

## **Policy 26      Layoffs**

### **26.01 Layoff**

(a) Need for Layoff. In the event of lack of work, lack of funds, program discontinuation or reduction, subcontracting, reorganization, job restructuring, or any other reason approved by the County Executive, employees may be laid off. The number of employees to be laid off and the positions to be subject to layoff will be determined by the County based on the nature of the duties, funding levels, available alternatives for accomplishing the work, and other similar considerations based on the needs of the County. Under certain circumstances, workweek reductions may be imposed in lieu of layoff.

(b) Selection of Employees. The selection of particular employees to be laid off may be based on the nature of the duties to be consolidated or eliminated, funding levels, available alternatives for accomplishing the work, the knowledge, skills and abilities of the employees, work performance of employees, length of County service by the employees, and other similar considerations based on the needs of the County.

(c) Notice. An employee to be laid off will receive a written notice from the employee's supervisor or department head. The notice will specify the layoff date, which will be the first workday on which the employee will not be expected to work until recalled.

### **26.02 Benefits While on Layoff**

Employees laid off are eligible for participation in their health and dental plans for up to 18 months following the date of layoff, provided that they pay the applicable premiums under COBRA in a timely fashion. No premium for continuation of health coverage is required of laid off employees for the first and second months of the layoff period; the first continuation health premium is to be paid in the second month for coverage during the third month.

Paid Time Off (PTO) is not earned during the layoff period, but any balances as of the date of layoff will be retained in the event of recall or other reemployment with the County. If the employee returns to work, the layoff period will be carved out of the length of continuous service for purposes of determining PTO earned, but will not be considered an interruption of continuous service.

Laid off employees may continue participation in the life insurance program subject to payment of premiums and other terms and conditions of that program. Long-term disability coverage is not available to laid-off employees.

### **26.03 Recall**

An employee on layoff may be recalled to the employee's former position or to a substantially similar position. If more than one employee is on layoff from the same position or substantially similar positions, the recalls will be in order of each employee's length of continuous service with the County. Recall notices will be sent to the employee's address

on file with the Human Resources Department; it is the employee's responsibility to notify the department of any change of address.

Failure to report to work on the date specified in a recall notice or ten calendar days after the date the recall notice is sent, whichever is later, will result in immediate termination of employment. This may be considered a "quit without proper notice" for termination benefits in Policy 27.

Employees on layoff are also encouraged to apply for any other open position for which they are qualified. Failure to be awarded any other open position will not result in immediate termination of employment.

An employee who is recalled or who is otherwise reemployed by the County following a layoff will be paid at a rate consistent with the pay schedule for the position and as close as possible to employee's previous pay rate.

#### **26.04 End of Layoff Period**

Laid-off employees who have not been recalled or otherwise reemployed by the County within one year of their layoff date will be considered terminated from County employment and will be considered to have provided proper notice under Policy 27.03.