

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER 802
EFFECTIVE DATE: 12-2-08
REVISED: 01-03-16
AUTHORITY: BOC
COUNTY MANAGER: ___PAW

SUBJECT: Layoffs & Reinstatement

POLICY: A. **Layoffs:** The employer may layoff employees because of lack of work, lack of funds, material change in duties or organization; or in the interests of economy, efficiency; or for other appropriate causes, as determined by the employer. An employee hired for a project of limited duration (e.g., grant funded) will not be afforded rights relative to layoff at the end of the funding period unless, at the time of hire, the employer elected to grant layoff rights to the employee. The order of layoff among employees in the same class within a department will be as follows: employees serving an orientation period and Temporary employees will be considered first, and then all other employees will be considered.

1. Alternatives to Layoff

Whenever a layoff is anticipated, the Personnel Director and/or Administrative Officer will notify employees whose jobs may be affected by the situation and explain all available options to them. The Personnel Director and/or Administrative Officer will make reasonable efforts to integrate affected employees into other available positions. Storey County may also utilize options in lieu of layoffs where feasible such as part-time work schedules, reduction in work hours, job sharing, or reductions in class or pay.

2. Order of Layoffs

In deciding which employees shall be laid off and which retained, the Personnel Director and/or Administrative Officer shall consider job-related factors such as job knowledge, skill, and ability to do the required work; previous work experience, including ability to perform other jobs which the employee may be called upon to perform as a result of the layoff; attendance, safety, and disciplinary records; performance evaluations while with Storey County; and efficiency of operations.

Where two employees are equally qualified based on the application of these factors, the employer shall retain the employee with the most County Seniority in the job classification(s) (Seniority see policy # 801).

3. Designation of Employees to be Laid-Off

In the event of a layoff, the Personnel Director and/or Administrative Officer shall provide the County Manager with a list designating the class, position, and names of employees to be laid off. The Personnel Director

and/or Administrative Officer shall be responsible for providing the rationale for selecting particular employees within the same job class for layoff. The District Attorney shall review the list for conformance to employer policy.

4. Layoff Notice

Upon confirmation of the layoff list, the Personnel Director shall provide each affected employee with a written notice of layoff. Such written notice of the layoff shall either be delivered in person or mailed to the affected employees at least 30 days prior to the expected date of layoff.

B. Reinstatement

Persons who have been laid off shall be placed on one or more reinstatement lists. All employees laid off from positions in the same class shall be placed on a single reinstatement list without regard to department. A laid-off employee may request and receive placement on a reinstatement list for any job class in which s/he previously held post-introductory status. When a vacancy occurs in the same job class for which a reinstatement list exists, the Personnel Director and/or Administrative Officer shall fill the vacancy using the appropriate reinstatement list.

1. Reinstatement Process

The most recently laid-off employee on the applicable reinstatement list who is qualified for the position and is willing to accept employment in the class and department where a vacancy exists shall be reinstated. The Personnel Director and/or Administrative Officer may select the most appropriately qualified employee based upon the same considerations described under the *Order of Layoffs*.

An employee reinstated:

- To a position in the same class and department as held prior to the layoff will not be required to serve an additional introductory period, provided the required introductory had been served prior to layoff.
- Shall accrue annual & sick leave according to Policy #603 section 1 from the date of reinstatement, employee will be exempt from the six month waiting period list in policy #603 section 1.b.
- Shall have their insurance benefits commence immediately;
- Shall have a new anniversary date that shall be the date of reinstatement, for seniority see Policy Rehire # 311, section A.5.

NOTE: No credit for former accrued sick or annual leave from prior employment shall be granted.

2. Duration of Reinstatement List

The names of persons laid off shall be maintained on a reinstatement list for eighteen (18) months from the date of layoff. Persons on this list who are hired in positions in the same or (should they apply for and be selected for a vacancy) higher class from which they were laid off shall, upon such hire, be removed from the reinstatement list. An employee who refuses reinstatement to the same position from which the layoff occurred shall be removed from the reinstatement list. Persons reinstated to a position in a lower class from which they were laid off or called to work as a casual worker shall remain on the reinstatement list for the designated period of time the reinstatement list is active.

RESPONSIBILITY FOR REVIEW: The County Personnel Director and/or Administrative Officer will review this policy every 5 years or sooner as necessary.