

LAYOFF MITIGATION POLICY

Adopted by the Board of Supervisors on September 8, 1992

Reviewed and approved by the Board of Supervisors on February 24, 2009

RESOLUTION

It is the policy of this Board that County employees subject to layoff be treated as fairly and compassionately as possible. This Board recognizes the special relationship that exists between our employees and the County of San Joaquin.

In an effort to mitigate the adverse impact a layoff has on the individual employee, this Board does hereby adopt the following policies.

- 1) Before a probationary or permanent Civil Service employee is laid off, this department must first lay off employees in temporary, part-time, and contract classes who perform duties that are essentially the same as those performed by the class subject to layoff.
- 2) Department appointing authorities have the authority to appoint qualified individuals and to determine who to appoint to positions. However, before laying off any Civil Service employee, the department shall make a full effort to place the employee in a vacant position within the department for which the employee is qualified, even if the employee is not eligible to bump into the position. An employee shall not be obligated to accept an offer to be placed in the vacant position and will not lose reemployment rights for declining such placement prior to layoff.

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- 3) Before laying off any Civil Service employee, the County shall make a full effort to place the employee in a vacant position elsewhere in County service for which the employee is qualified. An employee shall not be obligated to accept an offer to be placed in a vacant position and will not lose reemployment rights for declining such placement prior to lay off.
- 4) Before a department fills a temporary, part-time, or contract position, the department shall first consider laid-off employees on any reemployment list who may be capable of performing the work, even if the laid-off employees are not from that department or are not on a list for a comparable or similar class. In accepting a temporary position, an employee will not waive any rights to reemployment or benefits otherwise provided by the County. For the duration of the reemployment list, all positions filled must first be requisitioned through the CAO/Human Resources Division including all temporary, part-time and contract positions.
- 5) Nothing in this policy should be construed as granting employees the right to bump across departments or to displace a less senior employee in another department, or the right to any bumping procedures not set forth in Civil Service Rules and Regulations or applicable Memoranda of Understanding.

In addition to reemployment rights under the Civil Service Rules, laid off employees will be given first consideration

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for employment in any temporary, part-time, contract or Civil Service position not filled from a reemployment list, or departmental promotional eligible list. Where a departmental promotional eligible list exists, the Appointing Authority may request a certification from that list, in addition to names of transfers.

TRANSFERS

Laid-off employees will be considered to be current County employees in their pre-layoff class for purposes of transfers. Laid-off employees may identify classifications which they are interested in holding, and the type of status (temporary, contract, part-time, or Civil Service), the employee would consider. Human Resources will maintain a record of that information for each employee.

When Human Resources receives a request to fill a vacancy (temporary, part-time contract or Civil Service), it will submit the entire pool of names of current County employees and laid-off employees to the Appointing Authority. Laid-off employees will be considered to be current County employees for purposes of transfer or transfer-demotion.

Names and applications of qualified individuals from the above groups will be sent to the hiring department in random order.

If fewer than three individuals were referred, or fewer than three were interested in the position, the Appointing Authority may request additional names from the

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appropriate eligible list. After completing interviews, the Appointing Authority shall determine which of the interviewees is to be appointed to the vacancy. If the Appointing Authority determines through interviews and investigation that none of the referrals are suitable, the Appointing Authority shall provide a written certification to the County Administrator. This certification must explain why each of the available, interested candidates is not selected for appointment.

The County Administrator shall determine whether or not to allow the Human Resources Division to certify additional names from an open eligible list.

PROMOTION

Laid-off employees who are on a reemployment list, will be considered to be current County employees for purposes of promotion from a departmental list.