

HUMAN RESOURCES

Q & A LAYOFF PROCEDURE

Reason for meeting: To discuss the layoff procedure (a reduction per the collective bargaining agreement terms is a layoff) to ensure that a layoff is administered without prejudice, is equitable to our employees and that disruption to employees and district is minimized.

1. **Q: Reasons for Reductions/Layoff?**

A: A reduction or layoff is not a disciplinary action. These actions are caused by:

- Discovered efficiencies
- Lack of funds
- Lack of work (reduction of staff in other areas and reduction of students)
- Other organizational needs

Before initiating the reductions and layoffs, the District attempted to mitigate the need for layoffs through retirements and other attrition measures. We are trying to minimize the effects of reductions, layoffs and job changes compared to what could happen in another year or two. The District will continue to work with the union throughout the summer to post any open positions and communicate those openings to bargaining unit members.

2. **Q: How were positions selected for reduction and/or layoff?**

A: Administration determined which positions were selected for reduction and layoff based on 10-15% reduction parameter

3. **Q: Did the District look at other departments/bargaining units?**

A: Yes, the district has made reductions in administration positions, special education teacher positions and paraprofessional positions. This was done through attrition or non-renewal process. The District will continue to look for efficiencies.

4. **Q: Impact of a Reduction or Layoff?**

A: A reduction or layoff could result in any of the following:

- Separation from service permanently
- Separation from service and placed on recall list (2 year maximum)
- Voluntary reduction in hours
- Displacement (from bumping) in a class with a lower salary range maximum
- Reduction in work year
- Reduction in number of work hours
- Loss of fringe benefits.

5. **Q: Process Snapshot?**

A: The School Board must approve the reduction plan at the board meeting on 6/14/10 and then HR will finalize layoff plan and determine timing for notices, draft notices, review with union leadership and release the layoff notices. HR will then work with union leadership to separate employees or reassign due to displacement or reduction. If you are 10 month employee, you will be given the option 1:1 meeting to discuss displacement options or via telephone.

6. **Q: What factors can be considered when determining layoff options for employees?**

A: Seniority and position requirements, including competencies are the two main factors to consider in determining layoff options for employees. .

7. **Q: Seniority List Documentation?**

A: You can obtain from Human Resources or your union leadership. The lists indicates seniority #, seniority date, name, job classification, contracted assigned hours, position and location. See sample below

CLERICAL SENIORITY LIST 2009-2010

6/9/2010

	DATE	NAME			POSITION	BUILDING
1	08/27/75	Marilyn Seidl	B23	7.50	Principal Secretary Elementary	Birch Lake Elementary
2	01/03/77	Pamela Rautenberg	A13	7.50	Clerk Typist	North Campus
3	08/29/77	Sharon Benjamin	A13	3.75	Elementary Assistant	Lakeaires Elementary
3	08/29/77	Sharon Benjamin	A12	1.00	Playground Assistant	Lakeaires Elementary
4	08/27/79	Laurie McGee	A13	6.00	Production Clerk	South Campus
5	09/05/79	Joan Cermak	A13	6.75	Clerk Typist	North Campus
6	08/24/81	Kathryn Robinson	B24	8.00	Business Services Secretary	District Center
7	08/26/81	Linda Chartrand	A13	5.75	Media Clerk	Otter Lake Elementary
7	08/26/81	Linda Chartrand	A12	1.50	Playground Assistant	Otter Lake Elementary
8	08/26/81	Nancy Kelly	B22	4.25	Health Assistant	Birch Lake Elementary
8	08/26/81	Nancy Kelly	B22	2.00	Child Study	Birch Lake Elementary
9	09/20/83	Teresa Cinis	B21	6.00	Computer Assistant	Otter Lake Elementary
9	09/20/83	Teresa Cinis	A12	1.00	Playground Assistant	Otter Lake Elementary
9	09/20/83	Teresa Cinis	A12	0.50	K+ Supervision	Otter Lake Elementary

8. Q: How do bumping/displacement options work?

A: An employee who is laid off may elect to displace another employee in the same classification (see page 20 of your collective bargaining agreement) with same or reduced number of hours. The laid off employee's position, seniority date along with the language in the collective bargaining agreement that determines the bumping options. You cannot bump into a position that causes a promotion for you either in classification or hours.

9. Q: How does a staff reduction process work?

A: An affected eligible employee who has hours reduced enough to trigger the language in the collective bargaining agreement will be given the option to remain in their position with reduced hours, to go on recall for two years from date of layoff or displace the employee with less seniority provided the employee is qualified for the position.

10. Q: What happens to a laid off employee's salary if accepts or is bumped into a lower level classification?

A: An employee, who accepts a demotion in lieu of layoff or accepts a layoff option (bump) to a position with a lower salary range, will continue with their current classification rate of pay until the lower classification rate of pay catches up to that pay rate.

11. Q: Are overtime hours or extra help hours added to daily contracted assigned hours for purposes of displacement?

A: No.

12. Q: Are all candidates on layoff lists eligible for a vacant position?

A: Yes, as long as they meet the qualifications and competencies and other position requirements.

13. Q: What are qualifications for positions?

A: Qualifications are position requirements and competencies identified in position descriptions, recruitment announcements, or other sources. Position qualifications may also include bona fide occupational qualifications, license or certification requirements and other state and federal requirements. The qualifications are measurable and observable knowledge, skills, abilities and behaviors critical to an employee's success in the job role or function.

14. Q: How does an employer determine if a layoff candidate meets a position's requirements/qualifications?

A: Employers may require an application, resume, employee profile, cover letter, letters of recommendation, or other information from candidates to determine if they meet position requirements.

15. Q: Where do you find the seniority lists?

A: If you do not have a seniority list, you can request one from Human Resources.

16. Q: Can I apply for unemployment while on layoff? Can WBL deny unemployment?

A: It is your choice to apply for unemployment while on layoff. WBL is not responsible for determining eligibility for an individual to receive unemployment compensation. The State determines eligibility for unemployment. WBL will not contest with the state any claim for unemployment compensation under this program.

17. Q: What are my layoff benefits?

A: The layoff benefits are outlined in the collective bargaining agreement. You will receive fringe benefits (medical, dental, life and LTD insurance through August 31, 2010) with same employer contribution. After August 31, 2010, our employee benefits specialist will send out COBRA notification and answer any questions pertaining to benefits upon separation.

18. Q: How much does COBRA Medical coverage cost?

A: Your COBRA costs are determined by the plan you are enrolled in and your coverage level. You can continue your medical, dental, basic and optional life. The benefits specialist will mail your individualized COBRA letter and elections form that will show your premiums.

19. Q: How long do employees stay on the recall list?

A: Two years.

20. Q: Can recall rights be extended?

A: Based on operational needs as well as a memorandum of understanding would need to be agreement upon between the District and bargaining unit.

21. Q: May I use my vacation time during my layoff period?

A: No

22. Q: Can an employee work while on layoff?

A: Yes, the employee may work provided there is no conflict of interest.

23. Q: Are there rights of appeal/grievance?

A: Implementation of a layoff may be appealed/grieved; but the decision to reduce hours or layoff may not be appealed/grieved.

24. Q: Sequence of Options?

A: The District will offer options to positions in the following sequence:

- a. Beginning with the person with the highest seniority who has been affected by the reductions or job elimination, that person will be offered options to displace a position (A12, A13, B21) that is the least senior with the same comparable worth ranking or a lower ranking provided the employee is qualified for the position.
- b. Beginning with the person with the highest seniority who has been affected by the reductions or job elimination, that person will be offered options to displace a position (B23, B23 or B24) that is the least senior with the same comparable worth ranking or may displace someone in a lower comparable worth ranking.
- c. An employee who has not been affected by the District's initial reductions or elimination of positions, but has been displaced by a more senior employee, has the same rights as the employee effected directly by staff reduction.

d. The employee must satisfy the competencies, qualifications and other position requirements.

25. Q: **Seniority List Example.**

1	Date	Employee 1	B21	8.00	Registrar Secretary	School A
2	Date	Employee 2	B23	8.00	Building Secretary	School B
3	Date	Employee 3	A13	5.75	Elementary Assistant	School C
4	Date	Employee 4	B21	7.50	Computer Assistant	School D
5	Date	Employee 5	B22*	6.00	Computer Assistant	School E
6	Date	Employee 6	A13	6.00	Elementary Assistant	School F
7	Date	Employee 7	A13	5.50	Elementary Assistant	School G
8	Date	Employee 8	B22	8.00	Scheduling Secretary	School H
9	Date	Employee 9	B21	8.00	AV/Computer Assistant	School I
10	Date	Employee 10	B21	4.50	Computer Assistant	School J
11	Date	Employee 11	A13	5.00	Elementary Assistant	School K
12	Date	Employee 12	A13	7.00	Media Clerk	School L

Layoff Scenario: Elimination of Employee #3 & #4 positions

Potential Results: # 3 displaces #7

#4 displaces either #12 or #10 (if #10 is displaced, that employee has no right to displace #11 or #12 because those positions are assigned more hours)

#7 would then have rights to displace #11 with #11 (potentially #12) having displacement rights to A13 Elementary Assistant position

26. Q: **If I seek a promotional opportunity or am hired into an open position, could I get displaced?**

A: Yes, you may depending on job classification and seniority date.

27. Q: If I seek a new position or I displace another current employee am I frozen for 60 or 90 days per Article VIII, Section 5 of the collective bargaining agreement?

A: Yes.

28. Q: What are the contents of the layoff notice?

A: The layoff notice will state the basis of the layoff and include the layoff options, if any, available to the employee. The layoff notice will also lay out a timeline of a date by when the employee must select a layoff option. The employee shall advise the Director of Human Resources within 24 hours of the date of notice whether the employee accepts or rejects the layoff option presented. If the employee fails to respond to the Director of Human Resources within the prescribed time limits, such failure shall be considered a rejection of the option.

When there are no layoff options or when an option is rejected, the employee will be asked on whether they want to be separated from employment or placed on the recall list.

29. Q: Any counseling for employees affected by displacement or reductions?

A: Yes. The Department of Human Resources along with the union will provide information and assistance to its employees who are subject to a layoff, reduction in hours or displacement.

30. Q: Do I need to turn in my District ID and any other district property if I am placed on the recall list?

A: Yes.

31. Q: Can I sub in the district if I am placed on lay off?

A: Yes. You will be paid at the substitute rate of pay with time documented on a timesheet.

32. Q: What are the current clerical openings?

A:

OPEN	Interviewing 6/10	B22	5.00	Health Assistant/General Clerical	Hugo Elementary
OPEN		B22	2.00	Child Study Secretary	
OPEN	Interviewing 6/16	B23	5.00	Principal Secretary Elementary	Hugo Elementary
OPEN		A13	3.00	Elementary Assistant	
OPEN	Interviewing 6/15	A13	7.50	Clerk Typist	North Campus
OPEN		A13	5.75	Elementary Assistant	Oneka Elementary
OPEN		B21	5.00	Registrar Secretary	Sunrise Middle School
OPEN		B21	3.00	Child Study	
OPEN	Interviewing 6/9	B22	6.50	Central Registration	District Center