

## REDUCTION OF NON-CERTIFIED STAFF

Reasons for Layoff

In the event the Board determines to reduce the number of positions (full layoff) or the number of hours in any position (partial layoff), the provisions set forth in this policy shall apply.

Layoff Notice

The Agency will give at least thirty (30) calendar days notice of layoff. The layoff notice shall specify the effective date of layoff, that it is the responsibility of the employee to keep the Agency informed in writing of any changes in the employee's address, and that it will refer the employee to the Reduction in Force provision in this policy.

Selection for Reduction - Steps

In the implementation of staff reductions under this section, individual employees shall be selected for full or partial layoff in accordance with the following steps:

- A. Step One - Attrition: Normal attrition resulting from employees retiring or resigning will be relied upon to the extent that it is administratively feasible in implementing layoffs.
- B. Step Two - Volunteers: Volunteers will be laid off first. The Agency will provide the volunteer(s) with a layoff notice. Requests for volunteers will be sent to employees within each job category. An employee who volunteers to be laid off will put his/her request in writing. Volunteers will only be accepted by the Agency if in the Agency's opinion the remaining employees in the job category are qualified to perform the remaining work.
- C. Step Three - Selection for Reduction/Layoff: The Agency shall select the employee in the affected job category for layoff or reduction in hours.
  1. Job categories for the purpose of this section shall be defined as:
    - a. Program Assistant
    - b. Instructional Assistant
    - c. Special Education Instructional Assistant
    - d. Educational Instructional Interpreter
  2. The Agency shall utilize the following criteria in order of application for determining the employee for layoff or reduction in hours:
    - a. Educational Needs of the Agency: Will be those needs as identified and determined by the Board through normal channels in accord with its constituted authority.
    - b. Qualifications as Established by the Board: Including, but not limited to specific job skills, certification (if applicable), training, Agency evaluations, etc.

- c. Qualifications of the Remaining Employees in the Affected Job Category: Relevant qualifications will be those experiences and training that best relate to the position(s) to be maintained and Agency needs as determined by the Board. These experiences shall include but not be limited to current and past assignment and practical experience in the area of need; and
- d. Length of Service of the Employee.

- 1) Length of Service: Is defined as length of service with the Agency commencing on the most recent date of hire. No distinction will be made between full-time and part-time employees in calculating length of service.
- 2) Tie Breaker on Length of Service: In the event two or more employees start on the same date, the employee who is senior shall be determined by the Agency.

#### Reduction in Hours

Employees who are reduced in hours shall not lose any benefits they have accrued. Benefits are defined as length of service, sick leave, and vacation earned as an employee. Reduced in time employees shall be treated as part-time employees under this policy. Any employee who is reduced in hours (partial layoff) may choose to be fully laid off.

#### Recall/Rehire Process Period

Laid-off employees shall retain the option to be recalled for a period of twelve (12) months either after the employee's last day of work with the Agency or from the time the employee received the notification of layoff, whichever is later.

#### Recall Procedure

All laid off employees shall have their names placed on a recall list. In the event a vacancy occurs or a new position is created while employees are on layoff, the Agency shall first attempt to fill the position utilizing the vacancy and transfer language contained in this policy. Employees on recall may apply for the vacant position according to the terms of this policy. The Agency will post vacancies in accordance with the terms of this policy.

#### Termination of Recall Options

Recall options shall end should an employee refuse recall to a position in the job category, except as provided below. Casual or substitute work with the Agency during the recall period shall not extend the recall period. Employees on layoff status may refuse recall to positions with a substantially different full-time equivalency (FTE), substitute or temporary positions without loss of options to the next available position for which the employee is qualified. Employees on layoff status shall not lose recall options to an equivalent FTE position(s) if they accept a position with a different FTE level, a substitute appointment or a temporary appointment, with the Agency.

Accrued Benefits During Layoff

Laid-off employees shall suffer no loss of sick leave, vacation or other accrued benefits when rehired. Sick leave days, vacation, and length of service time shall not accrue while an employee is on full layoff status.

Other Employment During Layoff

No employee on full or partial layoff shall be precluded from securing other employment while on layoff status.

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