

Local 88 and Non-Represented Employee Layoff Manual

Revised March 21, 2014



**Central Human Resources
Labor Relations
Multnomah County**



TABLE OF CONTENTS

I.	Overview	1
A.	Approved Transition Values and Recommendations	
B.	Timeline of Seniority and Layoff Processes	
C.	Layoff Committees	
D.	Guidelines for Hiring Exceptions During the Layoff Process	
II.	Communication	7
A.	Talking Points for Managers	
B.	Tips for Having Difficult Conversations with Employees	
III.	Seniority	12
A.	Useful Local 88 Seniority List Information	
B.	Classification Equivalents	
IV.	Bumping	21
A.	Bumping and Layoff Rights for Regular Status Employees	
B.	Local 88 Layoff & Bumping Guidelines	
C.	Bumping and Layoff Rights for Limited Duration Employees	
D.	Probationary, Temporary and On-Call Employees	
E.	FAQs for Local 88 Probationary Employees Impacted by Budget Reductions	
F.	Reduction in Hours and Changing FT/PT Status	
G.	Lower Bumping Options and Employee Preferences	
H.	School Based Employees	
I.	Job Share Agreements	
V.	KSAs	49
A.	Guidelines for Usage and Approval of KSAs for Local 88	
B.	Local 88 KSA Request Form	
C.	Guidelines for Completing Bilingual Skills KSA Form	
D.	Bilingual Skills KSA Form	
E.	KSA Assessment Form	
F.	Employee Qualifications and Testing	
VI.	Orientation Periods and Trial Service Periods	63
VII.	Voluntary Layoffs	66
A.	Overview of Voluntary Layoffs for Local 88 Classifications	
B.	Voluntary Layoff Solicitation Template	
C.	Voluntary Layoff FAQs	
D.	Voluntary Layoff Request Form	

TABLE OF CONTENTS CONTINUED

VIII.	Project Save	72
A.	Differences Between Project Save and Bumping	
B.	Project Save FAQs	
IX.	Layoff Notices	76
A.	Overview of Layoff Notices	
B.	Preliminary/Informal Layoff Notice Template – Local 88	
C.	Preliminary/Informal Layoff Notice Template – Management	
D.	Release from Probationary Employment Template	
E.	Layoff During Promotional Probationary Period Template	
F.	Layoff of Employee with No Bump Options Template	
G.	Layoff/Reassignment of Employees with Bump Options in Current Classification – Local 88 Template	
H.	Layoff/Reassignment of Employees with Bump Options in Previously Held Classification – Local 88 Template	
I.	Reassignment to a Local 88 Position Under Project Save	
J.	Reassignment of a Probationary Employee Under Project Save	
X.	Recall and Reinstatement Lists	97
A.	Recall List Rules	
B.	Placement on Recall and Reinstatement List(s) Form	
C.	Notice of Recall List Rights Letter Template – Local 88	
XI.	Welcoming and Orienting Employees	106
A.	Transition Checklist Form	
B.	General Guidelines	
XII.	Transition Resources and Outplacement Services	111
A.	Outplacement & Career Transitions Services	
B.	Matrix of Coordinated Services	
C.	Local Government Employers Contact Sheet	
XIII.	Layoff Reporting and Surveys	116
A.	Purpose of Layoff Surveys	
B.	Layoff Surveys	

TABLE OF CONTENTS CONTINUED

XIV.	<u>Benefits, Unemployment and Other Services Offered</u>	123
A.	<u>FAQs – County Benefit Programs for Represented Employees</u>	
B.	<u>FAQs – County Benefit Programs for Non-Represented Employees</u>	
C.	<u>Unemployment Compensation Benefits</u>	
D.	<u>Employee Assistance Program Questions and Answers</u>	

I. Overview

Multnomah County Approved Transition Values and Recommendations

Multnomah County recognizes the impacts that layoffs and bumping can have on employees and has approved the following values and actions to guide departments through the transitions:

Multnomah County Values:

- a. We respect and value our employees – those leaving, those staying and those in transition - and will support them with transition resources.
- b. Transition processes will be fair, equitable and consistently handled across the county.
- c. We will continue to provide quality services to Multnomah County residents.
- d. We will provide support to employees by asking them what they need. We will partner with employees' wants, where possible, while balancing with organizational needs. We expect employees to take responsibility for their career choices and best performance.
- e. We will use human resource tools such as managing vacancies and Project Save to keep as many employees as possible from going without jobs.
- f. Employees bumping into new positions or moving into new areas will be welcomed and treated empathetically. We will give them the resources to be successful.
- g. We will give frequent, honest, face to face and written communication about fiscal realities and the impact on staff and services.
- h. We value cultural competency. Cultural competency creates an environment that ensures that these transition values are achieved.

Multnomah County

Approved Transition Values and Recommendations

Transition Actions:

- 1. Plan for managing vacancies** - a consistent and mindful approach to managing vacancies that are open to countywide bumping prior to layoffs.
- 2. Ensure realistic transition schedule and deadlines** - in order to provide adequate time for managing transition and processing layoffs.
- 3. Provide a variety of resources to support all employees**, such as:
 - Outplacement services for employees being laid off.
 - Dedicate time for managers and staff to discuss changes with all staff.
 - Provide assistance to remaining and new employees such as transition training in order to ensure new employees are successful.
- 4. Communications to all employees.** The Chair and Department Directors will communicate early and often about transition decisions.
- 5. Communications to new hires.** Key positions may be filled in the next few months and new employees will be told about the county's financial situation and possibility of bumping.
- 6. If represented employee layoffs** are required, the processes in approved labor agreements will be followed.
- 7. If non-represented employee layoffs** are required, the process in Multnomah County Personnel Rule 4-80 reduction in force rules will be followed.
- 8. Initiate Project Save** for classified management service employees first within departments and then extended county-wide if placements cannot be found within departments.



General Timeline of Local 88 Seniority and Layoff Processes*

- February** → Departments scrub seniority list
- March** → Beginning of March: Labor Relations publishes seniority list
→ 30 day seniority appeals process
→ End of March: Countywide Layoff Committee kickoff
- April** → Beginning of April: Labor Relations publishes revised seniority list
→ Mid to Late April: Chair's Executive Budget issued
→ Day Chair Releases Budget: Freeze on KSA approvals and seniority grievances
→ After Budget Release Through June: HR develops layoff/bumping scenarios for anticipated staff reductions; conducts qualifying exams as needed; invites employees to participate in project save
- May** → BCC continues debate on budget, HR continues layoff/bumping scenarios
- June** → Early June: Final budget adopted
→ First Two Weeks of June: HR finalizes layoff/bumping outcomes
→ By June 15th: Layoff notices issued
→ Employee bumping preferences due
→ HR conducts exit interviews
→ HR sends list of employees being separated to Payroll
→ Manual check requests due to Payroll
→ Final Timekeeping entered
→ June 30th: Layoffs effective; payroll checks distributed
→ June 30th: HR places employees on recall and reinstatement lists; distributes Transition Checklists
- July** → July 1st: Employees who bump begin new assignments
→ End of July: Transition Checklists due to department HR
- August** → Impacted employees surveyed on the layoff process
- September** → Layoff survey and report available to stakeholders

* Specific dates will be announced by Central and/or Department HR Units as appropriate. Payroll determines check and timekeeping timelines. All timelines should be considered fluid, determined by completion of previous steps and largely dependent on budget team and the Chair's Office.

Layoff Committees



General Purpose of Layoff Committees

- Transparency of layoff and bumping processes
- Facilitates communication
- Union participation and collaboration
- Sharing of ideas
- Provides an avenue for employees to discuss questions and concerns with human resources, management and Local 88

Countywide Layoff Committee

- **Membership:**
 - Union leaders (Local 88 President and Business Representatives)
 - Department Human Resources Staff
 - Labor Relations
- **Purpose:**
 - Collaborate to work through layoff issues that cross departments with the goal of fairness and consistency
 - Reach agreement between human resources and Local 88 when contract language is not clear

Department Layoff Committees

- **Membership:** Should have a roughly equal amount of management and stewards that represents a cross section of the divisions
 - Department management
 - Union Stewards (chosen by the union)
 - Department Human Resources Staff
 - Labor Relations (as needed)
- **Purpose:**
 - Reviews the details of how employees will be affected by layoffs
 - Provides a structured avenue for employees to discuss questions and concerns with management, human resources, and union leaders

Confidentiality Expectations

- Although one of the primary purposes of the layoff committees is to provide transparency of process, there is a general expectation regarding confidentiality of committee discussions due to the sensitivity of the layoff process
- Layoff committees that discuss individual layoff actions are encouraged to develop ground rules regarding what information can be shared with others and what information should be kept confidential

Committee Membership Lists

- The list of members on the Department Layoff Committees are posted on Commons at: Central Human Resources → Labor Relations → Layoff & Transition Resources → → Layoff Committees
- [Click here for lists of Departmental Layoff Committees](#)

GUIDELINES FOR HIRING EXCEPTIONS DURING THE LAYOFF PROCESS

Introduction: The County's budget reflects a series of difficult choices, some of which will require layoffs and changes throughout the County. The Chair's Office has adopted the attached Approved Transition Values and Recommendations to be used as a guide to the Departments while managing the layoff process. These guidelines include having a consistent and mindful approach to managing vacancies and using tools such as Project Save to place employees being affected by layoff into positions they are qualified to perform. Prior to opening a recruitment for external applicants, the following factors should be considered to ensure that employees being affected by layoff are given the opportunity to maintain employment with the County.

1. Department:

2. Classification Name:

3. Is this classification being affected by layoff within the County? ☐ No ☐ Yes

If yes, why isn't the position being used for bumping?

4. Are there critical functions of the position that necessitates a recruitment during the layoff implementation period? ☐ No ☐ Yes

If yes, what are those critical functions?

5. Has the position been vacant for more than three months? ☐ No ☐ Yes

If yes, why is the recruitment needed during the layoff process?

6. Has Project Save been considered prior to requesting a recruitment? ☐ No ☐ Yes

If yes, what efforts were made to place impacted employees in the position?
If no, why not?

7. Are there KSAs or other classification qualifications that would make placements through Project Save difficult? ☐ No ☐ Yes

If Yes, what are those KSAs and/or qualifications:

Supervisor Signature _____ Date: _____

AND

Department HR Signature _____ Date: _____

Recruitment ☐ Approved ☐ Disapproved

Department Director _____ Date: _____

CC: Labor Relations, Layoff Coordinator, 503/3

NOTE: This form is not required, but it is a tool for departments to use.

II.

Communication

Talking Points for Managers and Stewards Regarding Local 88 Layoff

- Please be aware that this information is based on the best information we have right now. Budget is a very fluid process and can change dramatically over time. As we have updates about the budget situation and any proposed layoffs we will let you know.
- How an employee will be affected by projected layoffs will be dependent on:
 - **Vacancies** available both within their department and Countywide for positions for which they have bump rights.
 - Their **placement on the seniority list** for their current classification and classifications previously held.
- **Voluntary Layoffs** - Once the projected layoffs and dates are finalized, employees in affected classifications will be offered the opportunity to take voluntary layoff in accordance with Article 21 of the Local 88 contract. If an employee accepts voluntary layoff, this may open up a position and save an employee from being laid off.
- **Project Save** – Employees impacted by layoff may submit their résumé to Project Save. This program allows the county to place employees in vacancies for classifications they have not previously held, but are qualified to perform. Employees may want to consider submitting their résumé to Project Save if they have experience that is not related to their current position and would potentially qualify them for another position within the county.
- Once the projected layoffs and dates are firmed up, employees will be referred to **Layoff and Transition Resources**, posted on Multco Commons, which has information on:
 - FAQs on the layoff process, benefits and recall lists
 - Outplacement services
 - Filing for unemployment
- There are several other programs to help assist employees during the stress of pending layoff, which includes:
 - **Employee Assistance Program** – Unum Work-Life Balance Program offers consultation and counseling about a wide range of topics including career planning and layoff transition. To access this free service, call the Benefits Office at (503) 988-3477 or Unum at (800) 854-1446.
- For information regarding bumping rights and access to the services the county is offering, employees should contact _____, HR Analyst, at _____.

Tips for Having Difficult Conversations with Employees

There is no such thing as a diplomatic hand grenade.

Stone, Patton, & Heen,

Difficult Conversations: How to Discuss What Matters Most, 1999

FACTS

1. Loss of a job—including involuntary change of position—is one of most stressful human experiences, ranked alongside divorce and death of a partner.
2. Multnomah County believes in managing difficult conversations about lay-off and bumping with respect and good will, promoting the dignity and self-worth of employees;
3. The psychological impact of this stressful event is informed by four key factors:
 - who the employee was before the information is delivered (as an employee, as a human being);
 - the type of job loss they will experience;
 - how the information is communicated to them; and
 - whether the employee feels that their feelings and experience is acknowledged and heard.
4. Managers have influence over the last two factors

THE STRUCTURE OF A DIFFICULT CONVERSATION

Difficult conversations with employees have three main components for managers to consider:

1. *What is happening?*
 - What are the objective facts to be presented? For example: You are being bumped to another department. Your position here is being eliminated.
2. *What are the feelings?*
 - Whether spoken or not, intense feelings hover over difficult conversations. When it comes to someone's job, feelings related to control and self-esteem, their loyalty and investment in projects they've been working on prior to the news, all figure prominently.
3. *What is my identity?*
 - What does this information mean for my self-worth as an employee? Am I competent? How does this impact who I am and how I see myself? Am I a good person?

Usually managers pay attention to "What is happening?" but ignore the other two dimensions, which are critical and influence how the information is received and the long-term impact (Stone, Patton, & Heen, 1999).

COMMUNICATION STRATEGIES FOR EACH COMPONENT

To be effective during this difficult time, managers can take positive steps to address issues in all three realms:

1. *What is happening?*

- Just the facts. What is happening and what does it mean for the employee's job? Be clear about what you know to be objectively true and what you don't know, and your degree of confidence in the information.
- Ask the employee to repeat back to you the information you shared with them. Check for their understanding and correct what is inaccurate.
- In highly stressful situations, human being can move quickly to black-and-white thinking (blaming, scape-goating, finding villains, etc.). It is often helpful to make your personal intentions transparent (i.e. "it's nothing personal about my feelings toward you or your work") and link the job decision to the larger business case or economic scenario. Making your personal intentions transparent can buffer the impact on the employee's feelings and identity.
- That said, good or indifferent intentions don't sanitize bad impacts. But making your personal intentions transparent can lessen employee defensiveness and ill will.
- Avoid the temptation to make false or empty promises to lessen the impact (e.g. "there might be a job in another division you can put in for").

2. *What are the feelings?*

- Feelings are there whether or not we want to deal with them. It is impossible to have difficult conversations effectively without dealing with feelings.
- Employees facing transition and job loss may feel sadness, anger, vulnerability, confusion, and resentment.
- It's OK as a manager to listen, acknowledge, express understanding, and empathize. It's important not to take the feelings—even intense feelings—personally or to become defensive. Just listening can lessen the long-term negative impact of a difficult conversation.
- Don't evaluate or judge the feelings. Don't try to control the employee's reaction.
- It's helpful to remind staff of the EAP and other counseling resources that might be available to them. Employees need reminders to take extra care of themselves.
- If staff become inappropriate—threatening, rude, or abusive—it's important to end the conversation. You can resume at another time when the employee has calmed down.

3. *What is my identity?*

- Job loss and job transition are not personal, but that doesn't mean that employees don't take it very personally.
- Bumping is a part of the contract with the union. Management selects which positions are to be eliminated because of funding reduction. If you can truthfully say it, it's helpful to make positive remarks about the employee's hard work, skill, experience, or expertise.

- It's helpful to remind employees that this situation didn't occur through any fault or wrong-doing on their part.

BEGINNING A DIFFICULT CONVERSATION

1. How we begin a difficult conversation can influence the impact and outcome. A good beginning takes into account the three dimensions described above.
2. Because of the stress of these conversations, it's easy to get side-tracked and forget important information. Write out your "script" of what they need to say beforehand and keep that document with you when you talk with employees.
3. Let the employee know you need to have a difficult conversation and that you need to be in a private area. A good opener is "I have some difficult news to share."
4. Be direct about what is going to happen. Don't sugar-coat it. Be clear about what you know for sure and what is unresolved.
5. Describe the organizational or economic problem that is driving the change. It's bigger than all of us. It's not personal, although it may feel personal.
6. Ask the employee how they're feeling about what you're telling them. Don't ignore the fact that this is emotional news. Inquiring lets them know you care about them as a whole person.

WRAPPING UP A DIFFICULT CONVERSATION

1. Because difficult conversations can be overwhelming, ask the employee to repeat back to you the information that you shared with them. Check for their accurate understanding.
2. Take time to answer all their questions.
3. Remind employees that they may have questions that come up later for them and to whom they should direct those questions, if not you.
4. Tell them you will check in with them later and schedule a time. This check-in is to see if other questions have emerged. This is also a good time to ask what they are doing to take care of themselves.

... AND WHAT ABOUT THE MANAGER?

Finally, as bearers of bad news, managers are also impacted by the stress. Remember to debrief your experience afterwards with another manager or HR staff and have a personal plan of self-care. The EAP is also a resource for managers.

III.

Seniority



USEFUL LOCAL 88 SENIORITY INFORMATION

2011-2014 Contract

QUICKLINKS

- I. [Types of Seniority Dates: Countywide and Classification](#)
 - II. [Computing Seniority - Article 21\(II\)\(B\)](#)
 - III. [Human Resources Roles Regarding Seniority List](#)
 - IV. [Annual Publication](#)
 - V. [Appeals Period and Grievances – Article 21 \(VII\)\(B\)](#)
 - VI. [Seniority Ties - Article 21\(II\)\(A\)](#)
 - VII. [Work out of Class and Limited Duration Assignments](#)
 - VIII. [Seniority and Recall Lists – Article 21 \(IV\)\(H\)](#)
 - IX. [Probationary Employees – Article 21 \(III\)\(C\)](#)
 - X. [Department / Personnel Area Column](#)
 - XI. [Trainees](#)
 - XII. [Time Spent Outside of the Bargaining Unit](#)
 - XIII. [Time Spent in Unclassified Service](#)
 - XIV. [Leaves of Absence](#)
 - XV. [Seniority Dates and Retirement](#)
-

I. Types of Seniority Dates: Countywide and Classification

A. Countywide Seniority Date

1. **Includes:** The continuous, cumulative time an employee has spent in all the represented positions that they have held.
Note: Continuous service is terminated by voluntary or involuntary termination, termination due to expiration of a recall list, removal from a recall list, or discharge of cause.
2. **Used for:** Determining layoff, bumping, and recall rights.
3. Countywide Seniority Date may not be the same as an employee's hire date if there are any separations, unpaid leaves of absence over thirty (30) days, or time spent in management, unclassified or on-call positions.

B. Classification Seniority Date

1. **Includes:** The total length of accumulated service within the affected job classification and continuous county service and any equivalents within the County. If employees leave a classification

and then returns to it without a break in County service the prior time spent in the classification will be added to their current time in the classification.

2. **Used for:** Shift bidding, transfers within classification, and anniversary dates.

II. Computing Seniority - Article 21(II)(B)

A. Time that counts:

1. The total length of continuous service.
2. Part-time work counts as full-time.
3. Paid leaves of absence.
4. For regular employees, all continuous and contiguous service in temporary and limited duration appointments (prior to regular appointment) where duties performed are consistent with work done by members of a bargaining unit (allows for cross-over between different bargaining units).

B. Time that does not count:

1. Unpaid leaves of absence and layoffs that last for more than 30 days.
2. Unclassified/executive service, management service, on-call appointments (does not refer to time spent in WOC), temporary and limited duration appointments except as provided in paragraph 4, below.
3. Continuous service is terminated, and seniority is forfeited, by voluntary termination, involuntary termination due to expiration of a recall list, removal from a recall list after layoff, or discharge for cause.
4. Time spent in temporary and limited duration appointments does not count towards Job Classification Seniority unless the employee is hired into a regular status position in the same classification and the service time is continuous and contiguous.

III. Human Resources Roles Regarding Seniority List

- ### **A. Department Human Resources Staff** – Responds to employee seniority concerns, researches and analyzes seniority data, and makes seniority date determinations.

- B. **Labor Relations** - Pulls the seniority data from SAP, publishes seniority lists, coordinates appeals, and responds to grievances.

IV. **Annual Publication**

A. **Process for publishing**

1. **February:** Labor Relations downloads seniority data from SAP and sends to the Department HR Staff to review for errors.
2. **March:** The list is published for a minimum of thirty (30) days for employees to review their seniority date and raise issues.
3. **April:** The list is finalized and published again after making any updates.

B. **What the annual list is used for**

Publishing the annual list allows employees to review their seniority dates for errors. It is not the list that is used for layoff/bumping since it is a "***snapshot in time***" and does not reflect changes that occur throughout the year. When there is layoff/bumping, a new seniority list is pulled from SAP to ensure the data is accurate.

V. **Appeals Period and Grievances – Article 21 (VII)(B)**

- A. **Consultation with Labor Relations:** Employees who have concerns about the calculation of their seniority should notify Labor Relations **in writing**, with a copy to the Union, and include the following information:

1. Name and contact information.
2. Department name.
3. Current classification.
4. Specifics about the seniority date that is believed to be wrong.

- B. **Step 3 Grievances:** If an employee's concerns remain unresolved, a grievance may be filed at Step 3 with Labor Relations **no later than thirty (30) days** following initial consultation on the matter. If no grievance is filed within that time, the seniority calculation is deemed correct and no grievances may be filed on that issue at a later date.

- C. **Arbitration:** If the Step 3 grievance is denied, the Union may exercise its' right to move the issue to arbitration. If no such request is made within fifteen (15) days of the Step 3 grievance response, the seniority

calculation will be deemed correct and no grievances may be filed on the issue again in the future.

- D. **Limit on Grievances:** Grievances may be filed only with respect to seniority accrued since **July 1, 2007**.
- E. **Grievance Freeze:** Seniority dates will be frozen during the bumping/layoff process consistent with the commencement of the KSA freeze date. No grievances on seniority issues may be filed during this time.

VI. Seniority Ties - Article 21(II)(A)

- A. Employees in the same classification who have the same seniority date are considered to be "tied."
- B. **Seniority ties are broken as follows:**
 - 1. Test score on the Civil Service Exam for the classification.
 - 2. If the test scores are not available or the test scores are also a tie, then the tie will be broken by a computerized logarithm.
- C. When seniority ties are broken, employee rankings will be added to the comment section on the annual seniority list.
- D. Unless a seniority tie is broken in a manner specified above, the order on the seniority list for employees who have the same seniority date is not determinative for layoff and bumping purposes. As such, in most cases, seniority ties will not be broken unless there is layoff/bumping occurring or some other compelling reason to do so.

VII. Work-out-of-Class and Limited Duration Assignments

- A. Employees who are working-out-of-class or in limited duration appointments should be reflected in their **base classification** on the seniority list.
- B. The data that SAP outputs places employees in their temporary classification, so Human Resources must make a manual adjustment to the seniority list. Employees should check the seniority list to confirm that they are listed in their base classification.
- C. If employees work-out-of-class, or are in a limited duration assignment, and their assignment is in a classification they are ultimately reclassified or promoted into, the time will be added to their new classification seniority

date as long as the service was continuous and contiguous to their new position.

VIII. Seniority and Recall Lists – Article 21 (IV)(H)

- A. Employees who have been laid off, are on a recall list, and then return to regular County employment for any reason will be treated as if they have been on a leave of absence without pay for the purpose of computing seniority.
- B. Employees will be credited with the seniority time they had accrued prior to being laid off.
- C. If the employee was laid off for more than thirty (30) days, no time spent on layoff will count towards seniority.

IX. Probationary Employees – Article 21 (III)(C)

- A. Employees on probation (non-regular) accrue seniority, but they do not have “seniority rights” in layoff and bumping until they pass probation.
- B. Probationary employees that are laid off will be placed on a reinstatement list. If they are ultimately reinstated, they will be treated as if they have been on a leave of absence for seniority accrual and length of probationary period purposes.

X. Department / Personnel Area Column

The Department / Personnel Area column on the seniority list must match the information that is in SAP. In order for the Department / Personnel Area to be changed on the seniority list, the information must first be changed in SAP. Employees who believe that the Department / Personnel Area is inaccurate on the seniority list should contact their Department Human Resources Staff and request the change.

XI. Trainees

- A. **Job Classification Seniority:** Trainees’ job class seniority will be treated like temporary employees. If they pass the trainee program, they get job class seniority in the higher classification for all the time spent in the trainee classification. If they don’t pass the trainee program, then the job class seniority is accrued in their base classification.
- B. **Placement on the Seniority list**

1. **Trainees that Hold Prior Regular Status:** If a regular status employee is assigned to a trainee program, s/he will show up on the seniority list in his/her base classification with a note that s/he is doing a training program in the higher classification. The employee will get the seniority credit in the higher classification once s/he passes the training program.
2. **Trainees that are New Hires:** If the trainee is a new hire, s/he won't show up on the seniority list because s/he is not accruing seniority until the trainee program is completed.

XII. Time Spent Outside of the Bargaining Unit

- A. **Job Classification Seniority** - Article 2(VI)(b) states that "time spent on a probation period that is not completed will count toward the employee's previous classification, if any, unless such probationary period was in a classification outside the Local 88 bargaining unit, then such time will not count if such period is in excess of six (6) months. Time spent on a trial service period after lateral transfer that is not completed will be counted toward the previous classification.
- B. A represented employee who is temporarily appointed into a management or executive service position has the right to return to his or her bargaining unit position at the end of the appointment without loss of seniority. Art. 15(III)(B)(2)(d)(iv).
- C. **Countywide Classification Seniority** – Article 15(II)(C)(4)(a) – "Employees who do not successfully complete promotional probation period in a non-Local 88 bargaining unit position shall have their time count towards their total length of continuous service within the County."

XIII. Time Spent in Unclassified Service

- A. MCPR § 2-80-030(A)(6) states that "a regular employee given an unclassified appointment and subject to layoff is entitled to exercise seniority under these rules for two (2) years." This means that an employee who previously accrued seniority in a represented position and then moves into an "unclassified" position **for more than two years** loses their previous seniority rights if they are laid off from the unclassified position.
- B. If an employee vacates an unclassified position and is appointed or reclassified to a represented position with no break in service, their previous seniority time will be bridged – even if they have been in the unclassified position for more than two (2) years. Their Countywide seniority date will be adjusted to reflect all of the previous time spent in

a represented position. They will not receive credit for the time spent in unclassified service.

XIV. Leaves of Absence

- A. Paid Leaves of Absence – Employees who are on a paid leave of absence will continue to accrue seniority while out on leave.
- B. Unpaid Leave of Absence – Employees who are on unpaid leaves of absence for more than thirty (30) days will have no time spent on that leave count for seniority accruals. Article 21(II)(B)(3)
- C. Workers Compensation Leave – Employees accrue seniority for the time s/he is off the job and unable to work by reason of a disability under the Workers Compensation law. Article 12(II)(A)
- D. Military Leave - Article 10, Section III recognizes the County's obligations "under state and federal law" regarding the granting of "paid and unpaid leave for military training and service." The Uniformed Services Employment and Reemployment Rights Act (USERRA) requires that the seniority clock continue to run for employees on approved military leave.

XV. Seniority Dates and Retirement

- A. The Local 88 seniority dates have no application to retirement matters.
- B. To determine retirement eligibility, employees must contact PERS directly at 503-598-PERS (7377).

Classification Equivalents

What is an Equivalent Classification?

Due to a classification study, positions in one or more job classes are assigned to a new or different job classification based upon comparable functionality. The former or old job class is then abolished and replaced by a new or different job class. In such cases, Class Comp has determined the former job class(es) to be similar or essentially equal ("equivalent") to the newly assigned job class(es) because the purpose of the work, qualifications required, duties and responsibilities are substantially the same.

Bumping Rights to Equivalent Classifications:

If a classification has been abolished, and a classification has been designated by Class Comp to be an equivalent to the abolished classification, employees who previously held the abolished classification have a bump right into the equivalent classification.

List of Equivalent Classifications:

To view the list of equivalent classifications, go [here](#).

IV. Bumping

Bumping and Layoff Rights for Regular Status Employees

	Local 88	Classified Management
Seniority	Bump using countywide seniority	No bumping rights – employees whose positions are eliminated may be reassigned at management discretion.
Bump Rights	Countywide	n/a
Bumping Sequence	<ol style="list-style-type: none"> 1. Vacancy in classification in department 2. Bump least senior in classification in department 3. Vacancy in classification in county 4. Bump least senior in classification in county 5. Vacancy in former lower classification in county 6. Bump least senior in former lower classification in county 7. Change of FT/PT status 8. Layoff with countywide recall rights for classes formerly held <p>Note: Employees have to be qualified to perform the positions they bump into. If they are not qualified for a position, their next bump option would be considered.</p>	n/a
Limited Duration	Union and county have to mutually agree to the placement	n/a
Recall List	24 months	No recall rights, employees will be placed on reinstatement lists.
Orientation and Trial Service Periods	90 day orientation period for bumping; 90 day trial service period for Project Save assignments	n/a

Note re Budgeted Positions: Vacancies that are created and approved by the BCC to be effective the day following the layoff date shall be treated as vacancies available during a layoff process. Article 21, Section III(E)(2)

Note re Unclassified/Executive Classifications: Employees in positions designated as unclassified, and management designations, do not accrue seniority; if employees previously held represented positions, they may exercise their seniority rights for those classifications only for two (2) years after their appointment to the unclassified position. MCPR 4-80.

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
1	Identification of Positions to be Eliminated	Department HR Staff work with their Department's management team to identify which positions will be eliminated and affected employees.	VATT Values and Recommendations, Executive Committee Transition Actions – “The Chair and Department Directors will communicate early and often about transition and processing layoffs.”
2	Review of Classifications Previously Held	Department HR Staff reviews affected employees' SAP records and personnel files to determine any time spent in previous classifications.	Article 21, Section III.E.4 – “If there is no employee in the classification in the County with less seniority then the employee will be bumped to a classification previously held. If the employee held more than one previous classification, order shall be to the previous class held and so forth.”
3	Notify Labor Relations	As soon as Department HR Staff learns of an impending layoff (even those that will remain within the Department), they should send a notice to Labor Relations. Notice should include the employee's name, date of layoff, current classification, bargaining unit, and the time spent in any previous classifications. Labor Relations will use the information to track layoff actions for reporting purposes, contact the outplacement vendor for a referral (if needed), and coordinate any possible Countywide bumping that may occur.	
4	Seniority Lists	Labor Relations will pull an updated seniority list for affected classifications and send to Department HR Staff.	Article 21, Section VII.A. – “Lists showing seniority within the County and seniority within classification shall be provided...anytime... employees are notified that their positions are being eliminated.”
5	Layoff Committees	Department HR Staff should activate their Department Layoff Committee, which includes Local 88 representation, to review bumping scenarios and develop communication plans that outline how employee notices will be delivered. The Department HR Staff should provide regular updates to Labor Relations about the Department Layoff Committee activities as well as liaison with the Countywide Layoff Committee as needed.	

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>If there will be Countywide bumping, Labor Relations will activate the Countywide Layoff Committee to work with the Department Layoff Committees to determine placements. The Countywide Layoff Committee will be comprised of members of Labor Relations, the Department Human Resources Managers, and Local 88 representation. All members of the committee will be invited to attend meetings, but the only members that are required to attend are the Departments that are being affected by layoff.</p>	
6	<p>Placement of Employees in Vacant Positions and Employee Preferences</p>	<p>The primary bump option for employees who are being laid off is to be reassigned to vacancies within their current classification and Department.</p> <p>If there are no vacancies in the Department, the affected Departmental HR staff will work with Labor Relations to ask all of the Departmental HR Staff if there are any vacancies within the employee's current classifications as well as any previously held classifications. Labor Relations will then communicate the information to the Department HR staff responsible for the layoff.</p> <p>When identifying vacancies for possible placement, Department HR Staff should also consider positions that are anticipated to be vacant in the near future. VATT Values and Recommendations, Executive Committee Transition Actions and Multnomah County Executive Committee Values respectively state there will be "a consistent and mindful approach to managing vacancies that are open to countywide bumping prior to layoffs," and "we will use human resource tools such as managing vacancies and Project Save to keep as many employees as possible from going without jobs."</p> <p>The Departmental HR Staff will provide the affected employee with copies of the position descriptions and discuss</p>	<p>Article 21, Section III.E.2 - "Where multiple vacancies are available within the employee's current department, the County will take into account the employee's preferences for shift assignment, part-time or full-time status, work location and work assignment <u>to the extent practical</u> prior to reassignment of the employee to a vacancy. An employee who is offered options must indicate a preference within three working days of receipt of the notice of the options in order to exercise that option."</p> <p>Article 21, Section III.B.1. – "An employee may voluntarily choose to take a lower bumping option provided such option is available and does not adversely affect another regular employee who would not have been impacted...and will not result in increased costs to the County. Such election will be made in writing within three (3) working days and submitted to Central Human Resources. Where more than one option exists, the employee shall list his or her preference(s) in rank order."</p> <p>Article 21, Section III.B.2. – "Any employee in a classification affected by layoff may request to be reassigned to a vacant position with fewer assigned hours per week if such reassignment would mitigate the impact of the layoff on other employees and does not result in increased costs to the</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>qualifications for vacant positions.</p> <p>If there are multiple vacancies, placement will be made taking into consideration the employee's preferences to the extent practical. The employee's layoff letter should detail their bumping options with a notice that they have three (3) days to state what their preferences are in writing. The Department HR Staff should track when employee responses are due and respond accordingly.</p>	<p>County.”</p> <p>VATT Values and Recommendations, Multnomah County Executive Committee Values – “We will provide support to employees by asking them what they need. We will partner with employees’ wants, where possible, while balancing with organizational needs. We expect employees to take responsibility for their career choices and best performance.”</p>
7	Solicitation for Voluntary Layoffs	<p>When there are no vacancies within the Department, the affected Human Resources department, working with Labor Relations, will send an email notice to all employees in affected classifications Countywide requesting volunteers to respond by a certain date. The notice will specifically state that acceptance of voluntary layoff is at management discretion and will not be accepted if a vacancy becomes available.</p> <p>Department HR Staff should inform their management when volunteer solicitations are sent to employees to ensure there is good communication with all interested parties.</p> <p>If there are volunteers, Labor Relations will work with the Department HR Staff to determine whether the employee being laid off could be placed into the volunteer's position without any increased costs to the County and whether there is management approval.</p>	<p>Article 21, Section III.B.3. –</p> <p>“Any employee in a classification affected by layoff may request voluntary layoff if such action does not result in increased costs to the County. When management identifies classifications to be laid off, management will first in order of seniority, look for volunteers to be laid off.”</p>
8	Bumping Scenarios	<p>When there are no vacant positions or volunteers for layoff, the Department HR Staff will develop bumping scenarios in collaboration with the Department Layoff Committee.</p> <p>If the employee does not have bumping options within their Department, then the Department HR Staff should notify Labor Relations that Countywide bumping options need to be reviewed. Labor Relations will activate the Countywide Layoff</p>	<p>Article 21, Section III.A –</p> <p>“Employees...will be subject to the following in order of seniority:</p> <ol style="list-style-type: none"> 1. Reassignment to a regular position in the same classification and within the employee's current department,...then 2. Reassignment to a regular position County wide, in the following order:

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>Committee and send notice to the Departments that may be affected by a bump and facilitate communication between the Department HR Staff.</p> <p>When there is more than one probationary employee in the classification that another employee has a right to bump into, the HR Staff from the affected Department(s) should determine which probationary employee will be bumped. In making the decision, Department HR Staff should consider factors such as how close the probationary employees are to passing probation, whether the employee who is bumping into the position is a better fit for one position over another, as well as any relevant performance issues that the probationary employees may have.</p>	<ol style="list-style-type: none"> a. Reassignment to a position in the same classification; or, if the employee does not have enough seniority, then b. Reassignment to a position in a lower or equivalent classification previously held,...then c. Change of status between full-time and part-time, ...then <ol style="list-style-type: none"> 3. Reassignment to a limited duration position, in the same order as in Article 21.III.2. provided the Union and the County mutually agree to the placement. 4. Layoff.
9	Limited Duration Positions	<p>Regular Status Employees in a Limited Duration Appointment:</p> <p>A regular employee appointed to a limited duration appointment shall be reinstated to a position in his/her former classification, looking first at vacancies within the department in their base classification and then Countywide, for purposes of layoff or when the limited duration appointment ends.</p> <p>Newly Hired Limited Duration Employees:</p> <p>Employees who are hired into a limited duration position, and do not otherwise hold regular status, have no layoff and bumping rights.</p> <p>Union and County Mutual Agreement for Bumping:</p> <p>Regular status employees may only bump into limited duration positions if there is mutual agreement between the</p>	<p>Article 2, Section VII – as amended by Addendum K.</p> <p>Article 21, Section III.A.3 – Employees may only be reassigned to a limited duration position...“provided the Union and the County mutually agree to the placement.”</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		Union and the County.	
10	Employee Notice and Layoff Letters	<p>Informal Notice:</p> <p>Department HR Staff should meet with affected employees and their supervisors to advise them of the possible layoff and/or bumping action as soon as there is reliable information to share.</p> <p>Formal Notice:</p> <p><u>Regular Status Employees</u> - Department HR Staff, or the employee's supervisor, should personally provide employees with notice in writing at least 15 days prior to the layoff action. The notice should state the reason for the action with a statement that the action does not reflect discredit on the employee. When possible, the letters should detail reassignment or layoff options.</p> <p><u>Probationary employees</u> – Although no advance notice is required, all attempts should be made to give the employee at least a week's notice.</p> <p>Department HR Staff should send Labor Relations and Local 88 a copy of the layoff letters.</p>	<p>VATT Values and Recommendations, Multnomah County Executive Committee Values - "We will give frequent, honest, face to face and written communication about fiscal realities and the impact on staff and services."</p> <p>Article 21, Section IV.A. – "Employees who are subject to reassignment, demotion, or layoff...shall receive a notice in writing at least fifteen (15) days prior to such action. The notice shall state the reason for the action and shall further state that the action does not reflect discredit on the employee. The Union shall be provided a copy of the notice."</p>
11	Determination of Qualifications for a Position without Approved KSAs	<p>It is presumed that employees are qualified to perform, and bump into, positions in their current and previously held classifications. Employees should not be denied a bump right into a position that does not have approved KSAs on file with Labor Relations prior to the layoff notice unless:</p> <p>(1) The employee does not pass an exam used to qualify applicants for the position, or</p> <p>(2) There is mutual agreement between the employee and supervisor that the employee is not qualified to meet the KSAs</p>	<p>Article 21, Section III.E.9 – "Employees may not be reassigned to positions...unless qualified to perform the duties of that position. An accurate job description, including any approved knowledge, skills or abilities required for the position, must be on file with Central Human Resources prior to issuance of layoff notices. Employees may be denied rights otherwise available...only if they lack knowledge, skills or abilities required for the position that are not easily learned on the job within ninety days. If an employee is on paid or unpaid leave for more than fourteen (14) consecutive calendar days during the ninety day orientation period, the orientation</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>that are outlined the class specs.</p> <p>If it is determined that the employee is not qualified for a position based upon exam or mutual agreement, the employee's other bump options will be initiated.</p> <p>Supervisor Administers an Exam:</p> <p>If the supervisor uses an exam to qualify applicants for the position in a recruitment process, they may administer the exam to an employee who is trying to bump into the position to prove the employee is qualified to perform the position. The exam should be the test/application most recently administered in a recruitment for the position and one that would typically be used in future recruitments.</p> <p>If there is no recent exam, the Department HR Staff can create one as if they were opening a new recruitment for the position. The Department HR Staff should forward the test and scoring criteria to Labor Relations, who will review and approve the process to ensure it meets the intent of the contract.</p> <p>An employee that passes the exam with 70 or more is entitled to bump into the position. When an employee does not pass the exam with a score of 70 or more, Department HR Staff should send a copy of the exam and test score for review and approval by Labor Relations prior to denying an employee a bump option.</p> <p>Mutual Agreement that Employee is Not Qualified:</p> <p>If an employee and supervisor discuss the position's qualifications and mutually agree that the employee does not have the qualifications to perform the duties of the position, both parties must document the qualification deficiency and sign the "Required KSA Individual Employee Form." This form is used to document deficiencies in both the KSAs that are listed in the</p>	<p>period will be extended by the amount of the leave. Employees may be required to take and pass qualifying examinations in order to establish their rights to specific positions...Nothing requires the County to develop an examination at the time the KSAs are approved nor prevents it from modifying an examination at a later date provided the Union is provided an opportunity to participate in discussions regarding the new or revised exam used during bumping."</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>class specs as well as the KSAs that are approved by Labor Relations. The form should be sent to Department HR Staff and Labor Relations for final review and approval.</p> <p>Employee Refusals:</p> <p>If an employee says they do not have the qualifications for a position without testing or mutual agreement with the position's supervisor, or they refuse an assignment that they are qualified to perform, they are deemed to have resigned.</p>	<p>Article 21, Section III. E.8 – “Employees who are reassigned to a position pursuant to these provisions and do not accept that position will be deemed to have resigned.</p>
12	Determination of Qualifications for Approved KSAs	<p>KSAs must be approved by Labor Relations with notice sent to the union before the KSAs can be used to deny an employee a bump option.</p> <p>If the supervisor and Department HR Staff determine that the employee does not have the required KSAs to perform a position through mutual agreement with the employee or a review of the employee's experience and education, the Department HR Staff should document the KSAs that the employee is lacking by sending the Required KSA Individual Employee Form to Labor Relations.</p> <p>Prior to denying an employee a bump option, Labor Relations must approve the qualifications determination that states that the employee does not have the KSAs to perform the position.</p>	See Article 21, Section III.9 above
13	Notification of Placement/ Non-Placement After a Qualifications Determination	<p>The Department HR Staff should notify the affected employee in writing, with a copy to Labor Relations, stating whether or not the employee is being successfully placed into a position after a qualifications determination is made.</p> <p>If the employee is not placed in a position because the employee is not qualified to perform the position, the employee's notice must state the specific reasons for the non-placement with an</p>	

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		explanation of any other bump options they may have.	
14	Reduction in Hours and Changing FTE or Status	<p>Voluntary Reduction in Hours:</p> <p>Any employee in a classification affected by layoff may request to be reassigned to a vacant position with fewer assigned hours per week if such reassignment would mitigate the impact of the layoff on other employees and does not result in increased costs to the County.</p> <p>Involuntary Reduction in Hours:</p> <p>If management needs to reduce hours for one (1) or more positions, management will first, in order of job class seniority, look for qualified volunteers within the work unit. If there are no volunteers, then such reduction shall be in reverse order of job class seniority of qualified employees.</p> <p>Exceptions to job class seniority preference assignment may be made in the following situations:</p> <ol style="list-style-type: none"> 1. When an employee with less job class seniority is substantially more qualified for the reduced position; 2. Where bona fide job-related requirements for a balance of experienced and non-experienced personnel exist between shifts or assignments in a work unit. <p>Changing Full or Part-time Status Through Bumping:</p> <p>Full time employees will be reassigned only to full time positions and part time employees will be reassigned only to part time positions, unless reassignment to the other status is the only available option other than layoff.</p> <p>If an employee has a bump option that changes their FT/PT status, and s/he refuses the assignment, s/he is deemed to have</p>	<p>Article 21, Section III(B)(2)</p> <p>Article 13, Section I(B) –</p> <p>Article 21, Section III(E)(5)</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>resigned.</p> <p>An employee who accepts an assignment that changes their FT/PT status can be placed on a recall list for the FT/PT status s/he was laid off from.</p>	
15	Lower Bumping Options and Employee Preferences	<p>Lower Bumping Options:</p> <p>An employee may voluntarily choose to take a lower bumping option provided such option is available and does not adversely affect another regular employee who would not have been impacted had the employee bumped in the order specified above, and will not result in increased costs to the County. Such election will be made in writing within three (3) working days and submitted to Human Resources. Where more than one option exists, the employee shall list his or her preference(s) in rank order.</p> <p>Employee Preferences:</p> <p>Reassignment of employees to vacant positions within the employee's current department, if available, will always take precedence over their bumping another employee; where multiple vacancies are available within the employee's current department, the County will take into account the employee's preferences for shift assignment, part-time or full-time status, work location, and work assignment to the extent practical prior to reassignment of the employee to a vacancy. An employee who is offered options must indicate a preference within three (3) working days of receipt of notice of the options in order to exercise that option.</p>	<p>Article 21, Section III(B)(1)</p> <p>Article 21, Section III(E)(2)</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
16	Project Save	<p>The Department HR Staff should inform employees who face layoff about Project Save whereby they can be considered for placement into vacancies in classifications that they have no seniority-based rights to. Placements are at the discretion of management and require the successful completion of a 90-day trial service period. Refusing a position under Project Save does not affect an employee's right to be placed on a recall list.</p> <p>Project Save <u>can not</u> be used to place an employee in a higher classification than the one that they are being laid off from – unless they are being reinstated to a classification that they previously held.</p> <p>To participate in Project Save, employees should send résumés to Department HR Staff. The Department HR Staff will then send the résumés out to the County's HR Leaders and Neogov users requesting consideration for vacancies. The Department HR Staff that has the vacant position should review the employee's qualifications to determine if the employee meets MQs before placing the employee in the position.</p> <p>As soon as HR knows of an impending layoff, Project Save can be initiated. HR does not have to wait until an official layoff letter has been sent. It is important to note that Project Save can only be used while the person is employed with the County. Once they are laid off, Project Save is no longer a tool that can be used to place an employee.</p> <p>The Department HR Staff should inform the employees that they lose their rights to being placed on a recall list if they accept a Project Save assignment.</p>	<p>Article 21, Section IX – “Any such employee who is placed in a classification not previously held shall be subject to a trial service period of ninety days to demonstrate his or her ability to perform or fulfill the requirements of the new classification. Employees who, in the opinion of the County, are unsuccessful during this ninety day trial service period will be removed from their new classification and placed on the appropriate recall list.”</p> <p>VATT Values and Recommendations, Multnomah County Executive Committee Values - “We will use human resources tools such as managing vacancies and Project Save to keep as many employees as possible from going without jobs.”</p> <p>VATT Values and Recommendations, Executive Committee Transition Actions – “Initiate Project Save for classified management service employees first within departments and then extend county-wide if placements cannot be found within departments.”</p>
17	Welcoming and Orienting Employees	<p>An Orientation Period is: 1) a period of time where the employee is introduced to the workplace, work culture, processes and procedures; 2) an adjustment period to a new</p>	<p>VATT Values and Recommendations, Multnomah County Executive Committee Values – “Employees bumping into new positions or moving into new areas will be welcomed and treated</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>situation; 3) to acquaint with the existing situation or environment.</p> <p>Employees that are placed into positions due to layoff should be welcomed into their new roles and treated with sensitivity. Article 21, Section III.E.9 states that “Employees may be denied rights otherwise available under these provisions only if they lack knowledge, skills or abilities required for the position that are not easily learned <i>on the job</i> within ninety (90) days.” [Emphasis provided] The County has no obligation to send employees out for extensive training; <i>however</i>, whatever training would be provided to new employees should be provided to employees who are reassigned. Examples would be very specialized computer training such as EPIC or LEDS.</p>	<p>empathetically. We will give them the resources to be successful.”</p>
18	<p>Failure to Demonstrate Required KSAs During 90 Day Orientation Period</p>	<p>An employee who bumps into a position must successfully demonstrate during the ninety (90) day orientation period that they have the KSAs required for the position. This includes the KSAs stated in the class specs as well as any other KSAs that have been approved by Labor Relations.</p> <p>When an employee fails to demonstrate that s/he has the required KSAs, the employee should be specifically told during the ninety (90) day orientation period what areas s/he is deficient in and given an opportunity to demonstrate the qualifications.</p> <p>If the employee continues to be unsuccessful at demonstrating the KSAs after s/he has been coached, Department HR Staff should send Labor Relations written notice detailing the employee’s name, classification, position number, training and coaching received, and the specific KSAs that the employee is failing to demonstrate. Labor Relations will review the information to ensure that the issues are related to KSAs and not general performance expectations (i.e. attendance, misconduct, etc.).</p>	<p>Article 21, Section III.E.9 – “Employees may not be reassigned to positions...unless qualified to perform the duties of that position. An accurate job description, including any approved knowledge, skills or abilities required for the position, must be on file with Central Human Resources prior to issuance of layoff notices. Employees may be denied rights otherwise available...only if they lack knowledge, skills or abilities required for the position that are not easily learned on the job within ninety (90) days. If an employee is on paid or unpaid leave for more than fourteen (14) consecutive calendar days during the ninety (90) day orientation period, the orientation period will be extended by the amount of the leave.”</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>If the employee is removed from the position during the orientation period due to not having the required the KSAs, the Department HR Staff should review the employee's options to determine whether there is a bump right and implement according to the County's layoff process.</p>	
19	Failure to Meet Performance Expectations During 90 Day Orientation Period	<p>A regular status employee who has bumped into a position, and is not meeting performance expectations (as opposed to lacking a KSA), can only be removed from the position by going through the progressive discipline process.</p> <p>It is sometimes difficult to determine what are deficiencies in knowledge, skills and abilities and what are performance issues. A simple way to distinguish these is to consider KSAs as the “can do” that is required to do the job and performance as the “will do.”</p> <p>Below are some commonly referred to definitions as referenced by dictionary.com:</p> <ul style="list-style-type: none"> • Knowledge: 1) the fact or condition of knowing something with familiarity gained through experience or association; 2) the fact or condition of being aware of something; 3) the circumstance or condition of apprehending truth or fact through reasoning. • Skill: 1) the ability to use one's knowledge effectively and readily in execution or performance; 2) a learned power of doing something competently; 3) a developed aptitude or ability. • Ability: 1) competence in doing; 2) natural aptitude or acquired proficiency. 	<p>Article 17, Section I – “Employees may, in good faith for cause, be subject to disciplinary action by oral or written reprimand, demotion, reduction in pay, suspension, dismissal, or any combination of the above; provided, however, that such action shall take effect only after the supervisor gives written notice of the action and cause to the employee and mails written notice to the union. Oral or written reprimands do not require prior written notice.”</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<ul style="list-style-type: none"> Performance: 1) to adhere to the terms of; 2) manner of accomplishing a task; 3) carry out one's duties and/or behave in accordance to a set of standards 4) to do in a formal manner or according to proscribed ritual. 	
20	Failure to Demonstrate KSAs or Meet Performance Expectations During a Project Save Trial Service Period	<p>A regular status employee that has been placed into a lower classification that s/he has not previously held due to layoff using Project Save serves a ninety (90) day trial service period.</p> <p>Trial service periods under Project Save are not as long as the regular one hundred and twenty (120) day trial service period for reassignments that are not part of the layoff process. The reduced trial service period for Project Save appointments is in recognition that employees that are laid off or demoted face difficult circumstances in being placed in alternative employment in the County.</p> <p>An employee that fails to demonstrate the KSAs for the position that s/he bumped into or fails to meet performance expectations during the ninety (90) day trial service period, can be removed from their new classification.</p> <p>Prior to removal, supervisors should notify the employee about the areas s/he is failing to perform in and give the employee an opportunity to correct their performance.</p> <p>If an employee continues to be unsuccessful after being coached, the Department HR Staff should notify the employee in writing that they have failed to pass the trial service period and the reasons why. The employee is then separated from employment and placed on appropriate recall lists.</p>	<p style="text-align: center;">Trial Service – Project Save</p> <p>Article 21, Section IX – “Any such employee who is placed in a classification not previously held shall be subject to a trial service period of <u>ninety (90) days</u> to demonstrate his or her ability to perform or fulfill the requirements of the new classification. Employees who, in the opinion of the County, are unsuccessful during this ninety day trial service period will be removed from their new classification and placed on the appropriate recall list.”</p> <p style="text-align: center;">Trial Service – Non-Project Save</p> <p>Article 22, Section V – “Upon appointment to a new permanent work assignment, including transfers, and specifically including any lateral transfer to another classification, the employee will serve a trial service period of <u>one hundred and twenty (120) days</u> to demonstrate his or her ability to fulfill the requirements of the assignment. If the employee does not satisfactorily fulfill the requirements of the assignment, such employee will be returned to his or previous work assignment. Such determination of satisfactory performance within the one hundred and twenty (120) day trial service period will be made by management.”</p>
21	Separation Letters and Layoff Packets	<p>If employees are not successfully placed into a position and are being laid off, Department HR Staff will provide the employee with a layoff letter stating they are being separated from the</p>	<p>Article 21, Section IV.C. – “Employees who are placed on a recall list...will be provided with appropriate information concerning the rights after layoff, and</p>

Local 88 Layoff & Bumping Guidelines

Item	Action	Detailed Steps	Applicable Local 88 Contract Language and VATT Guidelines
		<p>County and the effective date. The letter will also include information about their rights after layoff and their responsibilities.</p> <p>Labor Relations will maintain an electronic copy of the County's layoff packet that will be made available to the Department HR staff. Department HR staff will distribute the packets to affected employees with their layoff letters.</p>	<p>their responsibilities. Information will include, but not be limited to, information concerning the County's rules on reinstatement, and will offer employees the opportunity to provide alternate contact for recall notice."</p>
22	Recall and Reinstatement Lists	<p>If a regular status or probationary employee is terminated or demoted through the bumping process, Department HR Staff should send the Recall List Placement Form to the Recruitment Unit, so that the employee is placed on the appropriate recall or reinstatement lists. The form should be submitted as soon as the termination or demotion is finalized.</p> <p>When recalling employees from an established list, the same procedures outlined in items 10-12 of this document should be utilized when determining whether or not an employee meets the qualifications for the position they are being recalled back into. The only way an employee can be denied a placement to a position they are otherwise entitled to be recalled back to is through a mutual agreement that the employee is not qualified or through an exam process. Employees who refuse a position or choose not to participate in an exam process will be deemed to have waived their recall rights and will be removed from the recall list(s). Denying an employee a recall right requires Labor Relations approval and written notice to the employee.</p>	<p>Article 21, Section IV.F. – "Employees will remain on a recall list for twenty-four (24) months from the date of placement on the list."</p> <p>Article 21, Section III.C.3. – "Probationary employees terminated or demoted [due to layoff or bumping] will be placed on reinstatement lists for one (1) year from the date of their termination or demotion. They may, at the County's discretion, be reinstated to their former classification if there are no regular employees who are on a recall list for that classification."</p> <p>Article 21, Section IV.E. – "Employees who are reassigned to positions in the same classification, resign, or elect to retire will not be placed on recall lists."</p>
23	Outplacement Services	<p>Information regarding outplacement assistance should be included in the layoff packets that the Department HR Staff provides to the employees.</p>	<p>VATT Values and Recommendations, Executive Committee Transitions Actions – "Provide a variety of resources to support all employees, such as: outplacement services for employees being laid off..."</p>

Bumping and Layoff Rights for Local 88 Limited Duration Employees

Regular Status Employees in a Limited Duration Appointment:

A Memorandum of Agreement (MOA) was entered into between the county and Local 88 in 2009 that changed the order of bumping for a regular status employee that is a limited duration position. That MOA, which also has a grid that outlines the rights of employees in limited duration appointments, is now incorporated into the Local 88 CBA as Addendum K.

A regular status employee appointed to a limited duration appointment shall be reinstated to a position in his/her former classification, looking first at vacancies within the department in their base classification and then Countywide, for purposes of layoff or when the limited duration appointment ends.

Newly Hired Limited Duration Employees:

Employees who are hired into a limited duration position, and do not otherwise hold regular status, have no layoff and bumping rights.

Union and County Mutual Agreement for Bumping:

Regular status employees may only bump into limited duration positions if there is mutual agreement between the Union and the County.

Recall or Reinstatement Lists:

Only employees who have regular status in a classification have a right to be placed on a recall list or a reinstatement list. The only exception is that probationary employees can go on a reinstatement list. As such, limited duration employees do not have a right to be placed on a recall or reinstatement list.

Employees on a recall list do not have a seniority based recall right to vacancies that are designated as limited duration. This means that supervisors who are filling a limited duration position are not required to hire employees from the recall list. However, human resources and Local 88 highly encourages supervisors to offer employees on the recall list an interview to determine if they qualified for the limited duration position before opening a competitive recruitment. Hiring an employee into a limited duration position who is on a recall list has numerous benefits to both the employee and the county in terms of keeping that employee connected to the county, protecting the county's investment in that employee, and reducing the county's unemployment insurance liability.

Article 21.IV.F.4. states that an employee will be removed from the recall list "upon declining an offer of permanent recall." As such, regular status employees who are laid off are not required to accept a recall to a limited duration position. They may decline the offer to accept a limited duration position and still remain on the recall list.

Probationary, Temporary and On-Call Employees

Layoff Rules (Article 21, Section III.C):

Within an affected classification and department, temporary, non-regular probationary, and other employees who do not have classified status and who are occupying budgeted positions will be terminated before employees with classified status are affected by layoff. Employees without status do not have bumping rights.

More than One Probationary Employee in Affected Classification:

If there is more than one probationary employee in the department and/or county in an affected classification, there is management discretion on which probationary employee is bumped. Since probationary employees do not have status in their classification prior to completing probation, they do not have a layoff right in the classification. Therefore, managers do not have to layoff the probationary employee that was last hired. Managers can consider other factors such as business needs, performance assessments of the probationary employees, which position the employee that is bumping is a better match for, and other reasonable considerations.

If there is more than one probationary employee in a classification that is being affected by countywide bumping, the departmental human resources unit should confer over which probationary employees should be released using the above factors.

Promotional Probationary Period:

An employee who has not completed a probationary period following promotion to a classified position and is affected by layoff shall be returned to the position previously held (Article 21, Section III.C.2). The employee will be placed at the same step in the old range that s/he should have been on but for the promotion (Article 15, Section II.C.4.b).

Reinstatement List Rights (Article 21, Section III.C):

Probationary, temporary, and on-call employees do not have the right to be placed on a recall list.

Probationary employees terminated or demoted have the right to be placed on a reinstatement list for the classification they did not pass probation in due to bumping. Their right to be placed on the reinstatement list is for one (1) year from the date of their termination or demotion. They may, at the County's discretion, be reinstated to their former classification if there are no regular employees who are on a recall list for that classification. Probationary employees who are reinstated will be treated as if they have been on a leave of absence for purposes of computing seniority and length of probationary period.

If a promotional probationary employee who otherwise holds regular status is separated from employment due to layoff, they would have the right to be placed on a recall list for any classifications they previously passed probation in.

Use of Temporary and On-Call Employees After Layoff:

Supervisors need to be aware of classifications that have recall lists when doing any hiring of employees, including temporary and on-call employees. Supervisors who have the need to hire a temporary or on-call employee are encouraged to use the recall list for their temporary employment needs. Otherwise, they should expect union leadership to request justification for why employees on the recall list are not suitable.

When possible, supervisors should also be considerate of the seniority order on the recall list because if employees on the list are hired in a temporary appointment and subsequently recalled without a break in service, they will be given seniority credit for that temporary time. This could give an employee with less seniority on the list more seniority than someone else thereby changing the order of the seniority list.



FAQs for Local 88 Probationary Employees Impacted by Budget Reductions

Q1. What is a probationary period?

- A1.** There are two types of probationary periods: (1) initial probationary period and (2) promotional probationary period.

The initial probationary period for employees is one (1) year from the employee's date of appointment to a permanent position from a certified list of eligibles. During the initial probationary period the employee may be dismissed from employment without recourse to the grievance procedure (Article 2, XI).

Employees who are promoted from a Local 88 position to another Local 88 position after serving an initial probationary period serve a six (6) month promotional probationary period. During the period of promotional probation, the employee shall be returned to the classification and department from which he or she was promoted, without recourse to the grievance procedure, if, in the opinion of the employee's supervisor, his or her continued service in the classification to which he or she was promoted would not be in the best interest of the county.

Q2. What happens to employees impacted by budget reductions during their initial probation period?

- A2.** Employees who have not completed their initial probationary period have no bumping rights within the county and are not eligible to be placed on recall lists if they are released from employment. Probationary employees who are released from employment are eligible to be placed on reinstatement lists, for outplacement services, and to apply for unemployment benefits from the state.

Q3. What is the difference between a recall and a reinstatement list?

- A3.** A recall list is a list of employees laid off from positions in particular classifications that have rights for appointment to a position in that classification based upon seniority. Employees are only eligible to be placed on a recall list for a classification if they have passed their probationary period in that classification. Eligible employees remain on recall lists for twenty-four (24) months.

Reinstatement refers to the non-competitive return of a county employee to regular county service within one (1) year of termination, or return to a former higher classification following a voluntary demotion. A reinstatement list is a list that identifies former employees who wish to return to county service after separation, as well as employees who voluntarily demoted and want to return to the higher classification. At the discretion of the county, the probationary employee may be hired into their former classification off of a reinstatement list if there are no eligible employees from the recall list. Please note that hiring managers are not required to use reinstatement lists to fill a vacancy, but instead have discretion to use reinstatements lists.

Q4. How do managers decide which probationary employee should be released from employment?

A4. If there is more than one (1) probationary employee in the department and/or county in an affected classification, there is management discretion on which probationary employee is bumped. Since probationary employees do not have status in their classification prior to completing probation, they do not have a layoff right in the classification. Therefore, managers do not have to release the probationary employee that was last hired. Managers can consider other factors such as business needs, performance assessments of the probationary employees, which position the employee that is bumping is a better match for, and other reasonable considerations.

If there is more than one (1) probationary employee in a classification that is being affected by countywide bumping, the departmental human resources unit should confer over which probationary employees should be released using the above factors.

Q5. What happens to a probationary employee's accrued sick and vacation leave if they are released from employment?

A5. Employees are required to cash out their vacation time at the time of their separation, which is paid on their last paycheck. An Employee's sick leave accruals are restored if the employee is reinstated to county service within one (1) year of their separation date.

Q6. How does a bumping scenario operate if an employee is on a promotional probationary period?

A6. Employees who have completed their initial probationary period of one (1) year and then are promoted into a higher Local 88 classification must serve a six (6) month promotional probationary period in their new position. If the employee has not completed the six (6) month period and s/he is impacted by layoff, the employee will be returned to the

position previously held prior to their promotion (Article 21, Section III.C.2) and placed at the same step in the old range that s/he should be been on but for the promotion (Article 15, Section II.C.4.b).

Q7. Are probationary employees eligible for Project Save?

A7. Yes. To participate in Project Save, employees should send their résumé to their Department HR Staff. The Department HR Staff will then send the résumés out to the county's recruiters requesting consideration for vacancies. Employees should also watch the county's job listings page and notify their Department HR Staff about vacancies that they are interested in. Please review the Project Save FAQs for more information regarding this program.

Q8. What happens to seniority if a probationary employee is hired back by the county?

A8. If an employee (regular or probationary) is on unpaid leave for more than thirty (30) days, their seniority will be bridged upon their return. For example: J is laid off on June 30, 2009. He was placed on a reinstatement list and returned to county service on September 1, 2009. He will not receive any seniority for the months of July and August, but he will receive seniority credit for the time served previous to his layoff date.

Reduction in Hours and Changing FT/PT Status

Voluntary Reduction in Hours (Article 21, Section III.B.2):

Any employee in a classification affected by layoff may request to be reassigned to a vacant position with fewer assigned hours per week if such reassignment would mitigate the impact of the layoff on other employees and does not result in increased costs to the County.

Involuntary Reduction in Hours (Article 13, Section I.B):

If management needs to reduce hours for one (1) or more positions, management will first, in order of job class seniority, look for qualified volunteers within the work unit. If there are no volunteers, then such reduction shall be in reverse order of job class seniority of qualified employees.

Exceptions to job class seniority preference assignment may be made in the following situations:

1. When an employee with less job class seniority is substantially more qualified for the reduced position;
2. Where bona fide job-related requirements for a balance of experienced and non-experienced personnel exist between shifts or assignments in a work unit.

Changing Full or Part-time Status Through Bumping (Article 21, Section III.E.5):

Full time employees will be reassigned only to full time positions and part time employees will be reassigned only to part time positions, unless reassignment to the other status is the only available option other than layoff.

An employee goes through all of their bump options within their current FT/PT status before they change FT/PT status. This means they could bump into previously held/lower classifications before changing FT/PT status.

If an employee has a bump option that changes their FT/PT status, and s/he refuses the assignment, s/he is deemed to have resigned.

An employee who accepts an assignment that changes their FT/PT status can be placed on a recall list for the FT/PT status s/he was laid off from.

Lower Bumping Options and Employee Preferences

Lower Bumping Options (Article 21, Section III.B.1):

An employee may voluntarily choose to take a lower bumping option provided such option is available and does not adversely affect another regular employee who would not have been impacted had the employee bumped in the order specified above, and will not result in increased costs to the County.

Such election will be made in writing within three (3) working days and submitted to Human Resources.

Where more than one (1) option exists, the employee shall list his or her preference(s) in rank order.

Employee Preferences (Article 21, Section III.E.2):

Where multiple vacancies are available within the employee's current department, the County will take into account the employee's preferences for shift assignment, part-time or full-time status, work location, and work assignment to the extent practical prior to reassignment of the employee to a vacancy.

An employee who is offered options must indicate a preference within three (3) working days of receipt of notice of the options in order to exercise that option.

School Based Employees

Limited Duration/Summer Layoffs:

Many school based employees receive limited duration layoffs each summer and are recalled when the school year resumes in the Fall.

While an employee is out on a limited duration/summer layoff, that employee can be bumped by a more senior employee within their classification and by another employee who previously held their classification. In that situation, the school based employee will receive a revised layoff notice indicating that their layoff is no longer expected to be for a limited duration.

Twelve Month Position Reduced to a Ten Month Position:

An employee who works a twelve month position can have their position reduced to a ten month position and it is not considered a layoff (until their limited duration summer layoff) because the employee is still considered to be working full-time. Full-time is defined as hours worked per week, not academic year.

Under Article 2– Definitions, full-time is defined as regularly scheduled to work thirty (32) or more hours per week if on an eight (8) hour per day schedule; or an employee regularly scheduled to work thirty (30) or more hours per week if on a ten (10) hour per day schedule. Part-Time is defined as an employee regularly scheduled to work forty (40) hours or more during two work weeks, but less than full time.

Layoff Notices:

If a department is unsure on whether or not a summer position will be funded at the time summer layoff notices are issued, careful consideration needs to be given on whether or not the layoff notice states it is just for the summer or is a regular layoff.

If the layoff notice is just for the summer, a new layoff notice could be issued if the layoff becomes a regular layoff. At that time, the employee can begin their bumping options.

If the layoff notice is issued as a regular layoff, the employee will begin their layoff options at that time, which could impact employees who are not in a partial year school based program. If the position is ultimately funded, the employee may have already gone through their bump options and been reassigned thereby not having a right to return to their school based position.

Interruption of Orientation Periods for Employees Bumping into School Based Positions:

If an employee who bumps into a school based position and does not complete their orientation period prior to going out on limited duration layoff for the summer, s/he will serve the remainder of their ninety (90) day orientation period once they are recalled back when the school year commences.

Job Share Agreements

Employees who are participating in job share agreements at the time the layoff process is being administered will be treated like part-time employees for the purposes of bumping and reassignment.

If a part-time employee bumps into a position that has an existing job share agreement, the employee must agree to the terms of the existing job share agreement.

V. KSAs

Guidelines for Usage and Approval of Knowledge, Skills & Abilities (KSAs) for Local 88 Employees

I. Local 88 Contract KSA Provision

The bumping process for Local 88 employees includes a provision that allows for legitimate exceptions to the normal bumping sequence in a layoff based on the knowledge, skills, and abilities that are required for a particular position within a classification. Article 21.III.E.10 states that -

“Employees may not be reassigned to positions under this article unless qualified to perform the duties of that position. Employees may be denied rights otherwise available under these provisions only if they lack knowledge, skills, or abilities required for the position that are not easily learned on the job within ninety days. Employees may be required to take and pass qualifying examinations in order to establish their rights to specific positions.”

It should be emphasized that this language provides a very narrow exception to Article 21's layoff and bumping rules because it is presumed that employees are qualified for all positions within their normal classification. However, some positions may require more highly developed knowledge and/or skills within the minimum qualifications that cannot be easily acquired within the 90 day orientation period.

II. What Are Required Knowledge, Skills and Abilities?

Class Specifications for each classification are the basic guidelines used to categorize groups of jobs and place individual jobs into specific classifications. Class specifications identify the Knowledge, Skills, and Abilities (KSAs) and behaviors needed to perform the jobs in a classification competently.

A. The basic definitions for KSA's are:

1. **Knowledge** statements refer to an organized body of information, usually of factual or procedural nature, which, if applied, makes adequate performance on the job possible.
2. **Skill** statements refer to the proficient manual, verbal, or mental manipulation of data or things.
3. **Ability** statements refer to the power to perform an observable activity at the present time.

B. Examples of knowledge, skill, and ability requirements are:

1. Ability to pass a criminal background check
2. Knowledge and ability to speak/read/write a foreign language (must be a requirement of the position)
3. Possession of professional certifications and/or licenses
4. Advanced technical knowledge and/or skills (such as computer software application, operational program knowledge, etc.)
5. Knowledge, skill and ability to work effectively with specific communities to include minority populations. May require knowledge of cultural customs and practices.

In addition to describing the KSA's for a classification, the Class Specifications also define the Minimum Qualifications (MQs) needed to be eligible for appointment to the classification, typically in terms of required education and/or experience and/or licensure/certification. All applicants for employment must meet the minimum qualifications for the classification in order to be considered. Additional selection processes, such as oral or written exams, are used to determine the level of knowledge, skill and ability applicants possess in relation to the required KSA's for the class and the particular position.

III. How are KSA's Used?

We use KSAs to assure that our recruitment and layoff processes identify and select qualified individuals to fill positions. Valid KSAs assure that selection criteria are job related and defensible, as well as assist in determining the market rate for jobs. Required KSAs allow us to compare position-specific KSAs with the general KSAs for the classification, and document any minimum requirements that are specific to the position.

Required KSAs are generally used in two ways:

- A. In **recruitment and selection** activities, to clarify or specifically target the minimum requirements identified in the job classification to enable the hiring manager to focus his/her search of the labor pool to the needs of the position and organization.
- B. In **layoff and bumping** activities, to identify the skills needed by an employee to be able to bump into a position. This information helps validate selection/rejection criteria and aids in determining if the person who is slated to bump into the position has the required KSAs.

In both cases, the purpose is to identify people who meet the minimum requirements to perform competently in a position. The Local 88 agreement has specific language around KSAs and employment exams for purposes of determining an individual employee's right to bump into a position. While the standards an employee must meet for bumping purposes is different than those an applicant would need to meet in order to be competitive, the KSAs and minimum qualifications for a position should be the same, regardless of whether they are used for a competitive selection process or for bumping, and they must be based on the requirements of the position.

In an open competitive recruitment, promotion, or transfer, identification of the best qualified applicant for the position is the primary objective in the selection process. In the case of layoff and potential bumping, the standard is only that the employee be qualified, not necessarily the best qualified, since the Local 88 contract provides employees with an expectation of continued employment based on seniority. The requirement under the contract is that an employee be able to pass a qualifying exam for the position (normally a score of 70%), and or has the necessary knowledge, skills and abilities to perform the duties of the position.

Because Class Specifications are broad and cover a number of related positions, classification decisions are made based on how well a whole job fits within the available classification choices. It is common for individual job descriptions to include duties that are not typical of all positions in a classification. Some of a position's duties may be those of a different classification, which could be at a higher, lower or the same salary range. Some positions may require all of the KSAs of the classification, additional specialized skills or knowledge, or licensure. These exceptions should be documented, approved, and brought to the attention of Class/Comp, so that Class Specifications may be revised to accurately reflect the job requirements, if needed.

IV. Examples and Guidelines

A. The specialized requirements must be consistent with the general requirements for the classification:

1. Example: Mental Health Consultant requires: "two years of professional experience in the provision of behavioral health services". The classification includes three different specialty areas: services to adults, services to children, and services to families. A KSA should be submitted to specify the area of specialization required for the particular position.
2. Example: Corrections Counselor requires "Bachelor's degree from an accredited college or university with major course work in psychology, sociology, social work or a related field or equivalent". A KSA that

falls beyond the scope of the job classification would be to require *"a masters degree from an accredited college or university....."*

3. Example: In the required KSA's section of the class specification, the Development Analyst, Senior lists: "A working understanding of the operational characteristics of a variety of computer platforms and operating systems." In this example, the particular position works on the mainframe. The specific KSA request for this position might read: *"A working understanding of the operational characteristics of mainframe platforms and operating systems"*.
4. Example: Program Specialist requires knowledge of "pertinent federal, state, and local laws, codes, and regulations". The specific knowledge required for a Program Specialist position responsible for Domestic Violence Programs might read: *knowledge of best practices in domestic violence intervention, especially those relating to the criminal justice system.*
5. Example: Senior Network Administrator, requires typically 5+ years of technical experience, or an equivalent combination of education and experience. The specific knowledge for the person in this SR NA responsible for Telecommunications might read: *a minimum of 5 years technical experience which includes: working knowledge and understanding of the design, configuration and management of Nortel systems within a large installed base; administration of Meridian switches, voice mail, IVR, and Automatic Call Distributors; experience administering Meridian Mail, and Call Pilot unified messaging.*
6. Example: Community Health Specialist 2, requires knowledge of "the traditions, customs, and language of the community being served." The specific knowledge required for a CHS 2 that serves a primarily Hispanic case load might read: *Knowledge of the traditions, customs and language of the Hispanic community, demonstrated by a close affiliation with or membership in the Hispanic community.*

B. Do not submit a request for approval of KSA's that are already included in the class specification:

1. Example: The job class of Dental Assistant requires possession of an appropriate and valid certificate of radiological proficiency issued by the Oregon State Board of Dental Examiners. No additional approval is needed to apply this requirement to an employee bumping into the position. All employees currently in this class must have this certification, as it is a requirement, and those who have previously held the class must either have the certification or be able to obtain it.

2. Example: The job class of Dental Assistant requires knowledge of the methods and techniques of four-handed dental assisting. No additional approval is needed to require that an employee bumping into the position have this knowledge.

C. Do not submit KSA's for approval that can be easily learned within 90 days by an employee who meets the minimum qualifications for the classification.

1. Example: An administrative assistant position requires knowledge of Excel. An employee who holds this class, but has not used Excel, would normally be expected to be able learn Excel within 90 days on the job, with minimal training.

V. Review and Approval of KSAs

A. The standards for review of KSA's are:

1. Does the specialized knowledge, skill, ability, education, experience or licensure requirement fall within the general requirements for the class?
2. If the position was recruited competitively, could the labor market provide an adequate pool of applicants that would have this KSA?
3. If the answer to the second question is no, then what skills would the hiring manager seek in an applicant in order to train them to be successful within a reasonable amount of time?

B. Questions to consider when applying for a KSA approval:

1. Has this position been previously recruited for and announced with the required knowledge, skills, and/or abilities (KSA) identified? If so, provide copies of the announcement and the job description which outlines the required KSAs.
2. What screening tools have been used in the past to determine if the required KSAs are met (i.e. tests, oral interviews, review of employment and/or education history)?
3. If screening tools have not been used previously for this position, determine how you plan to screen for the required KSAs in the future. If there is no way to screen for the requested KSAs, then approval will not be granted.

C. Approval Process

Managers should work with the Human Resources Staff within their Departments to create KSAs that meet the required standards. After the Human Resources Manager approves the KSA language, the Department Human Resources Staff will submit signed hardcopies and electronic copies of the below items to Labor Relations for approval:

1. Required Knowledge Skills and Abilities (KSA) Form
2. If you are requesting bilingual KSAs, you must also submit the Supplemental KSA Form for Bilingual Skill Requirements
3. Updated position description with the KSAs listed in Section 13

If Labor Relations approves the KSAs, the language is sent to the Local 88 Business Representatives for a seven-day review period. During this time, Local 88 may comment upon the proposed KSAs and offer suggestions on the appropriateness and the KSA language. Labor Relations will work with Local 88 on these issues and consult with the Department Human Resources Staff as needed. After the seven-day comment period passes, the KSAs are considered approved with any revisions that may take place.

Detailed information for KSAs and Bilingual Skill requirements can be found on Commons at Central Human Resources→Labor Relations→KSA Guidelines. There are also Guidelines for Completing the Supplemental KSA Form for Bilingual Skills Requirements on the site.



Local 88 - Knowledge Skills and Abilities (KSA) Request Form

(Form Revised July 2012)

Instructions:

1. Manager completes the fields below
2. Manager submits **KSA form and position description** to department Human Resources Manager for signature
3. Department Human Resources unit sends all of the materials electronically to dcm.labor.relations@multco.us
4. Department Human Resources unit mails a signed copy of the materials to Labor Relations at MC 503/3 (if the signatures are not included on the electronic copy that is sent to Labor Relations)

If you are requesting bilingual KSAs, you must complete the ***Supplemental KSA Form for Bilingual Skill Requirements*** in addition to this form. Detailed instructions and additional guidelines for KSAs and Bilingual Skill requirements can be found on Multco Commons at Central Human Resources→Labor Relations→KSAs.

A. Department:

B. Division:

C. Classification Name:

D. Job Classification Number (JCN):

E. Position Number:

F. Working Title:

G. Incumbent:

H. Supervisor Name:

I. Requested KSAs:

J. Justification for KSAs:

K. Signatures:

Signature of Requesting Supervisor/Manager

AND

Date

Signature of Department Human Resources Manager

Date

Labor Relations Manager: ☐ Approved ☐ Disapproved

Signature of Labor Relations Manager

Date

Guidelines for Completing the Supplemental KSA Form for Bilingual Skill Requirements

1. **Work your department is already doing.** Consider whether your department is already meeting the needs of the target population by:
 - distributing printed material in the target language
 - using contracted telephone interpreters
 - providing direct service by staff who are not classified bilingual but are using language skills they have
 - providing direct service by other staff who are classified as bilingual
 - tracking client language preference by surveys or forms
 - holding special events that attract speakers of the target language
 - hosting bilingual volunteers who help address community need
 - other
2. **Population your department serves.** Within your geographical service area, consider factors that may indicate the need to provide service in the target language:
 - countywide population shifts
 - percent of population served that use this language (inmates, caseload, client base)
 - new housing or apartments in the area attracting speakers of this language
 - social service agencies that serve speakers of this language
 - churches, businesses, stores or restaurants frequented by speakers of this language
 - social, recreational or civic groups that involve speakers of this language
 - availability of newspapers, magazines, signage or other materials in the printed target language
 - other
3. **Percentage or critical need.** If the percentage is less than 50%, indicate whether you have considered other means to address community needs such as outsourcing translations or interpretations, reorganizing duties to another bilingual employee, recruiting volunteers, etc. Otherwise if it is critical that this position be filled with a bilingual employee, please indicate why.

* The following are three separate skills. Be sure the skills required to meet your department's needs are included in the job description and are validated during the selection process.

Bilingual communication skills: The ability to assess the need for the use of a second language other than English, in written, spoken or signed form, and the ability to use both English and the second language fluently and appropriately in order to complete the regular required duties of a particular job.

Translation: A skill requiring special expertise or training, involving the art of recomposing a text document into another language while accurately conveying meaning, without losing original flavor or intent.

Interpretation: A skill requiring special expertise or training, involving the facilitation of understanding in communication between people who are speaking different languages.

Supplemental Form for Bilingual Pay

Revised July 2012

Instructions:

1. When a departmental or division manager/ supervisor is requesting that a position receive bilingual pay, the requesting manager *must* complete this form and submit it to their departmental HR Unit. The HR Unit Manager or their designee will review and must approve the request prior to authorizing and processing the bilingual pay. It is not mandatory to submit a bilingual KSA request in order to receive the bilingual pay premium.
2. If the departmental or divisional manager/ supervisor and the departmental HR Unit want to submit a *Knowledge Skills and Abilities (KSA) request for the language requirement for purposes of bumping and layoff, they must submit this supplemental form, along with the KSA request form to Labor Relations*. Guidelines for completing both forms can be found on Multco Commons at Central Human Resources→Labor Relations→KSAs.

Language:

1. Considering the **work your department is already doing** to meet the needs of the public who speak the target language, what factors indicate that this position should require bilingual skills?
2. Considering the **population your department serves**, what factors indicate the need to provide service in the target language?
3. What percent of the employee's time is the target language used (or would it be used) for duties assigned?

If less than 50% could this need be met differently?

If this is not possible and a bilingual staff person is critical to this position, please explain why.

Required Knowledge Skills and Abilities (KSAs) Assessment Form

Overview: This form is to be used to document KSAs assessments when reviewing an employee's qualifications for positions s/he is attempting to bump into due to layoff.

Instructions:

1. Provide the employee who is attempting to bump into a position with a copy of the position description and approved KSAs; arrange for the employee and supervisor to meet and review the position's requirements and the employee's qualifications.
2. Complete all of the fields below.
3. Mail a signed copy of the form with the position description and the employee's résumé or application to Labor Relations at 503/3 or fax to x83009.

Employee Name: _____ **Supervisor Name:** _____

Department: _____ **Division:** _____

Classification Name: _____ **Working Title:** _____

Position Number: _____ **Current Incumbent:** _____

Required KSAs and Position Duties: Review the position description and the required KSAs that have been previously approved by Labor Relations prior to assessing the employee's qualifications for the position.

Employee Assessment:

☐ I have reviewed the KSAs required for this position, and I believe that I have the KSAs and can perform the job at a satisfactory level.

-OR-

☐ I have reviewed the KSAs required for this position, and I believe that I do not have the below KSAs. Write "All" if you believe you do not have any of the required KSAs. Attach additional sheets if necessary.

Signature of Employee

Date

Supervisor and Human Resources Manager Assessment:

I "agree" or "disagree" with the employee's assessment of whether s/he has the required KSAs for the position.

Supervisor: ☐ Agree ☐ Disagree

Human Resources Manager: ☐ Agree ☐ Disagree

Signature of Supervisor

Signature of Human Resources Manager

If the Supervisor or Human Resources Manager does not believe the employee has some of the required KSAs, those specific KSAs should be listed below. Write "All" if it is believed the employee does not have any of the required KSAs. Attach additional sheets if necessary.

Labor Relations Manager Assessment: ☐ Agree ☐ Disagree

Signature of Labor Relations Manager

Date

Employee Qualifications and Testing

Determination of Qualifications for a Position without Approved KSAs:

It is presumed that employees are qualified to perform, and bump into, positions in their current and previously held classifications. Employees should not be denied a bump right into a position that does not have approved KSAs on file with Labor Relations prior to the layoff notice unless:

- (1) The employee does not pass an exam used to qualify applicants for the position,
or
- (2) There is mutual agreement between the employee and supervisor that the employee is not qualified to meet the KSAs that are outlined the class specs.

If it is determined that the employee is not qualified for a position based upon exam or mutual agreement, the employee's other bump options will be initiated.

Determination of Qualifications for a Position with Approved KSAs:

KSAs must have been approved by Labor Relations with notice sent to the union before the KSAs can be used to deny an employee a bump option.

If the supervisor and Department HR Staff determine that the employee does not have the required KSAs to perform a position through mutual agreement with the employee or a review of the employee's experience and education, the Department HR Staff should document the KSAs that the employee is lacking by sending the "Required KSA Individual Employee Form" to Labor Relations.

Prior to denying an employee a bump option, Labor Relations must approve the qualifications determination that states that the employee does not have the KSAs to perform the position.

Supervisor Administers an Exam:

If the supervisor uses an exam to qualify applicants for the position in a recruitment process, they may administer the exam to an employee who is trying to bump into the position to prove the employee is qualified to perform the position. The exam should be the test/application most recently administered in a recruitment for the position and one that would typically be used in future recruitments.

If there is no recent exam, the Department HR Staff can create one as if they were opening a new recruitment for the position. The Department HR Staff should forward the test and scoring criteria to Labor Relations, who will review and approve the process to ensure it meets the intent of the contract.

An employee that passes the exam with 70 or more is entitled to bump into the position. When an employee does not pass the exam with a score of 70 or more, Department HR Staff should send a copy of the exam and test score for review and approval by Labor Relations prior to denying an employee a bump option.

Mutual Agreement that Employee is Not Qualified:

If an employee and supervisor discuss the position's qualifications and mutually agree that the employee does not have the qualifications to perform the duties of the position, both parties must document the qualification deficiency and sign the "Required KSA Assessment Form." This form is used to document deficiencies in both the KSAs that are listed in the class specs as well as the KSAs that are approved by Labor Relations. The form should be sent to Department HR Staff and Labor Relations for final review and approval.

Employee Refusals:

If an employee says they do not have the qualifications for a position without testing or mutual agreement with the position's supervisor, or they refuse an assignment that they are qualified to perform, they are deemed to have resigned.

VI. Orientation Periods and Trial Service Periods

Orientation Period:

An Orientation Period is: 1) a period of time where the employee is introduced to the workplace, work culture, processes and procedures; 2) an adjustment period to a new situation; 3) to acquaint with the existing situation or environment.

Employees that are placed into positions due to layoff should be welcomed into their new roles and treated with sensitivity. Article 21, Section III.E.9 states that "Employees may be denied rights otherwise available under these provisions only if they lack **knowledge, skills or abilities** required for the position that are not easily learned ***on the job*** within ninety (90) days."

The County has no obligation to send employees out for extensive training; however, whatever training would be provided to new employees should be provided to employees who are reassigned. Examples would be very specialized computer training such as EPIC or LEDS.

Failure to Demonstrate Required KSAs During 90 Day Orientation Period:

An employee who bumps into a position must successfully demonstrate during the ninety (90) day orientation period that they have the KSAs required for the position. This includes the KSAs stated in the class specs as well as any other KSAs that have been approved by Labor Relations.

When an employee fails to demonstrate that s/he has the required KSAs, the employee should be specifically told during the ninety (90) day orientation period what areas s/he is deficient in and given an opportunity to demonstrate the qualifications.

If the employee continues to be unsuccessful at demonstrating the KSAs after s/he has been coached, Department HR Staff should send Labor Relations written notice detailing the employee's name, classification, position number, training and coaching received, and the specific KSAs that the employee is failing to demonstrate. Labor Relations will review the information to ensure that the issues are related to KSAs and not general performance expectations (i.e. attendance, misconduct, etc.).

If the employee is removed from the position during the orientation period due to not having the required the KSAs, the Department HR Staff should review the employee's options to determine whether there is a bump right and implement according to the County's layoff process.

Failure to Meet Performance Expectations During 90 Day Orientation Period:

A regular status employee that has bumped into a position, and is not meeting performance expectations (as opposed to lacking a KSA), can only be removed from the position for just cause, by going through the progressive discipline process.

It is sometimes difficult to determine what are deficiencies in knowledge, skills and abilities and what are performance issues. A simple way to distinguish these is to consider **KSAs** as the “**can do**” that is required to do the job and **performance** as the “**will do.**”

Below are some commonly referred to definitions as referenced by dictionary.com:

- **Knowledge:** 1) the fact or condition of knowing something with familiarity gained through experience or association; 2) the fact or condition of being aware of something; 3) the circumstance or condition of apprehending truth or fact through reasoning.
- **Skill:** 1) the ability to use one's knowledge effectively and readily in execution or performance; 2) a learned power of doing something competently; 3) a developed aptitude or ability.
- **Ability:** 1) competence in doing; 2) natural aptitude or acquired proficiency.
- **Performance:** 1) to adhere to the terms of; 2) manner of accomplishing a task; 3) carry out one's duties and/or behave in accordance to a set of standards 4) to do in a formal manner or according to proscribed ritual.

Failure to Demonstrate KSAs or Meet Performance Expectations During a Project Save Trial Service Period:

A regular status employee that has been placed into a lower classification that s/he has not previously held due to layoff using Project Save serves a ninety (90) day trial service period. Article 21, Section IX

An employee that fails to demonstrate the KSAs for the position that s/he bumped into or fails to meet performance expectations during the ninety (90) day trial service period, can be removed from their new classification.

Prior to removal, supervisors should notify the employee about the areas s/he is failing to perform in and give the employee an opportunity to correct their performance.

If an employee continues to be unsuccessful after being coached, the Department HR Staff should notify the employee in writing that they have failed to pass the trial service period and the reasons why. The employee is then separated from employment and placed on appropriate recall lists.

VII.

Voluntary Layoffs

Voluntary Layoffs for Local 88 Classifications

Purpose of Voluntary Layoff Solicitation:

The voluntary layoff solicitation allows the county to inquire whether there any employees in a classification being affected by layoff that may want to volunteer for layoff, so that another employee may be saved. Article 21.III.B.3 of the Local 88 contract requires that such solicitation be made.

Roles and Responsibilities:

If a classification is identified as being impacted by layoff, employees in the classification should be solicited for voluntary layoff. If the classification is a countywide classification, Labor Relations will send the solicitation. If the classification is department specific, the department human resources unit will send the solicitation.

The manager of the employee who requests voluntary layoff should make the determination on whether or not the voluntary layoff will be accepted.

Accepting a Voluntary Layoff:

Prior to accepting a voluntary layoff, human resources and management should evaluate whether:

- The employee being impacted by layoff is qualified to perform the duties of the position that the employee who volunteers for layoff holds
- Acceptance will not create any additional costs to the county
- There are employees in the classification who have requested voluntary layoff and have more seniority

Voluntary Layoff Request Form:

Employees who request voluntary layoff must sign the Voluntary Layoff Request form acknowledging that they are waiving rights they would otherwise have under the Local 88 contract, as well as acknowledge that the county will make layoff and bumping determinations based upon acceptance of their request. As such, if an employee completes the form, and the county accepts their voluntary layoff, the employee may only rescind their voluntary layoff by mutual agreement with the county since other employees will be notified of their layoff and bumping rights based upon the employee's stated desire for voluntary layoff.

Voluntary Layoff Solicitation Template

TO: ALL LOCAL 88 EMPLOYEES
FROM: HR Analyst
DATE: Date
RE: Voluntary Layoff

Local 88, Article 21.III.B.3 allows any employee in a classification affected by layoff an opportunity to request voluntary layoff, if such action does not result in increased costs to the County.

The following classifications have been identified as possibly being affected by layoff:
_____.

Prior to preparing layoff letters to be given to employees, we are offering Local 88 employees in the above listed classifications the option to apply for voluntary layoff. If you wish to be considered for voluntary layoff, you may apply by submitting the attached Voluntary Layoff Form to your Department Human Resources Unit at _____. Due to the complexity of the layoff process, Countywide bumping implications, and the official notification period requirements, your completed form must be received no later than 5:00 p.m. on _____.

Please note that submitting your form does not guarantee your ability to take voluntary layoff. The determination of whether to accept your voluntary layoff request will be based on the overall need for vacancies in affected classifications. The County will only grant a voluntary layoff request if such action prevents another employee in the same classification from being laid off. Voluntary layoff requests will be considered in inverse order of seniority order. The employee with the most seniority who requests voluntary layoff will be granted their request first.

Prior to volunteering for layoff, I strongly suggest that you take time to review Article 21 in its entirety, the attached Frequently Asked Questions about Voluntary Layoff, and discuss your layoff and recall rights with a Department Human Resources representative.

If your voluntary layoff request is accepted, you will be placed on recall lists for which you have rights, in order of seniority, and may be recalled to vacancies anywhere in the County anytime after layoff. If you refuse recall, your name will be taken off the layoff list for the classification to which you have been recalled and your unemployment benefits could be affected.

If you have any other questions regarding voluntary layoff, please contact _____ in your Department Human Resources Unit.

Attachments: Voluntary Layoff Form
FAQs about Voluntary Layoff

Voluntary Layoff

Frequently Asked Questions

Q1. *If I am not in one of the classifications impacted by layoff, but would like to take a voluntary layoff can I do so?*

A1. No, voluntary layoff options are linked to classifications impacted by layoff.

Q2. *If I accept voluntary layoff, how will this affect my employment status?*

A2. You will be placed on a recall list for the classification you currently hold and for equal or lower classifications you previously held. You will be recalled to vacancies Countywide according to the Local 88 Contract.

Q3. *If I accept voluntary layoff, will I be eligible to receive unemployment?*

A3. We will notify the unemployment office that you have been laid off. You should be eligible for benefits, but that decision is made by the State of Oregon's Employment Department. If you are later offered work by the County and refuse the work, you may become ineligible for benefits.

Q4. *If I volunteer for layoff, will this automatically be granted?*

A4. No. After reviewing the list of vacancies available, the list of employees being affected by layoff, and the list of employees who volunteer for layoff, management will determine which (if any) voluntary layoffs will be accepted. Voluntary layoff will be done in seniority order. Employees with more seniority in affected classifications who elect to take voluntary layoff will be considered first. A determination would also need to be made that an employee who would otherwise be laid off is qualified to perform the duties of your position.

Q5. *What's the difference between a voluntary layoff and a non-voluntary layoff?*

A5. For the purposes of seniority calculation, rights to recall lists and notification to the unemployment office of your layoff, there are no differences.

Q6. *How is seniority affected?*

A6. The impact to both your class and countywide seniority is the same as involuntary layoff. If laid off and subsequently recalled, your seniority will be adjusted for any time spent in unpaid status in excess of 30 days.

Q7. *If I send in my request to take voluntary layoff can I rescind it later?*

A7. No. Once you have elected to take voluntary layoff if your position is needed to prevent someone else from being laid off management has the right to place someone in that position.

Q8. *If I take a voluntary layoff and am called back off the recall list after one month to take a position that I do not want, do I have to take it?*

A8. When you are laid off you will be placed on all recall lists for your current classification and all equal and lower classifications previously held. At any time you are recalled to any position for which you have recall rights and you decline the position you will be removed from the recall list and we will notify the unemployment office of your declination. This could terminate your unemployment benefits.

Q9. *If I receive a layoff letter that says I have a bump option, can I then decide to voluntarily layoff?*

A9. If you elect to take voluntary layoff in order to avoid bumping another employee, and this will result in another employee not being laid off, you may be allowed to take voluntary layoff. However, if there is a vacancy for which you have rights and can be placed you will not be allowed to take voluntary layoff.

Q10. *How is PERS affected?*

A10. For specific questions about PERS and impacts due to layoff or break in service, contact PERS Customer Service line at (888) 320-7377 or (503) 598-7377.

Local 88 Voluntary Layoff Request Form

Name: _____ SAP #: _____

Current Classification: _____

- This form is to acknowledge that I have reviewed and understand my rights and responsibilities for layoff and recall under Article 21 of the Local 88 Bargaining Agreements.
- I understand that my request for layoff is totally voluntary and that acceptance will be based on the County's overall need for position vacancies in affected classifications, and in order of seniority.
- I understand that my name will be placed on the Recall Lists for my current classification and other lower classifications previously held for 24 months. My name will be removed from the Recall List if I decline an offer of permanent recall, and that this may affect my unemployment benefits.
- I further acknowledge that by signing this form, and upon acceptance by the County of my voluntary layoff, that I may not rescind my voluntary layoff without the mutual agreement of the County since bumping scenarios and layoff notices to other employees may be based upon my stated desire to accept a voluntary layoff.

Signature: _____

Date: _____

VIII.

Project Save

Differences Between Project Save and Bumping

	<u>Project Save</u>	<u>Bumping</u>
Employee is exercising layoff rights	No, the employee is not laid off	Yes
Employee is placed on a recall list if reassignment is a demotion	No, but the employee can go on a reinstatement list	Yes
Employee previously held the classification reassigned to	No, the employee has no bump rights to the classification	Yes
Can be promoted through the process	No	No
Compensation	Placed in the salary range that causes the least reduction in base pay	If reassigned to current classification, maintain same salary; if demoted, placed in the salary range that causes the least reduction in base pay
Employee must accept reassignment or deemed to have resigned	No	Yes
Employee must be qualified for position reassigned to	Yes	Yes
Supervisor has discretion on reassignment if employee is qualified for position	Yes, employees can be interviewed along with other competitive applicants	No, employees have seniority-based rights to positions they are qualified to perform
Orientation Period vs. Trial Service Period	90 day Trial Service Period – employee can be removed for failing to demonstrate the KSAs for the position and for performance issues	90 day Orientation Period – employee can only be removed for failing to demonstrate the KSAs for the position
Removal during Orientation or Trial Service Period	Employee goes on recall list for classifications previously held and attained regular status in (passed probationary period)	Bump options are initiated; if none available, employee goes on recall list for classifications previously held and attained regular status in (passed probationary period)

Project Save

Frequently Asked Questions

What is Project Save?

- Project Save is a program that allows the County to place employees into vacancies within classifications that employees have not previously held and have no seniority based bump right to, but are qualified to perform.

Who is eligible to participate?

- Any employee who is going to be laid off or involuntarily demoted due to budget cuts is eligible to participate in Project Save.

How do employees participate?

- To participate in Project Save, employees should send their résumé to their Department HR Staff. The Department HR Staff will then send the résumés out to the County's recruiters requesting consideration for vacancies.
- Employees should also watch the County's job listings page and notify their Department HR Staff about vacancies that they are interested in.

When can employees participate in Project Save?

- As soon as employees are notified that their position will be affected by layoff, they can participate in Project Save. Employees do not have to wait until an official layoff letter has been sent before participating. The sooner Human Resources has an employee's résumé the sooner it can be provided to hiring managers for consideration.
- Employees may only participate in the program up to the effective date of their layoff. Project Save is no longer an option once a layoff action has occurred.

What positions are employees eligible for under Project Save?

- Under Project Save, employees may be placed into vacant positions that are equivalent to, or lower than, their current classification and that they meet the minimum qualifications for.
- Project Save can not be used to place an employee in a higher classification than the one that they are being laid off from – unless they are being reinstated to a classification that they previously held.
- Employees must meet the minimum qualifications and any Knowledge, Skills and Abilities (KSA) requirements of a position they are Project Saved into.

How will employees' qualifications for positions be determined?

- The Department HR Staff that has the vacancy that an employee is being considered for will review the employee's qualifications to determine if s/he meets the minimum qualifications as stated in the classification specifications, as well as any approved KSA requirements for the position, prior to allowing an interview with the hiring manager.

Is the County required to offer employees a position under Project Save?

- No, placement under Project Save is subject to management discretion.

Does an employee have to accept a position offered through Project Save?

- No, employees do not waive the rights available to them under the layoff process if they refuse a Project Save position.

How does Project Save affect an employee's right to be placed on a recall list?

- If employees are placed in positions under Project Save, they have not been laid off and do not have recall rights to their current and previously held classifications.
- Employees can be placed on a reinstatement list for twelve (12) months, and hiring managers can use that list when filling future vacancies.
- Employees are not required to accept a position under Project Save, so refusing a position does not affect their right to be placed on a recall list.

If an employee accepts a position under Project Save will s/he be required to serve a trial service period?

- Any employee who is placed in a classification not previously held under Project Save shall be subject to a trial service period of ninety (90) days to demonstrate his or her ability.
- Trial service periods under Project Save are not as long as the standard one hundred and twenty (120) day trial service period for reassignments that are not part of the layoff process. The reduced trial service period for Project Save appointments is in recognition that employees that are laid off or demoted face difficult circumstances in being placed in alternative employment in the County.

What happens to an employee that does not pass a trial service period under Project Save?

- An employee that fails to demonstrate the qualifications or meet performance expectations during the ninety (90) day trial service period can be removed from their new classification, and s/he will be placed on the appropriate recall lists for classifications previously held.

What happens to an employee's seniority under Project Save?

If an employee is placed in a position through Project Save, s/he will maintain their current Countywide Seniority date as well as any Job Classification Seniority accrued in the classifications they previously held. Employees will start accruing Job Classification Seniority in their new classification upon transfer and will retain the seniority once their trial service is completed.

IX.

Layoff

Notices

Overview of Layoff Notices

Informal Layoff Notices:

The county strives to communicate information to employees who may be affected by layoff as soon as the information is known. Early notice allows employees to consider whatever layoff rights they might have as well as consider other employment options.

When supervisors communicate layoff information to employees prior to issuing a formal layoff notice, the county's unions have requested that they also be notified that such information is being conveyed. When employees are told they are being impacted by layoff, they frequently contact their union representatives with questions, so the county should honor the union's request to also be notified.

Formal Layoff Notices (Article 21, Section IV.A):

Employees who are subject to reassignment, demotion, or layoff shall receive a notice in writing at least fifteen (15) days prior to such action. The notice should state that the action does not reflect discredit on the employee.

Local 88 and Labor Relations should be provided with a copy of all layoff notices.

Reassignment Notices:

Employees who are being reassigned due to layoff should receive written notice regarding what position they are being reassigned to. Frequently, human resources may not know the exact position that an employee is being reassigned to when the fifteen (15) day formal layoff letter goes out. The primary reasons for this include:

- The formal notices gave employees who have preferences three (3) days to make a selection; reassignments can not be determined until the preferences are known.
- Employees must take qualifying exams to determine the positions they can be reassigned to.
- Human resources is working through multiple bumping scenarios and determining seniority-based rights to classifications.

If the position the employee is being reassigned to is not known at the time of the formal layoff notice, a follow-up letter should be sent to the employee once the reassignment is known. This letter should be sent as soon as the information is known. The reassignment letter does not require a new fifteen (15) day notice period.

**Preliminary/Informal Layoff Notice Template – Local 88
(not required, but some departments prefer to use)**

<Date>

<Employee Name>

<Address>

<Address>

Re: Preliminary Notice of Layoff

Dear **<Name>**,

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that layoffs will be effective **<Date>**. You will receive a written layoff notice fifteen (15) days in advance of your layoff date. That letter will detail any bumping and recall list rights that you might have.

How you are affected by projected layoffs will be dependent on several factors:

- Whether you have passed probation for the classification you are currently holding.
- Vacancies in your department and the County for classifications that you hold or previously held.
- Your placement on the seniority list using your Countywide seniority date.
- Whether an employee in your classification accepts voluntary layoff (please note that voluntary layoffs are subject to management approval and must not result in increased costs to the County).

Employees being affected by layoff are encouraged to submit their résumés for Project Save. This program allows us to place you in a vacancy for a job that you have not previously held, but are qualified to perform, if the opportunity exists. Project Save is only available while you are a current employee and not available after a layoff occurs, so time is of the essence for employees who choose to utilize this program.

Employees that are separated due to layoff will be offered outplacement and transition services. These services include seminars and one-on-one counseling on general career related subjects such as résumé writing, job searches, interviewing skills, and identifying transferable skills. If you are interested in accessing those services, which are offered at no cost to you, please contact **<Department HR Staff Name>** at **<telephone number>** or **<email address>**.

There are several other programs to help assist employees during the stress of pending layoff. They include:

- o Employee Assistance Program – Unum Work-Life Balance Program offers consultation and counseling about a wide range of topics including career planning and layoff transition. To access this free service, call (800) 854-1446.

Again, you will be informed of your rights as your layoff date draws near. If you have any questions, or would like to submit your résumé for Project Save, please contact **<Department HR Staff Person Name>**. You can also find information about the above processes and resources on Commons at Central Human Resources→Labor Relations→Layoff & Transition Resources.

Sincerely,

<Name>

<Title>

CC: Local 88
Labor Relations
Personnel File

**Preliminary/Informal Layoff Notice Template – Management Service
(not required, but some departments prefer to use)**

<Date>

<Employee Name>

<Address>

<Address>

Re: Preliminary Notice of Layoff

Dear **<Name>**,

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that layoffs will be effective **<Date>**. You will receive a written layoff notice fifteen (15) days in advance of your layoff date. That letter will detail any rights that you might have. How you are affected by projected layoffs will be dependent on whether there are vacancies in your department and the County for classifications which you previously held in classified, represented, positions where the union contract provides for bumping back.

Employees being affected by layoff are encouraged to submit their résumés for Project Save. This program may allow us to place you in a vacancy for a job that you are qualified to perform, if the opportunity exists. Project Save is only available while you are a current employee and not available after a layoff occurs, so time is of the essence for employees who choose to utilize this program.

Employees that are separated due to layoff will be offered outplacement and transition services. These services include seminars and one-on-one counseling on general career related subjects such as résumé writing, job searches, interviewing skills, and identifying transferable skills. If you are interested in accessing those services, which are offered at no cost to you, please contact **<Department HR Staff Name>** at **<telephone number>** or **<email address>**.

There are several other programs to help assist employees during the stress of pending layoff. They include:

- Employee Assistance Program – Unum Work-Life Balance Program offers consultation and counseling about a wide range of topics including career planning and layoff transition. To access this free service, call (800) 854-1446.

Again, you will be informed of your rights as your layoff date draws near. If you have any questions, or would like to submit your résumé for Project Save, please contact **<Department HR Staff Person Name>**. You can also find information

about the above processes and resources on Commons at Central Human Resources→Labor Relations→Layoff & Transition Resources.

Sincerely,

<Name>

<Title>

CC: Labor Relations
Personnel File

**Release from Probationary Employment Template –
Local 88 and Management Service**

<Date>

<Name>

<Address>

<Address>

Re: Release from Probationary Employment

Dear **<Name>**:

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that the layoff will be effective at the close of business on **<Date>**. You are a valued employee and this action in no way reflects discredit on you or your job performance.

You are a probationary employee, and under the County's personnel rules and labor contracts, probationary employees in affected classifications are released before regular status employees. Probationary employees do not have layoff or recall rights. You will be placed on the **<classification>** Reinstatement List for 12 months from the date of your separation. You may, at management's discretion, be contacted if a **<classification>** position becomes available prior to the 12 months you are on the reinstatement list.

In an effort to save employees from being released, probationary employees may be placed in alternative employment within the County under Project Save. If you are interested in being considered for possible vacancies in other job classifications that you have not held previously, I encourage you to submit an electronic résumé to **<HR Staff Name>** as soon as possible. You are not guaranteed a position under Project Save; however all qualified displaced workers will be given consideration to interview for vacancies.

Information regarding your health and insurance benefits along with COBRA information will be provided to you by the County's Benefit unit. You may also contact them at (503) 988-3477 or employee.benefits@multco.us.

Employees that are separated due to layoff will be offered outplacement and transition services. These services include seminars and one-on-one counseling on general career related subjects such as résumé writing, job searches, interviewing skills, and identifying transferable skills. If you are interested in accessing those services, which are offered at no cost to you, please contact **<Department HR Staff Name>** at **<telephone number>** or **<email address>**.

If you have any questions or concerns, please contact **<HR Staff Name>** at **<telephone number>** or my office at **<telephone number>**.

Once again, I regret very much having to take this action. Please accept my gratitude on behalf of the County for your valued service. Best wishes for your continued success.

Sincerely,

<Name>

<Title>

CC: Local 88 (if applicable)
Labor Relations
Personnel File

**Layoff During Promotional Probationary Period –
Local 88**

<Date>

<Name>

<Address>

<Address>

Re: Layoff During Promotional Probationary Period

Dear **<Name>**:

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that the layoff will be effective at the close of business on **<Date>**. You are a valued employee and this action in no way reflects discredit on you or your job performance.

You are a promotional probationary employee in the **<classification>** classification. County personnel rules and labor contracts require promotional probationary employees to be returned to the position previously held prior to bumping an employee that has attained classified status in your classification.

You are being returned to the position that you previously held immediately prior to your promotional appointment. That position is **<insert position details>**.

Your salary as a **<classification employee is being laid off from>** is \$**<salary>**. Your salary will be \$**<salary>** when you are returned to the **<classification employee is being returned to>** position.

Your step increase date will be **<DATE>**. You will receive your next step increase on **<DATE>**.

You will not be eligible for recall rights to future vacancies in the **<classification employee is being laid off from>** classification since you were not able to pass probation and attain classified status.

You will be placed on a reinstatement list for the **<classification name>** classification for 12 months. Hiring managers have the option of using reinstatement lists in lieu of posting a competitive recruitment when filling vacancies. If you choose to be placed on the reinstatement list, please contact **<HR staff person name>** for assistance.

Your seniority date will be adjusted as if you never left the **<classification employee is being laid off from>** position. Your seniority date will be **<insert seniority date(s)>**.

I am truly sorry for the uncertainty that you have had to endure as a result of all the financial difficulties and reduced funding. If you have any questions or concerns, please contact **<HR Staff Name>** at **<telephone number>** or my office at **<telephone number>**.

Sincerely,

<Name>

<Title>

CC: Local 88
Labor Relations
Personnel File

**Layoff of Employee with No Bump Options –
Local 88**

<Date>

<Name>

<Address>

<Address>

Re: Layoff Due to Budget Cuts

Dear **<Name>**:

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that the layoff will be effective at the close of business on **<Date>**. You are a valued employee and this action in no way reflects discredit on you or your job performance.

At this time, the County does not have a vacant position in the **<classification(s)>** classification(s) nor do you have enough seniority to bump a less senior employee. Unfortunately, you do not have any bumping options.

You will be placed on the **<classification(s)>** Recall List for **<18 or 24>** months. Your placement on the recall list will end when you are recalled to that classification, refuse a recall, or **<18 or 24>** months from the date of placement on the recall list, whichever occurs first. As future **<classification(s)>** positions become available, individuals on this list will be called back in seniority order to fill vacancies. If your contact information changes, you should notify Central Human Resources at 503-988-5015, so that the County is able to reach you if there is a recall opportunity.

In an effort to save employees from layoff, employees may be placed in alternative employment within the County under Project Save. If you are interested in being considered for possible vacancies in other job classifications that you have not held previously, I encourage you to submit an electronic résumé to **<HR Staff Name>** as soon as possible. You are not guaranteed a position under Project Save; however all qualified displaced workers will be given consideration to interview for vacancies.

Information regarding your health and insurance benefits along with COBRA information will be provided to you by the County's Benefit unit. You may also contact them at (503) 988-3477 or employee.benefits@multco.us

Employees that are separated due to layoff will be offered outplacement and transition services. These services include seminars and one-on-one counseling on general career related subjects such as résumé writing, job searches, interviewing skills, and identifying transferable skills. If you are interested in accessing those

services, which are offered at no cost to you, please contact **<Department HR Staff Name>** at **<telephone number>** or **<email address>**.

If you have any questions or concerns, please contact **<HR Staff Name>** at **<telephone number>** or my office at **<telephone number>**.

Once again, I regret very much having to take this action. Please accept my gratitude on behalf of the County for your valued service. Best wishes for your continued success.

Sincerely,

<Name>

<Title>

CC: Local 88
Labor Relations
Personnel File

**Layoff/Reassignment of Employees with Bump Options
in Current Classification - Local 88**

<Date>

<Name>

<Address>

<Address>

Re: Layoff Due to Budget Cuts

Dear **<Name>**:

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that the layoff will be effective at the close of business on **<Date>**. You are a valued employee and this action in no way reflects discredit on you or your job performance.

Your rights as a represented employee under the Local 88 contract have been considered, and you have rights to:

<insert list of classifications and bump options; if employees have multiple options, include the next 3 paragraphs regarding preferences and lower bump options>

When employees have multiple bumping options available to them, the County will take into account the employee's preferences to the extent practical prior to reassignment. An employee may also voluntarily choose to take a lower bump option provided such option does not adversely affect another regular status employee who would not have otherwise been impacted.

An employee who is offered options must indicate a preference within three (3) working days of receipt of their options. Although not guaranteed, individual preferences, along with the business needs of the department, will be considered. To be considered, you must respond to **<insert name and contact information>** by **<date>** with your preferences.

If you choose to take a lower bump option that results in a demotion, you will be placed on a recall list for 24 months for the higher classifications that you previously held.

Please be informed that refusal to accept a reassignment will be deemed as a resignation. You will not be eligible for layoff and recall rights, and you may not be entitled to receive unemployment compensation.

If you have any questions or concerns, please contact **<HR Staff Name>** at **<telephone number>** or my office at **<telephone number>**.

Once again, I regret very much having to take this action. Please accept my gratitude on behalf of the County for your valued service. Best wishes for your continued success.

Sincerely,

<Name>

<Title>

CC: Local 88
Labor Relations
Personnel File

**Layoff/Reassignment of Employees with Bump Options
in Previously Held Classifications - Local 88**

<Date>

<Name>

<Address>

<Address>

Re: Layoff Due to Budget Cuts

Dear **<Name>**:

Due to changes in operations and budget, I regret to inform you that your position is subject to layoff. It is expected that the layoff will be effective at the close of business on **<Date>**. You are a valued employee and this action in no way reflects discredit on you or your job performance.

Your rights as a represented employee under the Local 88 contract have been considered, and you have rights to:

<insert list of classifications and bump options; if employees have multiple options, include the next 2 paragraphs regarding preferences and lower bump options>

When employees have multiple bumping options available to them, the County will take into account the employee's preferences to the extent practical prior to reassignment. An employee may also voluntarily choose to take a lower bump option provided such option does not adversely affect another regular status employee who would not have otherwise been impacted.

An employee who is offered options must indicate a preference within three (3) working days of receipt of their options. Although not guaranteed, individual preferences, along with the business needs of the department, will be considered. To be considered, you must respond to **<insert name and contact information>** by **<date>** with your preferences.

You will be placed on the **<classification(s)>** Recall List for 24 months. Your placement on the recall list will end when you are recalled to that classification, refuse a recall, or 24 months from the date of placement on the recall list, whichever occurs first. As future **<classification(s)>** positions become available, individuals on this list will be called back in seniority order to fill vacancies.

In an effort to save employees from layoff, employees may be placed in alternative employment within the County under Project Save. If you are interested in being

considered for possible vacancies in other job classifications that you have not held previously, I encourage you to submit an electronic résumé to **<HR Staff Name>** as soon as possible. You are not guaranteed a position under Project Save; however all qualified displaced workers will be given consideration to interview for vacancies.

Please be informed that refusal to accept a reassignment will be deemed as a resignation. You will not be eligible for layoff and recall rights, and you may not be entitled to receive unemployment compensation.

If you have any questions or concerns, please contact **<HR Staff Name>** at **<telephone number>** or my office at **<telephone number>**.

Once again, I regret very much having to take this action. Please accept my gratitude on behalf of the County for your valued service. Best wishes for your continued success.

Sincerely,

<Name>

<Title>

CC: Local 88
Labor Relations
Personnel File

Reassignment to a Local 88 Position Under Project Save

<Date>

<Employee Name>

<Address>

<Address>

Re: Reassignment to a Local 88 Position Under Project Save

Dear <Name> ,

Your <classification> position has been identified as being impacted by layoff. Your bumping rights have been considered under the layoff rules. You previously held positions in the <classification names> classifications and are entitled to be reassigned to a vacant position or bump an employee with lower seniority in these classifications. Your layoff and bumping options are as follows:

<insert layoff rights or state that none is available other than being placed on a recall list>

You have chosen to forgo the layoff and recall rights that you are entitled to under the county's layoff rules and accept a reassignment under Project Save to a <classification> position. You have never held a position in the <classification> classification and have no layoff and bumping rights to the classification at this time. Acceptance of this offer is discretionary on your part and a refusal would have no effect on your right to bump into and be placed on recall lists for current and previously held classifications.

By your acceptance of the Project Save reassignment, you are knowingly waiving certain rights that would have been afforded to you under the county's layoff process and agree to the following:

Effective <date> , you will be reassigned to a <classification> position in the <department> . Your new supervisor will be <supervisor name> . For specific information regarding the job duties, expectations, and work schedule of this position, please contact <supervisor name> at <phone number> .

This position is represented by the AFSCME Local 88 collective bargaining union and monthly union dues or fair share service fees are paid by all employees in the <classification> classification.

Article 15, Section II.D.2 of the Local 88 contract states that "employees demoted for other than disciplinary reasons will receive the rate of pay in the lower pay range that causes the least reduction in base pay. No demoted employee shall receive an increase in base pay." Your rate of pay as an <current classification> is <hourly rate, Step # or salary rate> . Your

new rate of pay as a **<new classification name>** will be **<hourly rate>** per hour, Step **<#>**.

Your step increase date will be **<date>**. You will receive your next step increase on **<date>**.

You will serve a 90 day trial service period to demonstrate your ability to successfully fulfill the requirements of the position. If you do not pass your trial service period, you will be removed from the **<classification>** classification, laid off, and placed on any recall lists you are otherwise entitled to.

Assuming you pass the 90 day trial service period for the **<classification>**, your seniority dates will be **<insert job class and countywide seniority dates along with any seniority bridging information>**.

You will not be eligible for layoff and recall rights to future vacancies in the **<classification names employee is being laid off from>** classification(s) unless you are impacted by layoff in the future. If you do not pass trial service for the **<classification>** position, you will be placed on recall lists for the previously held classifications you passed probation in.

Upon request, you can be placed on a reinstatement list for **<classification name>** classifications for 12 months. Hiring managers have the option of using reinstatement lists in lieu of posting a competitive recruitment when filling vacancies. If you choose to be placed on the reinstatement list, please contact **<HR staff person name>** for assistance.

After you review the above terms, please sign this reassignment letter and return it to me if you agree to accept the **<classification>** position. If you have any questions or concerns about your rights, you can contact me at **<phone number>**.

I am truly sorry for the uncertainty that you have had to endure as a result of all the financial difficulties and reduced funding. I am confident that you will continue to maintain the high standard of services that our citizens have come to expect and most surely deserve.

Sincerely,

<Name>

<Title>

I, _____, accept employment as a _____
under the terms and conditions listed in this letter.

Signature

Date

CC: Local 88
Labor Relations
Personnel File
<New Supervisor>

Reassignment of a Probationary Employee Under Project Save

<Date>

<Employee Name>

<Address>

<Address>

Re: Reassignment as a Probationary Employee Under Project Save

Dear <Name> ,

Your <classification> position has been identified as being impacted by layoff. You are a probationary employee and do not have bumping rights under the layoff rules.

Effective <date> , you will be reassigned to a <classification> position in the <department> under Project Save. Your new supervisor will be <supervisor name> . For specific information regarding the job duties, expectations, and work schedule of this position, please contact <supervisor name> at <phone number> .

<This position is represented by the AFSCME Local 88 collective bargaining union and monthly union dues or fair share service fees are paid by all employees in the <classification> classification.>

Your rate of pay as an <current classification> is <hourly rate, Step # or salary rate> . Your new rate of pay as a <new classification name> will be <hourly rate> per hour, Step <#> . Your step increase date will be <date> . You will receive your next step increase on <date> .

You will serve a 90 day trial service period to demonstrate your ability to successfully fulfill the requirements of the position. If you do not pass your trial service period, you will be removed from the <classification> classification, laid off, and placed on any recall lists you are otherwise entitled to.

Your initial one-year County probationary period will continue, uninterrupted. In addition, you will serve a concurrent 90 day trial service period to demonstrate your ability to successfully fulfill the requirements of the position. If you do not pass your trial service period, you will be removed from the position and will be subject to probationary release of employment.

Assuming you pass the 90 day trial service period and your probationary period for the <classification> , your seniority dates will be <insert job class and countywide seniority dates> .

Upon request, you can be placed on a reinstatement list for **<classification name>** classifications for 12 months. Hiring managers have the option of using reinstatement lists in lieu of posting a competitive recruitment when filling vacancies. If you choose to be placed on the reinstatement list, please contact **<HR staff person name>** for assistance.

I am truly sorry for the uncertainty that you have had to endure as a result of all the financial difficulties and reduced funding. I am confident that you will continue to maintain the high standard of services that our citizens have come to expect and most surely deserve.

Sincerely,

<Name>

<Title>

CC: Local 88 (if applicable)
Labor Relations
Personnel File
<New Supervisor>

X. Recall and Reinstatement Lists

Recall Lists Rules

	<u>Local 88</u>
Eligibility for Placement on Recall List	Article 21, Section IV(C) provides that "employees who are laid off, demoted, or reassigned to a lateral classification and/or reassigned between full-time and part-time status will be placed on the recall lists, according to seniority.
Duration on Recall List	24 months
Denying a Recall Placement	Article 21, Section V(A) states that "employees on a recall list shall be offered appointment to vacancies, in order of seniority, <i>except when</i> they lack knowledge, skills or abilities required for the position that are not easily learned on the job within ninety (90) days. Employees may be required to take and pass qualifying examinations in order to establish their rights to specific positions. The hiring manager is required to state in writing what qualification(s) the employee lacks that the position requires."

Employees Not Eligible to be Placed on a Recall List:

- Employees who are reassigned to positions in the same classification, who resign, or who elect to retire.
- Probationary, Temporary, or On-Call employees.
- Employees who accept a Project Save assignment (those employees can request to be added to a reinstatement list).

Note: Employees with discipline in their file and/or on work plans are still eligible to be placed on a recall list.

Recall List Rights (Article 21, Section V):

- Employees on a recall list shall be offered appointment to vacancies, in order of seniority, except when they lack knowledge, skills or abilities required for the position that are not easily learned on the job within ninety (90) days.
- Employees may be required to take and pass qualifying examinations in order to establish their rights to specific positions. The hiring manager is required to state in writing what qualification(s) the employee lacks that the position requires. The employee will remain on the recall list for certification to other vacancies during his or her term of eligibility.
- Employees on a recall list are eligible to apply for internal county promotional opportunities and internal lateral transfers. MCPR § 5-20-011(A)

Difference Between a Recall List and a Reinstatement List:

- **Recall List** – Classified employees have a seniority-based right to be recalled to vacancies for the classification that the recall list is established for. Supervisors can only deny the recall if the employee is not qualified to perform the duties of the position. Employees can file a grievance if they are not recalled to a vacancy they believe they are qualified to perform and have a seniority-based right to.
- **Reinstatement List** - Supervisors have the discretion on whether to hire an employee on a reinstatement list. Supervisors can interview them as they would an applicant in a competitive recruitment process. Employees can not grieve a denial of reinstatement.

Recall Lists and Lateral Transfers:

- Supervisors have the discretion on whether to go to a recall list before conducting a lateral transfer announcement under Article 22. If the supervisor does a lateral transfer announcement before going to a recall list, there should still be a vacancy to recall an employee to.
- In most cases, the employee applying for lateral transfer should have more countywide seniority (which determines layoff rights) than an employee who was laid off and placed on a recall list, but this may not always be the case when it comes to job classification seniority (which determines lateral transfer rights).
- Employees only have a seniority based right to lateral transfer within their current classification. This does not include equivalent classifications. Therefore, supervisors should go to the recall list before opening up a transfer announcement to employees who do not hold the classification that the vacancy is in.

Effect of an Employee Refusing Recall:

- Employees who refuse recall will be deemed to have resigned. Additionally, their unemployment benefits could be affected because the county is required to report that the employee declined employment to the State of Oregon Employment Department.
- However, employees on the recall list for a full-time position can turn down a part-time position and remain on the full-time recall list. In reverse, employees on the recall list for a part-time position can turn down a full-time position and remain on the recall list.

Removal from Recall List (Article 21, Section IV.G):

An employee will be removed from a recall list upon -

- Written request of the employee;
- Election to retire (note: an employee can remain on the recall list if they retire from another organization);
- Acceptance of permanent reinstatement from the recall list;
- Declining an offer of permanent reinstatement;
- Failure to respond within 14 days to a certified letter sent to the employee's last known address; or
- Disciplinary termination for cause.

Recall Lists and Seniority Dates:

- Employees who are laid off and are on recall list(s) and return to permanent County employment for any reason will be treated as if they have been **on a leave of absence without pay** for the purpose of computing seniority. This means that an employee's seniority dates (both Countywide and Job Class) are bridged to include the previous time spent in County service and the date is adjusted for the time spent in unpaid status.
- Employees who are involuntary demoted and are recalled back to a previously held classification will have their Job Class Seniority bridged to include the previous time spent in the classification, so that they receive the total length of accumulated service within the classification. The date is adjusted for the time spent outside of the classification.

Effect of Recall on Sick Leave Bank:

- Employees who were laid off from county employment or are serving in a temporary or on-call position following layoff will have their sick leave balance restored when they are recalled from a recall list. MCPR 2-80-060(C)

Recall Lists and Orientations Periods:

- Employees who are recalled have a 90 day orientation period just like they would if they had bumped into the position. An orientation period is different than a trial service because you can only remove someone for not demonstrating the MQs and KSAs for the position. Performance issues have to be addressed through progressive discipline.

Recall List Roles and Responsibilities:

- **Department HR Staff** will complete the Recall and Reinstatement List forms including the classifications that the employees have recall rights to as well as the seniority time they have in each classification held to determine their order on the seniority list. The HR Department Staff will also communicate to the employees their rights and responsibilities while on a Recall List. There are letter templates that can be used to inform employees of their Recall List rights.
- **Central HR's Administrative Support Unit** will process the Recall and Reinstatement List forms and add employees to Recall Lists. Central HR will also serve as the point of contact for employees who need to update their contact information.
- **Labor Relations** will work with the Department HR Staff to resolve any questions or issues regarding an employee's recall rights.
- **Employees** on a Recall List must provide Central HR with updated contact information and respond to recall notices as soon as possible and no later than 14 days after HR sends a certified notice of recall.

Placement on List(s) for All Employees

List Name:

Recall ☐
(Layoff/Involuntary Demotion)

Reinstatement ☐
(Probationary Layoff/Voluntary Demotion)

Employee Information:

SSN: SAP #:

Last Name:

First Name:

MI:

Mailing Address:

City:

State:

Zip:

Phone Number(s): Home:

Message:

Work:

ext.:

Email Address:

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88):

Years

Months

Days

Countywide Seniority Date (Local 88 only):

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88):

Years

Months

Days

Countywide Seniority Date (Local 88 only):

☐ check if additional information is on page 2

Layoff/Demotion Date:

Expiration Date:

Human Resources Representative

Date

Interoffice Address

Placement on List(s) for All Employees (cont.)

SSN:

SAP #:

Last Name:

First Name:

MI:

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88): **Years** **Months** **Days**

Countywide Seniority Date (Local 88 only):

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88): **Years** **Months** **Days**

Countywide Seniority Date (Local 88 only):

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88): **Years** **Months** **Days**

Countywide Seniority Date (Local 88 only):

Job Class Number:

Full Time ☐

Part-time ☐

Job Class Title:

Seniority Date (Other than Local 88): **Years** **Months** **Days**

Countywide Seniority Date (Local 88 only):

Notice of Recall List Rights Letter Template – Local 88

<DATE>

<EMPLOYEE NAME>

<ADDRESS>

<ADDRESS>

Re: Notice of Placement on Recall List and Recall Rights

Dear <EMPLOYEE NAME>,

This letter is to confirm your placement on all applicable layoff lists and your recall rights under the AFSCME Local 88 Bargaining Agreement and Multnomah County layoff procedures. In accordance with Article 21, Section V, employees on a recall list shall be offered appointment to vacancies, in order of seniority, except when they lack knowledge, skills or abilities required for the position that are not easily learned on the job within ninety (90) days. Employees may be required to take and pass qualifying examinations in order to establish their rights to specific positions.

A review of your personnel file indicates that you have held the below classification(s) in which you have recall rights to. Your name will remain on the recall list(s) for the below classification(s) for **24-months**.

Classification	Seniority time	Effective Date	Expire Date	FT/PT

You will be removed from a recall list only under the following circumstances:

1. You are recalled.
2. You decline an offer for recall.
3. You fail to respond to a certified letter sent to your last known address within 14 days of mailing.
4. You retire.
5. You are terminated (disciplinary-for cause).
6. You submit a written request to have your name taken off stated recall list.
7. 24-months expire from the date of placement on the recall list.

It is important the County has your current contact information, including home address, so that you can be reached if there is a recall opportunity. If you need to update your contact information in the future, please contact Central Human Resources at 503-988-5015.

If you have any questions regarding your recall list rights, please contact <NAME> at (503) 988-XXX extension XXXX or if you would like additional information please

contact me at (503) 988-XXX extension XXXX.

Sincerely,

<NAME>

<TITLE>

C: Personnel File
 Central Human Resources

XI.

Welcoming and Orienting Employees

General Guidelines Regarding Welcoming and Orienting Employees

Welcoming and Orienting Employees:

Employees being reassigned due to layoff, and co-workers who have employees laid off and/or new co-workers bumping into the unit, face stress and uncertainty that supervisors should be sensitive to. Employees new to the work group should be welcomed and oriented to their position like employees newly hired to the county would be. They should receive the training for their specific job duties and be given regular feedback about their performance of those duties.

Supervisors should also be cognizant of negative behaviors that might be exhibited by other employees in the work group who may be feeling the loss of a co-worker who was bumped out of a position. Supervisors should take immediate intervention if it appears that the employee bumping into the work group is not being welcomed and treated with respect.

Request for Leave (Article 21, Section III.E.11):

Employees who are reassigned or demoted pursuant to these provisions may request up to three (3) days of leave without pay prior to reporting to their new work assignment, consistent with the County's voluntary furlough program, and subject to approval of the appropriate manager.

Transition Checklist:

The Transition Checklist is for supervisors to use when orientating an employee to their new assignment. Although this checklist is not required to be used, supervisors are strongly urged to use the tool or some other internal checklist that ensures reassigned employees receive proper orientation to the duties of their new position.

EMPLOYEE REASSIGNMENT TRANSITION CHECKLIST

Employee: _____	Effective Date: _____
Department/Division/Work Unit: _____	Manager/Supervisor: _____

Prepare for Arrival	First Day	First 90 Days
<p><input type="checkbox"/> Helpful Information: Prepare a “welcome packet” (position description, org chart, helpful contacts and phone numbers, safety and emergency protocol).</p> <p><input type="checkbox"/> Mentor: Assign a peer support person/mentor who will dedicate time to provide support and training to the transitioning employee.</p> <p><input type="checkbox"/> Workspace: Ensure desk/workspace is ready, clean and has basic supplies.</p> <p><input type="checkbox"/> Computer: Complete IT requests (arrange for computer set up if needed; request appropriate roles/rights/access to needed programs).</p> <p><input type="checkbox"/> Phone: Contact your telecom liaison if initial phone set up is needed. Otherwise, employee can access instructions on setting up voice mail on Commons. Ensure that information on new extension number is included on the PCAF so that it will be entered into SAP and will download into the Commons employee directory.</p> <p><input type="checkbox"/> ID Badge: Arrange for updates to ID Badge (they are color coded by Department; building access needs may have changed).</p> <p><input type="checkbox"/> Communication: Inform staff of the transition. Communicate work schedule and start time for the first day with the employee prior to their arrival.</p>	<p><input type="checkbox"/> Greet: Arrange for someone to greet and welcome the transitioning employee on the first day.</p> <p><input type="checkbox"/> Tour: Provide a tour of the facility and introductions to staff.</p> <p><input type="checkbox"/> Review: Review the welcome packet together. Explain job responsibilities and expectations.</p> <p><input type="checkbox"/> Meetings: Provide information on meetings employee will be expected to attend.</p> <p><input type="checkbox"/> Training: Provide information on formal training opportunities (including any mandatory trainings as well as job/professional development opportunities).</p>	<p><input type="checkbox"/> Check-In: Set up regular check-ins to answer questions, respond to concerns, discuss performance, and provide timely and constructive feedback.</p> <p><input type="checkbox"/> Work Assignments: Provide the employee with meaningful work and assure assignments are understood.</p> <p><input type="checkbox"/> Feedback: Solicit feedback from the employee on the transition process and make adjustments as needed.</p> <p><input type="checkbox"/> Questions/Concerns: Discuss with your Human Resources staff any questions/concerns along the way.</p> <div style="border-top: 1px solid black; padding-top: 5px;"> <div style="display: flex; justify-content: space-between;"> Supervisor/Manager Signature / Date </div> </div> <div style="border-top: 1px solid black; padding-top: 5px;"> <div style="display: flex; justify-content: space-between;"> Employee Signature / Date </div> </div> <p>Return this form to your Department Human Resources Office</p>

TRANSITION CHECKLIST GUIDELINES

The Transition Checklist acknowledges the significant stress and sadness that accompanies losing or integrating staff and includes actions by four parties: the employee, their manager, an assigned Transition Peer Contact*, and HR.

The Transition Checklist enables a manager to engage the employee in a process whereby expectations can be relayed to the employee in a manner which maintains the employee's dignity during a layoff or other transitional action.

The Transition Checklist embodies the VATT (Values and Transition Team) values, specifically:

- ⇒ Respecting and valuing our employees and supporting them with transition resources.
- ⇒ Ensuring transitions will be fair, equitable and consistently handled.
- ⇒ Providing support to employees by asking them what they need and then balancing those individual needs with the needs of the organization.
- ⇒ Welcoming new employees into their new work assignments and treating them empathetically.
- ⇒ Valuing cultural competency, which creates an environment that ensures that these transition values are achieved.
- ⇒ Continuing to provide quality services to our customers.

One of the VATT recommendations for action is to provide a variety of resources to support all employees during periods of layoffs and bumping. The Transition Checklist is a tool for both transitioning employees and their managers to use to help ensure that layoff and bumping transitions are successful.

Another VATT recommendation is to apply these same values to those employees dealing with the loss of a team member.

*** Transition Peer Contact** – Someone assigned to the new employee who assists him or her in feeling welcome in their new work assignment. Their role includes an introduction to coworkers as well as serving as a guide to navigating their new environment.

XII. Transition Resources and Outplacement Services

Service	Target Audience	Activities
---------	-----------------	------------

Outplacement and

Career Transitions Services

Multnomah County is committed to providing a coordinated range of career development and transition resources to staff facing significant career changes including layoffs, full-time to part-time transitions, and bumping.

Along with access to group career coaching and, in some cases, individualized sessions (departmental HR staff will refer employees eligible for these services), we combine the expertise within the county to community resources in order to fully support staff as they navigate this time of transition, change, and uncertainty.

Our menu of offerings, resources, and services are specific to the needs of county employees and cover a range of topics. *County staff facing significant career change will be given preferential enrollment availability and access to these offerings.*

Career Development Toolkit

Success in the 21st century workplace means always being “job ready.” In addition to traditional workplace tools like career assessment, résumé and cover letter assistance, and interviewing, we assist employees in navigating the multifaceted reality of the new workplace, one heavily influenced by technology (social media and the proliferation of information), a shifting economy, and a focus on “personal branding”.

Change Management Strategies

Transition can be a confusing and frightening experience, even for employees not facing involuntary change. Families, workplaces, and friendships are affected. Change Management resources—in the form of classes and expert coaching to teams of managers and employees—help staff to adjust as individuals, co-workers, friends, family members, and supervisors.

County and Community Resources

Accessing all of the resources available during transition can be an overwhelming process. Drawing on county and community resources, we help employees navigate both the myriad of support systems in place within Multnomah County but also the range of regional resources ready to assist transitioning individuals.

Visit the [Career Management & Professional Development Page](#) on the [Talent Development Team Commons Page](#) for more information, links to resources, and a chance to enroll in ongoing learning opportunities (online and in-person). Contact Steven Joiner (steve.joiner@multco.us), Career Transitions and Outplacement Consultant, for additional questions.

Transitions Support Network	Staff directly affected by layoffs	<ul style="list-style-type: none"> •Ongoing networking and support meetings •Accessing group coaching •Attending presentations from community leaders
Oregon Layoff Resources	Staff directly affected by layoffs	<ul style="list-style-type: none"> •Accessing unemployment services •Understanding insurance •Utilizing union resources •Finding community support
County Layoff Resources	Staff directly affected by layoffs	<ul style="list-style-type: none"> •Understanding benefits and payroll issues •Tapping Employee Assistance Programs •Navigating the rehire, recall, and reinstatement processes
Career Assessment	All Staff	<ul style="list-style-type: none"> •Exploring career, skills, and personality tests •Articulating skills and experience •Aligning interests with future career goals
Job Readiness	All Staff	<ul style="list-style-type: none"> •Drafting résumés and cover letters •Honing interviewing skills •Creating proactive networks •Completing Online applications •Utilizing technology •Understanding the 21st Century Workplace •Exploring labor markets and hiring trends
Change Management: Staff	All Staff	<ul style="list-style-type: none"> •Managing stress and grief •Caring for yourself during transition •Having difficult conversations with family and friends •Managing finances amidst change
Change Management: Supervisors	Supervisors	<ul style="list-style-type: none"> •Leading change: saying goodbye then hello •Having difficult conversations with staff •Team building during transition

County staff facing significant career change will be given preferential enrollment availability and access to these offerings.

Local Government Employers

MULTNOMAH COUNTY

501 SE Hawthorne Blvd. Suite 300
Portland OR 97214
Office: 503-988-5015/ **Hotline: 503-988-5035** www.multcojobs.org

CITY OF PORTLAND PERSONNEL

1120 SW 5th, Room 404
Portland, OR 97204
Office: 503-823-3572/**Hotline: 503-823-4573** www.portlandonline.com/jobs

STATE COURT PERSONNEL

1021 SW 4th, Room 236
Portland, OR 97204
Office: 503-988-3443
<http://courts.oregon.gov/OJD/jobs>

STATE PERSONNEL

155 Cottage Street NE, U-30
Salem, OR 97301
1-503-378-8344/**Hotline: 1-855-862-9200**
<http://oregonjobs.org/>

FEDERAL PERSONNEL

1220 SW 3rd, Rm 376
Portland, OR 97204
1-800-688-9889
www.usajobs.gov

PORT OF PORTLAND

7200 NE Airport Way
Portland, OR 97218
Office: 503-415-6400/**Hotline: 503-415-6002**
<http://agency.governmentjobs.com/portofportland>

CITY OF TIGARD

13125 SW Hall Blvd.
Tigard, OR 97223
503-718-2813
http://www.tigard-or.gov/city_hall/departments/hr/

CITY OF BEAVERTON

4755 SW Griffith Dr.

CITY OF MILWAUKIE

10722 SE Main
Milwaukie, OR 97222
Office: 503-786-7507
<http://www.ci.milwaukie.or.us/jobs>

CLACKAMAS COUNTY PERSONNEL

PSB 2051 Kaen Rd., Suite 310
Oregon City, OR 97045
Office: 503-655-8459
<http://www.clackamas.us/des/jobs.html>

WASHINGTON CO. PERSONNEL

155 N 1st Ave. #270
Hillsboro, OR 97124
Office: 503-846-8611/ **Hotline: 503-648-8607**
www.co.washington.or.us/Support_Services/HR/Employment/employment-opportunities.cfm

CLARK CO. HUMAN RESOURCES

1013 Franklin St., PO Box 5000
Vancouver, WA 98660
Office: 360-397-2456/**Hotline: 360-397-6018**
www.co.clark.wa.us/hr/employment/job-openings.html

CITY OF VANCOUVER

415 W 6th St.
Vancouver, WA 98668
Office: (360) 487-8417
<http://agency.governmentjobs.com/vancouver>

METRO SERVICE DISTRICT

600 NE Grand Ave.
Portland, OR 97232
Office: 503-797-1570
Job Info: 503-797-1777
www.metro-region.org/

PORTLAND PUBLIC SCHOOLS

501 N. Dixon St.
Portland, OR 97227
Job Info: 503-916-3544
www.pps.k12.or.us/departments/hr/index.htm

Beaverton, OR 97076

Hotline: 503-526-2200

<http://apps.beavertonoregon.gov/Jobs/openings.aspx>

CITY OF LAKE OSWEGO

380 A Ave., 1st floor

Lake Oswego, OR 97034

503-635-0220

www.ci.oswego.or.us/hum-res/jobs.htm

XIII. Layoff Reporting and Surveys

Purpose of Layoff Survey:

The purpose of the layoff survey is to identify areas of the process that work well and areas that need improvement. Article 21, Section III(E)(13) states that "the County will regularly evaluate layoff and bumping activities, including giving affected employees an opportunity to provide feedback to improve layoff and bumping processes."

Participation:

To provide a measurement on how well the County does in terms of communication regarding layoffs, the County is interested in receiving feedback from all employees that were touched by layoff including employees who were told that their position was being cut and their layoff was ultimately rescinded. As such, the County wants to survey employees that were actually impacted by layoff, as well as employees that were told their position was proposed to be eliminated in the Executive Budget or the Adopted Budget, and employees that were told they could be bumped due to proposed eliminated positions.

Method:

Labor Relations uses the information received from the departments for the Layoff Demographics Report to determine which employees should receive an invitation to complete the Layoff Survey.

Employees who are still employed with the county (reassigned to a new position or had their layoff rescinded) receive an invitation via email to complete the survey in Zoomerang. Employees who are separated receive a copy of the survey in the mail along with a return envelope that has been addressed to the county and stamped.

Interviews:

The survey asks if employees want to be contacted by Central Human Resources for an interview to discuss their layoff experience. Labor Relations will conduct the interview and provide feedback to the department human resource unit.

Results:

The survey results and demographic reports are broken down by department as well as compiled countywide. Departments and stakeholders can receive a copy of the survey results upon request.



MULTNOMAH COUNTY

Layoff and Reassignment Survey – FY12-13

Demographics

Name (Optional): _____

Layoff/Reassignment Date: _____

Length of time in most recent position prior to layoff/reassignment:

- | | |
|---|--|
| <input type="checkbox"/> Less than 6 months | <input type="checkbox"/> 8 – 10 years |
| <input type="checkbox"/> 6 months – 1 year | <input type="checkbox"/> 11 - 15 years |
| <input type="checkbox"/> 1 – 3 years | <input type="checkbox"/> 16 – 20 years |
| <input type="checkbox"/> 4 – 7 years | <input type="checkbox"/> 20+ years |

Length of County Employment:

- | | |
|---|--|
| <input type="checkbox"/> Less than 6 months | <input type="checkbox"/> 8 – 10 years |
| <input type="checkbox"/> 6 months – 1 year | <input type="checkbox"/> 11 - 15 years |
| <input type="checkbox"/> 1 – 3 years | <input type="checkbox"/> 16 – 20 years |
| <input type="checkbox"/> 4 – 7 years | <input type="checkbox"/> 20+ years |

Department you were laid off or reassigned from:

- | | |
|--|---|
| <input type="checkbox"/> Dept of Community Justice | <input type="checkbox"/> District Attorney's Office |
| <input type="checkbox"/> Dept of Community Services | <input type="checkbox"/> Health Dept |
| <input type="checkbox"/> Dept of County Human Services | <input type="checkbox"/> Library |
| <input type="checkbox"/> Dept of County Management | <input type="checkbox"/> Sheriff's Office |
| <input type="checkbox"/> Dept of County Assets | <input type="checkbox"/> Other: _____ |

Type of position in before layoff/reassignment:

- ☐ Represented
☐ Non-represented/Management
☐ Unclassified/Executive

If represented by a union, member of:

- | | |
|--|--|
| <input type="checkbox"/> FOPPO | <input type="checkbox"/> MCDSA |
| <input type="checkbox"/> Local 48, 701 or 1094 | <input type="checkbox"/> MCCDA |
| <input type="checkbox"/> Local 86 – JCSS | <input type="checkbox"/> ONA |
| <input type="checkbox"/> Local 88 | <input type="checkbox"/> Prosecuting Attorneys |
| <input type="checkbox"/> Not Applicable | |

Ethnicity

- ☐ African American
☐ Asian or Pacific Islander
☐ Caucasian

Gender

- ☐ Female
☐ Male
☐ Decline to State

- ☐ Hispanic
- ☐ Native American or Alaskan
- ☐ Decline to State

Layoff Reason and Outcome

Outcome of your layoff action:

- ☐ **Remained in Your Department**
 - ☐ Reassigned to a Vacancy within your Classification
 - ☐ Bumped a Less Senior Employee within your Classification
 - ☐ Reassigned to a Vacancy in a Previously Held Classification
 - ☐ Bumped a Less Senior Employee in a Previously Held Classification
 - ☐ Project Save to a position with an equivalent pay scale
 - ☐ Project Save to a position with a lower pay scale
 - ☐ Changed FTE (reduced/increased regularly scheduled work time)
 - ☐ Layoff or reassignment was rescinded
 - ☐ Opted to retire
 - ☐ Other (please explain) _____

- OR -

- ☐ **Countywide Placement**
 - ☐ Reassigned to a Vacancy within your Classification
 - ☐ Bumped a Less Senior Employee within your Classification
 - ☐ Reassigned to a Vacancy in a Previously Held Classification
 - ☐ Bumped a Less Senior Employee in a Previously Held Classification
 - ☐ Project Save to a position with an equivalent pay scale
 - ☐ Project Save to a position with a lower pay scale
 - ☐ Changed FTE (reduced/increased regularly scheduled work time)
 - ☐ Other (please explain) _____

- OR -

- ☐ **Separated**

Reason for your layoff action:

- ☐ Position Eliminated in Budget
- ☐ Position Eliminated due to Reorganization
- ☐ Bumped By a More Senior Employee
- ☐ Bumped During initial 1 year probation period
- ☐ Other (please explain) _____

- ☐ Voluntary Layoff
☐ Layoff/Termination
☐ Other (please explain)_____ -

<u>Layoff and Reassignment Process</u>	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
I was treated respectfully throughout the layoff and reassignment process					
The layoff and reassignment process was administered in a fair and equitable manner					
I felt supported by my Department throughout the layoff and reassignment process					

<u>Communication</u>	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
My layoff and recall rights were fully explained to me in a way that I understood					
All of my questions about the layoff and reassignment process were answered					
I received regular communication about the status of the layoff process within the County and my department					
I received regular updates on how the layoff process would affect me					
The person who communicated to me that I would be laid off or reassigned treated me in a respectful manner					
The information on the Layoff & Transition Resources web page is useful					

My layoff and/or reassignment letter was informative about my rights and resources available to me					
--	--	--	--	--	--

I received my layoff and/or reassignment letter at least 15 days before the effective date of my layoff or reassignment: ☐ Yes ☐ No

Complete the Reassignment and Transition Section ONLY IF you are still employed by Multnomah County and were reassigned to another position due to layoff or bumping.

<u>Reassignment and Transition</u>	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
I felt welcomed by my new supervisor throughout the reassignment process and feel like I am considered a valued employee					
My co-workers have welcomed me to my new work unit and they have treated me in an empathetic manner					
The Transition Checklist has been a useful tool in my transition					
I feel that I am being given the tools necessary for success in my new position					

- OR -

Complete only the questions in this section that are applicable to you.

<u>Layoff and Outplacement Services</u>	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
I was offered the opportunity to submit my résumé to be considered for positions using the Project Save program					
I was provided with information about the outplacement services that are available to me					
I feel that the Outplacement Coordinator is accessible to me and is meeting my outplacement needs.					

I recommend that the County continue it's current outplacement services.					
--	--	--	--	--	--

If you have been separated from employment due to layoff and have not signed up for outplacement services, can you please tell us why?

Suggestions for Improvement (Attach additional pages as needed)

1. Are there any resources or tools that were not offered that you think would benefit employees being affected by layoff and reassignment in the future?

2. Do you have any suggestions on how we might improve the layoff and reassignment process?

3. Is there anything else that you would like to share about the layoff and reassignment process or your experience at Multnomah County in general?

4. Would you like Central Human Resources to contact you to discuss your layoff or reassignment experience?

☐ No ☐ Yes - If yes, please provide **name and phone number:** _____

Thank you for your participation!
Please remember to return the survey by September 30th:

Multnomah County Labor Relations
Interoffice: 503/3/300/Kim Pasquinelli
501 SE Hawthorne Blvd, Suite 300, Portland, OR 97214
kim.j.pasquinelli@multco.us

Ph: 503-988-5015 x24666, Fax: 503-988-3009

XIV.
Benefits,
Unemployment,
and Other
Services
Offered

Frequently Asked Questions –

County Benefit Programs for Represented Employees

Medical and Dental Insurance

Medical and dental insurance coverage will end based on the last day paid (either the last day worked or the last day that you are in paid status).

- ⇒ If your last paid day is on or before the 15th of a month, your coverage will end on the last day of that month. Cost share for final pay period of the month will be deducted from your final paycheck.
- ⇒ If your last paid day is the 16th or later in a month, your coverage will end on the last day of the following month. Cost shares for three (3) pay periods will be deducted from your final paycheck.

Continuation of Medical and Dental Insurance

COBRA is a program that allows an employee, whose County-sponsored coverage has ended, to purchase ongoing coverage under the County's health plan. The maximum coverage period available to a person who has lost coverage due to loss of employment is 18 months. You will receive a COBRA letter outlining the costs and enrollment process from the Benefits Office. COBRA coverage is not effective until the enrollment process is complete and premium(s) are paid.

If you have questions about the COBRA program, you may contact the Benefits Office at (503) 988-3477.

Life Insurance

Coverage under the County-paid life insurance plan will terminate at the end of the month your employment ends. See Portability and Life Insurance Conversion sections for information on how to continue life insurance coverage after employment ends.

Reinstatement of Coverage – Following Return to Work

Medical, dental, and life insurance may reinstate automatically on the first of the month following the return to work of a previously laid off employee who returns to work within 12 months of the layoff date. Coverage reinstatement means the employee and previously enrolled family members are enrolled in the same plan with the same coverage levels as employee had during prior course of County employment. If, during the layoff, you have had a family situational change (marriage, birth, adoption, change in domestic partner, etc) you will need to complete a health plan enrollment form in order to update your dependent enrollment records.

EXCEPTION: If an open enrollment period has occurred during your layoff period, coverage DOES NOT automatically reinstate. You must complete a new health plan enrollment form upon your return to work.

Please call the Employee Benefits Office at (503) 988-3477 if you have questions.

Long Term Disability Plan

Coverage under the County-paid long term disability plan will end on your last day worked. Coverage is reinstated under this plan, on the first of the month following an employee's return to work. Claims made following reinstatement of employment for a condition that originates during the layoff period are subject to the pre-existing condition clause outlined in the plan document.

Voluntary Insurance

Short Term Disability: Coverage terminates on the last day worked. Should you return to work, you have an opportunity to request enrollment in this program. However, your request for enrollment is subject to review by the insurance carrier. You may need to provide a medical history (evidence of insurability) with your enrollment application. The completed application forms will be submitted to the insurance carrier for approval or denial. Coverage does not begin until enrollment application is approved by the insurance carrier.

Lifestyle Life Insurance: Coverage terminates at the end of the month of your employment ends. Should you return to work, you have an opportunity to request enrollment in this program. However, your request for enrollment is subject to review by the insurance carrier. You will need to provide a medical history (evidence of insurability) with your enrollment application. The completed application forms will be submitted to the insurance carrier for approval or denial. Coverage does not begin until enrollment application is approved by the insurance carrier. Guaranteed Issue enrollment is only available following an individual's original hire date.

Portability of Life Insurance

You have the opportunity to continue the group life (and/or AD&D*) coverage that was in force while you were a County employee by purchasing the coverage directly from the County's insurer, UNUM, at the County's group rates.

If you exercise your portability option, you will be insured directly by UNUM. Any questions or payments you make should be directed to their office. You will be sent a Portability Application Form following your employment termination. Please read the information completely. A fraudulent application for portability coverage will impact future benefits available to you.

If you, the employee, or your enrolled spouse/domestic partner has a medical condition that would have a material effect on life expectancy – you are not eligible to purchase portability coverage. Should this be your situation, please read the information below about Life Insurance Conversion.

Portability coverage is available to you at the group insurance rates. You may elect to carry the same amount of coverage you had as an active employee, or less – the choice is yours. The application form will include the premium information you will need to calculate the cost of portability coverage.

*Note: Only members of the Deputy Sheriffs, MCCDA, Civil Deputies, and FOPPO bargaining units are enrolled in Accidental Death and Dismemberment coverage. Portability of AD&D is only available to these employees.

Life Insurance Conversion

If you, or your enrolled spouse/domestic partner, are not eligible to elect the Portable Life Insurance option, the County plan also contains a conversion option, which means that upon coverage termination due to layoff, you can request to convert your group life insurance to an individual insurance plan. The conversion option is generally exercised by an individual who may be unable to purchase other life insurance on the open market.

If you are interested in applying for conversion coverage, you must submit a Life Insurance Conversion form to UNUM within 30 days of the date your group life insurance through the County ends.

Please call the Employee Benefits Office at (503) 988-3477 and request a Life Insurance Conversion form. We will complete the Employer's Section of this form and mail it to you. You will need to complete the Employee's Section of the same form and mail it to UNUM within the allowable time period.

Flexible Spending Accounts

Dependent Care Assistance Plan (DCAP): Participation terminates on your last day of work. This means child care/elder care expenses incurred through your last day worked will be eligible for reimbursement. You may elect to re-enroll in this program if you are rehired during the same plan year. A new enrollment form would be required if you wish to re-enroll upon rehire.

Medical Expense Reimbursement Plan (MERP): Participation terminates on the last day of the pay period in which your last day of work falls. Only expenses incurred through your last day of participation will be eligible for reimbursement. If you choose, you may continue to contribute to this program during your layoff until the end of the current plan year, by making payments to your account through MERP COBRA. Terminating employees who are MERP participants will receive an explanation notice mailed to their home.

Should you elect to self-pay your contributions after your layoff, you can continue to submit claims for reimbursements, until your contributions end. If you are rehired in the same plan year, you will be able to re-enroll in this program following your return to work, with limited election options.

A new enrollment form would be required if you wish to re-enroll upon rehire. Upon re-enrollment, the per pay period contribution would be based on the original annual goal and the number of remaining pay periods in the plan year. Your annual goal amount cannot be changed UNLESS, during your period of unemployment you experience a recognized IRS Family Status Change.

Health Reimbursement Arrangement (HRA/VEBA)

If you have an HRA VEBA Account, the funds in the account are yours and can be used by you and/or your eligible family members to pay for IRS qualified health/dental/vision expenses and/or insurance premiums after your separation from Multnomah County. Please direct your claims and/or inquiries to the HRA administrator, Meritain Health at 1-888-659-8828.

Public Employee Retirement System (PERS)

Please contact PERS directly at (503) 603-7377 or toll-free 1-888-320-7377, if you have questions about your status.

Credit Unions

PACE Credit Union: (503) 234-9851

Point West Credit Union (503) 546-5000

Deferred Compensation Administrators

Please contact Central Payroll at (503) 988-3309 if you have questions about your account.

County Employee Benefits Office

If you have benefit-related questions that are not addressed on this fact sheet, please contact our office at (503) 988-3477.

Employee Assistance Program (EAP):

The County's EAP program, UNUM Provident Work-Life Balance Program, provides a number of services to employees. You have unlimited access to telephone consultation services. If needed, 3 face to face counseling sessions can be arranged. Subjects the EAP can help with are: Financial (budgeting, credit and collections), Work Situations (stress management, adjusting to change), Emotional Well-Being (grief/loss/depression). The toll-free numbers are

1-800-854-1446 (English)
1-877-858-2147 (Spanish)
1-800-999-3004 (TTY/TDD)

Frequently Asked Questions – County Benefit Programs for Non-Represented Employees

Medical and Dental Insurance

Medical and dental insurance coverage will end based on the last day paid (either the last day worked or the last day of paid status).

- ⇒ If your last paid day is on or before the 15th of a month, your coverage will end on the last day of that month. Cost share for final pay period of the month will be deducted from your final paycheck.
- ⇒ If your last paid day is the 16th or later in a month, your coverage will end on the last day of the following month. Cost shares for three (3) pay periods will be deducted from your final paycheck.

Continuation of Medical and Dental Insurance

COBRA is a program that allows an employee, whose County-sponsored coverage has ended, to purchase ongoing coverage under the County's health plan. The maximum coverage period available to a person who has lost coverage due to loss of employment is 18 months. You will receive a COBRA letter outlining the costs and enrollment process from the Benefits Office. COBRA coverage is not effective until the enrollment process is complete and premium(s) are paid.

If you have questions about the COBRA program, you should contact the Benefits Office at (503) 988-3477.

Life Insurance

Coverage under the County-paid life insurance plan will terminate at the end of the month your employment ends. See Portability and Life Insurance Conversion sections for information on how to continue life insurance coverage after employment ends.

Reinstatement of Coverage – Following Return to Work

Medical, dental, and life insurance may reinstate automatically on the first of the month following the return to work of a previously laid off employee who returns to work within 12 months of the layoff date. Coverage reinstatement means the employee and previously enrolled family members are enrolled in the same plan with the same coverage levels as employee had during prior course of County employment. If, during the layoff, you have had a family situational change (marriage, birth, adoption, change in domestic partner, etc) you will need to complete a health plan enrollment form in order to update your dependent enrollment records.

EXCEPTION: If an open enrollment period has occurred during your layoff period, coverage DOES NOT automatically reinstate. You must complete a new health plan enrollment form upon your return to work.

Please call the Employee Benefits Office at (503) 988-3477 if you have questions.

Short Term Disability

Coverage under the County-paid short term disability plan will end on your last day worked. Coverage is reinstated under this plan, on the first of the month following an employee's return to work.

Long Term Disability Plan

Coverage under the County-paid long term disability plan will end on your last day worked. Coverage is reinstated under this plan, on the first of the month following an employee's return to work. Claims made following reinstatement of employment for a condition that originates during the layoff period are subject to the pre-existing condition clause outlined in the plan document.

Voluntary Insurance

Lifestyle Life Insurance: Coverage terminates at the end of the month that your employment ends. Should you return to work, you have an opportunity to request enrollment in this program. However, your request for enrollment may be subject to review by the insurance carrier. You may need to provide a medical history (evidence of insurability) with your enrollment application. The completed application forms will be submitted to the insurance carrier for approval or denial. Coverage does not begin until enrollment application is approved by the insurance carrier.

Portability of Life Insurance

You have the opportunity to continue the group life coverage that was in force while you were a County employee by purchasing the coverage directly from the County's insurer, UNUM, at the County's group rates.

If you exercise your portability option, you will be insured directly by UNUM. Any questions or payments you make should be directed to their office. You will be sent a Portability Application Form following your employment termination. Please read the information completely. A fraudulent application for portability coverage will impact future benefits available to you.

If you, the employee, or your enrolled spouse/domestic partner has a medical condition that would have a material effect on life expectancy – you are not eligible to purchase portability coverage. Should this be your situation, please read the information below about Life Insurance Conversion.

Portability coverage is available to you at the group insurance rates. You may elect to carry the same amount of coverage you had as an active employee, or less – the choice is yours. The application form will include the premium information you will need to calculate the cost of portability coverage.

Life Insurance Conversion

If you, or your enrolled spouse/domestic partner, are not eligible to elect the Portable Life Insurance option, the County plan also contains a conversion option, which means that upon coverage termination due to layoff, you can request to convert your group life insurance to an individual insurance plan. The conversion option is generally exercised by an individual who may be unable to purchase other life insurance on the open market.

If you are interested in applying for conversion coverage, you must submit a Life Insurance Conversion form to UNUM within 30 days of the date your group life insurance through the County ends.

Please call the Employee Benefits Office at (503) 988-3477 and request a Life Insurance Conversion form. We will complete the Employer's Section of this form and mail it to you. You will need to complete the Employee's Section of the same form and mail it to UNUM within the allowable time period.

Flexible Spending Accounts

Dependent Care Assistance Plan (DCAP): Participation terminates on your last day of work. This means child care/elder care expenses incurred through your last day worked will be eligible for reimbursement. You may elect to re-enroll in this program if you are rehired during the same plan year. A new enrollment form would be required if you wish to re-enroll upon rehire.

Medical Expense Reimbursement Plan (MERP): Participation terminates on the last day of the pay period in which your last day of work falls. Only expenses incurred through your last day worked will be eligible for reimbursement. If you choose, you may continue to contribute to this program during your layoff until the end of the current plan year, by making payments to your account through MERP COBRA. Terminating employees who are MERP participants will receive an explanation notice mailed to their home.

Should you elect to self-pay your contributions after your layoff, you can continue to submit claims for reimbursements, until your contributions end. If you are rehired in the same plan year, you will be able to re-enroll in this program following your return to work, with limited election options.

A new enrollment form would be required if you wish to re-enroll upon rehire. Upon re-enrollment, the per pay period contribution would be based on the original annual goal and the number of remaining pay periods in the plan year. Your annual goal amount cannot be changed unless, during your period of unemployment, you experience a recognized IRS Family Status Change.

Health Reimbursement Arrangement (HRA/VEBA)

If you have an HRA VEBA Account, the funds in the account are yours and can be used by you and/or your eligible family members to pay for IRS qualified health/dental/vision expenses and/or insurance premiums after your separation from Multnomah County. Please direct your claims and/or inquiries to the HRA administrator, Meritain Health, at 1-888-659-8828.

Public Employee Retirement System (PERS)

Please contact PERS directly at (503) 603-7377 or toll-free 1-888-320-7377, if you have questions about your status.

Credit Unions

Advantis Credit Union: (503) 234-9851

Point West Credit Union: (503) 546-5000

Deferred Compensation Administrators

Please contact Central Payroll at (503) 988-3309 if you have questions about your account.

County Employee Benefits Office

If you have benefit-related questions that are not addressed on this fact sheet, please contact our office at (503) 988-3477.

Employee Assistance Program (EAP):

The County's EAP program, UNUM Work-Life Balance Program, provides a number of services to employees. You have unlimited access to telephone consultation services. If needed, 3 face to face counseling sessions can be arranged. Subjects the EAP can help with are: Financial (budgeting, credit and collections), Work Situations (stress management, adjusting to change), Emotional Well-Being (grief/loss/depression). The toll-free numbers are

1-800-854-1446 (English)

1-877-858-2147 (Spanish)

1-800-999-3004 (TTY/TDD)

Unemployment Compensation Benefits

Approving Unemployment Benefits

Although most, if not all, employees who are laid off will be granted unemployment benefits, it is important that employees understand that the County is not the decision maker. The state in which the employee files for unemployment benefits in determines whether the employee will be granted benefits.

Applying for Unemployment Benefits

Employees can file for unemployment benefits online, over the phone, or in person. Employees should be referred to:

[State of Oregon](#) – (877) 517-5627 or (800) 237-3710

[State of Washington](#) – (800) 318-6022

Responding to Unemployment Claims

All inquiries regarding claims for unemployment benefits should be referred to Labor Relations. Labor Relations, typically, does not contest claims when the employee is listed in SAP as a layoff.

It is important that departments communicate to Labor Relations any time work is offered to a laid off employee who may be receiving unemployment benefits and the employee refuses or declines the work. When an employee refuses work, including temporary or on-call, s/he is ineligible for benefits for a period of time that is determined by the state s/he files for benefits in.

Similarly, if an employee is offered a position at a lower level and refuses the position, s/he is deemed to have voluntarily resigned and may be ineligible for benefits. Labor Relations should also be notified if an employee declines recall or reinstatement.

Unemployment Benefits for Voluntary Layoffs

If the county accepts a voluntary layoff from an employee after soliciting for volunteers, the county does not contest unemployment benefits since we would have been liable for the unemployment benefits of another employee if the employee in question had not volunteered for layoff.

Limited Employee Assistance Program (EAP)/ **Unum Work-Life Balance Program**

Employee assistance support is provided through Unum Work-Life Balance Program which offers consultation and counseling about a wide range of topics including grief and loss and adjusting to change. To access this free service, employees should call the Benefits Office at (503) 988-3477 or Unum at (800) 854-1446.

Employees who are impacted in layoff may access UNUM for **30 days** following their date of termination. For example: if an employee is laid off on 6/30/09 that employee has coverage to use EAP services until 7/30/09. Once the consultative process begins it will continue until the impacted employee completes their maximum allotment of three visits.

If an employee is already using EAP consultative services prior to being laid off, the impacted employee would continue with the process until they complete their maximum allotment of three (3) visits.

Feedback Welcomed!



The Layoff Manual is a continual work in progress since the County strives to improve the layoff process to the greatest extent practical. If there are areas in the Layoff Manual that you feel are unclear, or if you have suggestions on areas that are not addressed and would be helpful, please send feedback to Chris Radzom in Labor Relations at chris.radzom@multco.us. Your feedback is appreciated.