

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4460 IN-SERVICE STATUS AND TRANSACTIONS

4465 LAYOFF

**4465.2 Rights of Employees Laid Off or Reduced for Lack of Work or Lack of Funds**

- A. The names of permanent employees thus laid off shall be placed upon the reemployment list for the class from which they were laid off. Names on the reemployment list shall be in the relative order of seniority. The names of the probationary employees thus laid off shall be restored to the eligibility list and the time served in a paid status shall be credited toward the employee's probationary period.
- B. Permanent classified employees laid off because of lack of work or lack of funds are eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Permanent classified employees laid off have the right to participate in promotional examinations within the County Education Office during the period of 39 months. Probationary classified employees reemployed under this section shall have restored the hours credited towards completion of the probationary period.
- C. When a permanent position is to be reduced in assigned time per day, week, month, or year, the incumbent shall have the right to transfer to any vacant position in the class which is not greater in assigned time than his/her former position. If vacant, permanent position is not available, the incumbent may displace (bump) the incumbent of a position with equal time who has the least seniority in the class, provided that he/she had greater seniority.
- D. If no such option is available, he/she may displace (bump) the employee with the least seniority among those occupying positions of less time than the original position and greater time than the reduced position, provided that he/she has greater seniority. An employee so displaced shall have similar displacement rights, on the basis of seniority.
- E. Employees who take voluntarily demotions or voluntary reductions in assigned time in lieu of layoff or to remain in their present positions rather than be reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for reemployment for an additional period of up to 24 months; provided that the same tests of fitness still apply. The Personnel Commission shall name the determination of the specific period of eligibility for reemployment on a class-by-class basis.

Reference:

Education Code Sections 45117, 45298 and 45308

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