

ARTICLE XVII
REDUCTION IN FORCE

- 17.1 The District shall notify the Union of layoffs prior to Governing Board action or upon mailing of layoff notices, whichever is earlier. The District agrees to meet and consult with the Union to discuss alternatives prior to written notification to the employee. If no alternative is reached, then the employee will be given a forty-five (45) day notice of layoff and will be requested to respond in writing within two (2) weeks of receiving notice as to whether he/she will accept the layoff or invoke bumping rights.

Layoff Procedures are as follows:

- a. Employee will be given a forty-five (45)-day notice of layoff and will be requested to respond in writing within two (2) weeks of receiving notice as to whether he/she will accept the layoff or invoke bumping rights.
 - b. Time in class shall be determined by date of hire in classification.
 - c. An employee may bump the least senior employee in his/her present classification who has an equivalent percentage of full-time employment in paid status (i.e. months and hours) if no equivalent vacancy exists. If there is no equivalent FTE position, the employee may bump the least senior employee with the next lower FTE. In no event can the employee bump into a higher FTE status.
 - d. The least senior employee in the classification may bump into a lower classification if he/she holds permanent status in the lower classification and there is an employee in the lower classification with less seniority.
 - e. The employee being bumped from a position will be given a forty-five (45)-day notice of layoff, and the procedures followed are the same as in "a" "b" and "c" above.
 - f. When the District eliminates a filled position at a department/division where positions are held by employees in the same classification and funding source, positions in the same classification and funding source will be eliminated in reverse order of seniority.
- 17.2 An employee who has been notified that his/her position is being eliminated may request the following actions in lieu of bumping or layoff:
- a. May request a transfer to a vacant position on the same level or a reassignment to a lower level for which he/she may have some essential skills to perform the duties.
 - b. A vacant position is defined as a regular permanent position which the District determines is critical and must be filled. The employee may request to perform work that is being performed by provisional or limited-term employees and the District has determined is critical and must be performed.
 - c. The employee shall notify the District should any proposed position be unacceptable.

- d. The District will send names to the supervisor for interviewing. The supervisor will determine the skill levels necessary to perform the tasks available and will select or not select a candidate.
 - e. An employee transferred or reassigned to a lower classification shall serve a probationary period, and the supervisor shall make a recommendation on permanent status on the final probationary evaluation.
 - f. An employee who transfers or accepts reassignment to a lower level classification in lieu of layoff shall have the right of reinstatement to his/her former position for a period of twenty-four (24) months in addition to the thirty-nine (39) months reemployment rights.
- 17.3 Any employee who is laid off with no other alternative for employment within the District shall be offered any temporary hourly position with similar duties or responsibilities being performed at their location of employment.