

City of Red Bluff
Administrative Policies & Procedures – Personnel Manual

Subject: Layoff		Number: 22-25
		Effective Date: 6/18/2024
Departments Affected: All		Supersedes (Number/Date): 22-25 10/17/2023
Authority: Section 2.82-A. Red Bluff City Code	File References:	
	Approved: Approved by City Council on: 6/18/2024	

Overview: Employees may be subject to layoff when it becomes necessary to reduce employee staffing levels due to a lack of funding, lack of work, or the necessity for the position no longer exists.

Applicable to: All regular employees

Guidelines: Layoffs may occur per classification, department-wide or by division, program, function, or as recommended by the appointing authority and reviewed by the City Manager and Human Resources.

Examples of when an employee may be subject to layoff are listed below, but not limited to:

- An employee’s position is abolished.
- Lack of work or funds.
- Interest to reduce staff due to the economy.
- Necessary due to a modification of service requirements.
- Another employee with greater seniority displaces an employee under the provisions of this rule.

Order of Layoff

The following provisions apply to the order of layoff:

For Miscellaneous Bargaining Unit employees, seniority shall be observed in effecting the reduction in personnel and the order of layoff shall be in the reverse order of total city cumulative time served in permanent and probationary status upon the effective date of the layoff. All provisional employees in the affected class or classes shall be laid off prior to the layoff of any probationary or regular employee.

For Police Officers’ Association employees, seniority shall be observed in effecting the reduction in personnel and the order of layoff shall be in the reverse order of total cumulative time served in permanent and probationary status in the competitive service upon the effective date of the layoff. Layoff shall be made within classes of positions and all provisional employees in the affected class or classes shall be laid off prior to the layoff of any probationary or permanent employee.

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For Fire Fighters' Association employees, the order of layoff of employees shall be established by the City Manager upon the recommendation of the Department Head. The order of layoff by classification shall consider: The last person hired shall be the first laid off. In the event that more than one employee has the same hiring date, layoff shall be by the placement of the original (hiring list) entry position with the Fire Service.

Employees with equal continuous service credit shall be laid off in the order prescribed by the City Manager.

The Department Head will determine the order of layoff for all non-regular employees. Employees who are emergency, temporary, limited term, part-time/seasonal, or probationary employees do not have rights under this rule. All non-regular employees, including part-time/seasonal, retired annuitants, temporary workers, probationary employees, or any other type of employee who is not a regular employee (excluding management & mid-management at-will positions) shall be released before the City has laid off a regular employee in the same classification and department.

For Management & Mid-Management employees, layoffs would be at the discretion of the Department Head and City Manager without appeal. They shall only have the rights to notification, options for layoff, reemployment list and reinstatement rights as outlined below. Seniority shall not apply.

Continuous Service Credit (Seniority)

The following provisions apply to determining continuous service credit:

- a) Paid time, including vacation, sick leave, holiday pay, bereavement leave, administrative leave, industrial leave in accordance with Labor Code 4850, and compensatory time off shall count towards an employee's continuous service credit.
- b) Hours worked in an overtime capacity shall be excluded in computing an employee's continuous service credit.
- c) Wage replacement benefits coordinated with leave accruals will be considered paid time and shall count towards an employee's continuous service credit. When wage replacement benefits are not coordinated with leave accruals, the time shall be excluded in computing an employee's continuous service credit.
- d) Time spent on a military duty leave of absence, whether paid or unpaid, shall count towards an employee's continuous service credit.
- e) Hours donated to an employee due to catastrophic leave or disaster leave shall be excluded in computing an employee's continuous service credit.
- f) Time spent in an approved or not approved unpaid status or Leave Without Pay as defined in AP&P 22-37, shall be excluded in computing an employee's continuous service credit.
- g) Time served as a part-time/seasonal employee shall be excluded in computing an employee's continuous service credit.
- h) An employee who was formerly displaced due to a layoff and subsequently returned to City employment in the same classification and department within two years from the effective date of layoff, shall have their service credit prior to separation count towards an employee's continuous service credit calculation. The employee's service credit calculation does not include time spent in layoff status.
- i) An employee who experiences a classification change as a result of reorganization

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or reclassification shall have their service credit prior to the classification change count towards an employee's continuous service credit calculation.

Notification to the Bargaining Unit

Prior to initiating a layoff, the City will give the applicable Bargaining Unit ten (10) calendar days' advance notice.

Notification to the Impacted Employee

Regular employees will receive at least ten (10) working days' notice of layoff, which will provide the employee's options for layoff, as described in this rule. This notice may run concurrent with notice to the Bargaining Unit.

An employee who has received a layoff notice shall notify the department within five (5) working days of their selected option. When an employee elects an option other than layoff, the option may be implemented immediately as determined by the employee's Department Head, in order to avoid a long delay in the layoff and displacement process.

If no selection is made by the employee after five (5) working days, the employee will be laid off, effective the 6th day, and all other options for layoff will be considered forfeited.

Options for Layoff

Regular employees whose position has been reduced or eliminated must select one of the following options:

- a) Select a position in the department in a lower or lateral paid classification in which the employee previously had successfully completed the probationary period and which will be vacated by the least senior employee through the bumping process.
- b) Select a vacant position in the department in a lower or lateral paid classification provided the employee meets the minimum qualifications and successfully completes any testing requirements for the alternative classification.
- c) Accept reduced work hours if any exist in the current classification and department.
- d) Elect to be laid off.

Any employee who has been displaced by another more senior employee may be entitled to exercise the options for layoff listed above.

Reemployment List

Regular employees who are laid off from City service or who have had their hours reduced in lieu of layoff shall be placed on a re-employment list and offered future vacancies in the classification and the department from which they are laid off for a period of up to one (1) year.

In the event that more than one employee is laid off in the same classification, employees shall be placed on the list in accordance with the date of layoff, with the last employee laid off being the first to be re-employed.

It is the responsibility of the employee to keep Human Resources informed of their current address and contact information. Offers will be mailed to the last known address.

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Reinstatement from Layoff

A regular employee that was formerly displaced due to layoff and returns to City employment in the same classification and department within one year will have their pay range, step, vacation accrual rate, and sick leave balances reinstated based on the date of hire at the time of layoff. The employee's salary anniversary date will be extended in accordance with the number of months in layoff status. This is also true if the employee elects a demotion in lieu of layoff and later works in their former classification, either permanently or temporarily.

Employees who return to the same classification and the same department will not be required to serve a new probation period. Employees who return to the same classification in a different department shall be subject to a new probationary period. Employees who return to City employment in a different classification than the classification held prior to layoff shall be required to serve a probation period in the new classification.

Process

Impacted employees will receive notification of layoff, including options for layoff, as outlined in this rule. Employees who elect layoff will be placed on a re-employment list. Reinstatement to City employment shall occur in accordance with the provisions of AP&P 22-24: Reinstatement.

The Department Head, or their designee, will work in conjunction with the City Manager and Human Resources to address budgetary implications and impacts of a layoff. In the event of a layoff, the Department Head may assist the Human Resources Department with notification to the bargaining unit and impacted employee, as well as assist with the displacement process.

Human Resources shall be responsible for maintaining the re-employment list including the most current contact information for those employees on the list. In the event of future funding and vacancy, Human Resources is required to make notification to those employees laid off from that classification on the re-employment list and document any refusals of re-appointment.

Human Resources may meet with the applicable bargaining unit representatives regarding impacts and alternatives to layoff. In addition, Human Resources may assist the Department Head, as well as the employee in the displacement process.

In layoff situations where two employees have equal continuous service credit, the order of layoff shall be prescribed by the City Manager.