

1 **ARTICLE 8: EFFECTS OF LAYOFF**

- 2 8.1 Layoff for lack of funds or layoff for lack of work includes any reduction in hours  
3 of employment or reduction of the work year.
- 4 8.2 Unit employees will be given a minimum of forty-five (45) calendar days notice of  
5 layoff prior to the effective date of layoff.
- 6 8.3 The notice of layoff shall be delivered personally to the employee or mailed by  
7 certified or registered mail to the employee at his/her last known address and  
8 shall contain the following information:  
9       A) The effective date of layoff;  
10       B) Displacement rights, if any;  
11       C) Reemployment rights.
- 12 8.4 Whenever a unit employee is laid off, the order of layoff within the class shall be  
13 determined by length of service. The unit employee who has been employed the  
14 shortest time in the class, plus higher classes, shall be laid off first.  
15 Reemployment shall be in the reverse order of layoff.  
16 Length of service means all hours in paid status, but does not include any hours  
17 compensated solely on an overtime basis. Hours in paid status shall not be  
18 interpreted to mean any service performed prior to entering into a probationary or  
19 permanent status in the classified service of the District.
- 20 8.5 Unit employees laid off because of lack of work or lack of funds are eligible for  
21 reemployment in the classification from which they were laid off for a period of  
22 thirty-nine (39) calendar months and shall be reemployed in preference to new  
23 applicants. All rights and status acquired shall be restored at the time of  
24 reemployment from the reemployment list.
- 25 8.6 If a laid off unit employee on the thirty-nine (39) calendar month reemployment  
26 list refuses three (3) offers of reemployment, he/she will have waived his/her  
27 reemployment rights, and his/her name will be withdrawn from the reemployment  
28 list and he/she will not be considered for any other assignments. (Offers and  
29 refusals must be in writing.)
- 30 8.7 Unit employees who are offered by the District and accept voluntary demotions  
31 or voluntary reductions in assigned time in lieu of layoff or remain in their present  
32 positions rather than be reclassified or reassigned, shall be granted the same  
33 rights as persons laid off and shall retain eligibility to be considered for  
34 reemployment for an additional period of up to twenty-four (24) months; provided  
35 that the same tests of fitness under which they qualified for appointment to the  
36 class shall still apply. The District shall make the determination of the specific  
37 period of eligibility for reemployment on a class-by-class basis.
- 38 8.8 If two (2) or more employees subject to layoff have equal seniority in a class, the  
39 determination as to who will be laid off will be made on the basis of the greater  
40 hire date in the class. If both employees have equal seniority, the determination  
41 will be made by lot.
- 42 8.9 Unit employees laid off will be entitled to medical and dental benefits for ninety  
43 (90) days after the effective date of layoff.
- 44 8.10 Upon notification of layoff, unit employees will be given a total of twelve (12)  
45 hours of release time from their assignments for employment interviews with  
other employers. A unit employee must notify his/her supervisor one day prior to

1 interview for the use of this release time. (This provision only applies to those  
2 unit employees whose layoff results in a complete termination of employment  
3 with the District.)

4 8.11 Unit employees laid off will be given first consideration for substitute non-  
5 academic employment in any class the District determines he/she meets the  
6 minimum qualifications.

7 8.12 Any employee laid off for lack of work or lack of funds and who elects service  
8 retirement from the Public Employees' Retirement System shall be placed on an  
9 appropriate reemployment list in accordance with Education Code Section  
10 88015.

11 8.13 The District shall make good faith efforts to avoid layoffs by voluntary  
12 reassignments, voluntary transfers, and voluntary retirements.

13 8.14 When there has been a layoff, vacancies within a class shall be filled in the  
14 following order: 1) Reemployment List; 2) Transfers; and 3) Announce and  
15 screen for vacant position.

16 8.15 The District will make every reasonable effort for unit employees separated from  
17 service with the District due to layoff to receive payment of all earned salary  
18 and/or allowances on or about the employee's last day of paid service.  
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