect to be laid-off as the least senior employee in the classification of [REDACTED]. However, you have displacement rights yourself and you can chose to remain employed by displacing the junior employee in the class of [REDACTED] in accordance with the County's Civil Service Rules. Regardless of which option you choose, your name will be placed on a Restoration List for the class of [REDACTED] in [REDACTED]. Should a regular [REDACTED] vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice. However, the decision to layoff may not be appealed.

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of remaining employed by exercising your displacement rights. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources (Recruitment & Classification, Employee Relations, and Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Separation/Layoff
Layoff Mitigation Policy

Employee Response – Layoff and Option to Displace

MEMORANDUM

DATE: [REDACTED]

TO: [REDACTED]

FROM: [REDACTED]

RE: DISPLACEMENT/LAY-OFF EMPLOYEE RESPONSE

This is to inform you that I choose the following:

I elect to exercise my displacement rights to the classification of [REDACTED] effective [REDACTED], per Civil Service Rule 11.3, as indicated in your letter dated [REDACTED].

I elect to be laid-off as the least senior employee in the classification of [REDACTED].

Signature

Use when employee is being laid off due to a displacement and has NO displacement rights

██████

██████

Subject: NOTICE OF DISPLACEMENT

I regret to inform you that your employment as a Select One ██████ with this department is hereby terminated at the end of your work shift on ██████, ██████. This action is necessary because you will be displaced by another employee as a result of layoff.

As the least senior employee in the class of ██████, you are to be displaced pursuant to Sonoma County Civil Service Rule 11.3 A. and are accordingly informed of layoff pursuant to such rule. You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours, or status which affects the order of layoff, please contact ██████ at ██████ by ██████.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice, however the decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position. However your name will be placed on a Restoration List for the class of ██████ in ██████. Should a **Select One** vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

(If employee is covered by the Salary Resolution, ESC, or SEIU add the following paragraph about severance period)

Under the provisions of your employee organization, you have the right to a severance period. This allows you to separate from County service after the eighth work day of the three-week notice period and receive your normal base salary for the hours you would normally be scheduled to work during the remainder of the three-week period.

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources (Recruitment & Classification, Employee Relations, and Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Separation/Layoff
Layoff Mitigation Policy

Use when employee is laid off by a reduction in hours with NO displacement rights.

Subject: NOTICE OF LAYOFF AND OFFER OF REDUCTION OF HOURS

Dear [REDACTED]:

I regret to inform you that your employment as a [REDACTED] Full-Time Equivalent (FTE) [REDACTED] with this department is reduced by [REDACTED] FTE at the end of your work shift on [REDACTED]. This reduction constitutes a layoff, in accordance with Civil Service Rule 11.1. Your position will be reduced to a [REDACTED] FTE ([REDACTED] hrs per pay period) effective at the start of your work shift on [REDACTED]. This action is necessary due to lack of funds.

You are being laid off as the least senior employee in the classification of [REDACTED] in accordance with the Civil Service Rules. You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact [REDACTED] at [REDACTED] by [REDACTED].

Civil Service Rule 11 outlines your rights and obligations related to layoff, and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the actual decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position.

I also wish to advise you that your name will be placed on a Restoration List for [REDACTED] FTE for the classification of [REDACTED] in our department. Should a [REDACTED] vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration equivalent to your FTE reduction in accordance with Civil Service Rule 11.4.

Your benefits may be impacted by your layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. Since you are not being fully separated from employment, some of the information is not applicable, but contact numbers are listed should you wish to ask questions about how your benefits may be impacted.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources Department (Recruitment & Classification, Employee Relations, and Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Separation/Layoff

Use when employee is laid off by a reduction in hours with displacement rights.

██████████

██████████

Subject: NOTICE OF LAYOFF/REDUCTION OF HOURS AND RIGHT OF DISPLACEMENT

Dear ██████████:

I regret to inform you that your employment as a ██████████ Full-time Equivalent (FTE) ██████████ with this department is hereby reduced by ██████████ FTE at the end of your work shift on ██████████. This reduction constitutes a layoff in accordance with Civil Service Rule 11.1. This action is necessary due to lack of funds.

You may elect to be laid-off by ██████████ FTE as the least senior employee in the classification of ██████████, or to continue your FTE equivalent by displacing the most junior employee in the classification of ██████████ by ██████████ FTE in accordance with the County’s Civil Service Rules.

You may review a copy of this department’s seniority list for your job classification. Attached is a copy of Civil Service Rule 11. If you feel there is any discrepancy in the seniority hours or status which affects the order of layoff, please contact ██████████ at ██████████ by ██████████.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County’s Civil Service Commission within ten regular business days from the date of the receipt of this notice; however, this decision to layoff cannot be appealed.

If you elect to displace, please return the attached response form **no later than** ██████████. If I do not hear from you by that time, I will assume you have chosen not to exercise your rights to displace and will proceed accordingly. If you decide to accept the ██████████ FTE position, a portion of your salary will be based on ██████████ FTE in the new classification you have displaced to and your employee organizations labor agreement with the County (see your MOU, Salary Upon Voluntary Demotion, or Salary Upon Transfer). Your work assignment will be adjusted and you will be noticed in accordance with the labor agreement. (If you later determine that you would like to change your decision, you must contact me by on or before your layoff date.)

Regardless of which option you choose, your name will be placed on a Restoration List for ██████████ FTE for the class of ██████████ in our department. Should a ██████████ FTE vacancy occur in the class of ██████████ in our department which we decide to fill within two years from the date of your layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

Your benefits may be impacted by your layoff/reduction and your displacement decision. Enclosed are several documents you may find useful regarding layoff and separation from the County.. Since you are not being fully

separated from employment, some of the information is not applicable, but contact numbers are listed should you wish to ask questions about how your benefits may be impacted.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at 1-800-300-5616 or visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,



cc: Personnel File
Select Union
Human Resources Department (Recruitment & Classification, Employee Relations & Employee Benefits)
Auditor-Controller

Enclosures: Civil Service Rule 11
Summary of Benefits Upon Separation/Layoff

MEMORANDUM

DATE: [REDACTED]

TO: [REDACTED]

FROM: [REDACTED]

RE: NOTICE OF LAYOFF/REDUCTION OF HOURS AND RIGHT OF DISPLACEMENT –
EMPLOYEE RESPONSE

This is to inform you that I choose the following:

- I elect to exercise my displacement rights per Civil Service Rule 11.3 as indicated in your letter of [REDACTED]. My new allocation will be as a [REDACTED] FTE [REDACTED] and a [REDACTED] FTE [REDACTED] effective [REDACTED].
- I elect to be laid off (reduced FTE) as the least senior employee in the classification of [REDACTED]. My new allocation will be as a [REDACTED] FTE [REDACTED] effective [REDACTED].

Signature