

Layoff Overview

January 23, 2008

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COUNTY OF SONOMA

HUMAN RESOURCES DEPARTMENT



Agenda

- General Rules and Guidelines
- Department Roles
- Process
- Developing Seniority Lists
- Mitigation
- Notices
- Q & A

General Guidelines

- Civil Service Rule 11
 - Layoff is restricted to identified class/position to be abolished
 - Least senior employee is laid off
 - Layoff may result in displacement
 - Displacement based on total continuous County hours
 - Any reduction is considered a layoff (.2, .5, etc.)
 - Applied on a Departmental Basis
 - Order of Layoff
 - Extra Help and Provisional Employees
 - Probationary Employees
 - Full-time and Part-time employees with permanent status in the class, based on seniority

General Guidelines

- Restriction to Divisions/Small Units
 - Must be appropriate
 - Must meet and confer
 - HR Director must authorize
- Alternate class
 - Time served in alternate classes in a series count as time in one class
- Exemption
 - Upon approval of HR Director, employees in Project or Limited Term positions based on a continuing need for a specialized technical skill/skill mix combination
 - No other exemptions (including bilingual)

General Guidelines

□ Displacement

- An employee who is laid off may elect to displace another employee in the same department if they meet the following criteria:
 - Greater total county continuous service than the least senior employee in the displacement class
 - Prior status in the class as a permanent, part-time or probationary employee
- Exception is CSR 11.3D – If employee's allocation transferred from one department to another, then may have displacement back to original department



General Guidelines

□ Restoration

- Employees who are laid off, displaced or voluntarily demote in lieu of layoff have restoration rights for two years from date of layoff if the department chooses to fill a vacancy in that class
- Restoration is in opposite order of layoff
- If layoff is limited to division/unit, restoration has no restriction, it is department wide

□ Appeals

- Implementation of a layoff may be appealed; but the decision to lay off may not be appealed

Department Roles

■ Department

- Determines affected classes
- Develops Seniority Lists
- Draft BOS reports
- Distributes Seniority Lists
- Participates in M&C
- Drafts and Distributes Notices
- Conducts exit process with affected employees
- Notifies Recruitment and Classification (R&C) when vacancy occurs in a class formerly affected by layoff

Department Roles

- Department – cont.

- Communication:

- Contact and discuss with R&C and Employee Relations early on in the process
 - Contact and discuss with CAO's Office in early on in the process
 - Draft timely BOS report
 - Communication plan with employees in affected classification(s)



Department Roles

- Human Resources

- Recruitment and Classification

- Provides guidance and training on rules, interpretation, and process
 - Audits seniority lists
 - Review BOS reports
 - Reviews and approves layoff notices
 - May meet with affected employees
 - Maintains restoration lists and notifies employees of restoration



Department Roles

- Employee Relations

- Notifies unions
- Coordinates and leads M&C process

- Employee Benefits

- Sends COBRA Notification and answers questions pertaining to benefits upon separation



Department Roles

- County Administrator's Office
 - Assists with budget information
 - CAO Analyst will want to understand reduction plan
 - May have feedback, questions
 - Provides information to CAO as necessary and reviews and concurs with BOS items
- Payroll, Retirement, Misc.
 - Answer questions pertaining to related benefit areas

Process Snapshot

- Once need is identified, work with CAO Analyst and Recruitment Analyst to develop initial draft layoff plan
- Departments draft initial seniority lists
 - Get a sense for displacement and timing of notices
 - HR audits lists
 - Department's then updates lists each pay period until implementation date
- Develop communication plan
- Obtain Board Authorization
- Participate in meet and confer meetings
- Finalize layoff plan and determine timing for notices
- Draft notices and provide to R&C for review/approval
- Release Notices
- Exit employees, or reassign due to displacement or demotion



Preparing Seniority Lists

NOTE: Current payroll system is not an accurate method to determine seniority hours. Best method to determine seniority hours is to go through personnel files and review change of status records

■ General Rules and Interpretations

Follow layoff order

- Extra help and provisional employees are separated first (in the affected class)
- Probationary employees by seniority
- Full and part-time employees by seniority

Preparing Seniority Lists

- Part-time employees:
 - Receive their allocated hours AND any time worked over their allocation up to 80 hours in a pay period
 - Part-time seniority hours require a timesheet review by each pay period
 - Add hours according to the PT allocation AND any hours worked over the PT allocation up to 80 hours in a pay period
 - Timesheet information prior to 1/1/04 is available on microfiche in the Auditor-Controller's Payroll Office
 - Print a copy of all timesheet information you obtain from microfiche (Human Resources will require this information upon the seniority list audit process)



Preparing Seniority Lists

- Temporary Promotions, Underfills, Substitutions
 - Do not have status in an allocated or affected class
- Dual-fills
 - Have status in class; least senior employee is affected
- Time in class includes all hours in the class and any hours in the same or higher salary level class
- Alternate class in a series count as time in one class
- Total continuous hours are all accumulated hours with no break in service

Preparing Seniority Lists

- ❑ Exclude overtime and extra help hours
- ❑ Include leave without pay hours (according to allocation, 1.0 FTE)
- ❑ Temporary promotion is not considered “time in class” unless the employee was promoted without a break
- ❑ Previous layoff and restoration “bridges” continuous county service, but time off between will not count towards seniority
- ❑ Regular employment interrupted by extra help may “bridge” continuous service if there is no break in service (Contact HR if you have this situation)

Preparing Seniority Lists

- Steps to developing seniority lists
 - Record each position held and effective dates
 - Document allocation held (1.0 FTE, .5 FTE)
 - Document status (perm., probationary, extra-help, demoted, restored, etc.)
 - Make note of: breaks in service, voluntary or involuntary demotions, temporary promotions, and extra help status
 - Calculate hours in affected class AND total continuous county hours.

Example of Seniority List/Layoff Order

Department Sample Seniority List

As of Payperiod Ending -----

Department Analyst	Empl. ID#	Status	Division	Hours in Affected Class	Total County Service	Comments/Allocations
NAME						2 FTE, 1 underfill with Admin Aide
Employee 1		Permanent		3,504	11,064	Displacement to Admin. Aide, Account Clerk II
Admin. Aide		Status		Hours in Affected Class	Total County Service	Comments
NAME						0 FTE (underfilling Dept. Analyst allocation)
Employee 2		Permanent		15,000	30,288	Displacement to Account Clerk III
Account Clerk III		Status		Hours in Affected Class	Total County Service	Comments
NAME						2 FTE, no vacancies
Employee 4		Permanent		17,608	17,608	No displacement rights
Employee 5		Probation		1,000	6,464	Displacement to Account Clerk II
Account Clerk II		Status		Hours in Affected Class	Total County Service	Comments
NAME						1 FTE, no vacancies
Employee 6		Probation		1,000	1,000	No displacement rights



Mitigation

- Seek promotional, transfer, or demotion opportunities
 - Employees need to be aware of risks to accepting one of these
- Layoff Mitigation Policy
- Upon separation, employees may be eligible to be placed on freename lists

Notices

- 21-calendar day notice is either required or recommended for Layoff Notices
 - Provide 3-5 days for Employee Response Notice if applicable
 - Departments have discretion on timing of noticing all affected employees at one time
 - Contact R&C for more discussion
- Severance for some employees (SEIU, ESC, Salary Resolution only)
 - Severance period: employee may separate after 8th work day of three week notice period
 - Normal County contribution to medical benefits for first 6 pay periods; ½ contribution for next 6 pay periods
- Restoration – List and Notices handled by R&C



Resources

- Assigned R&C Analyst
- Department Payroll Clerk
- IntRanet - HR Dept – Layoff Info
- Benefits Unit
- Auditor-Controller: Payroll Dept
- Retirement

QUESTIONS?

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