

Chapter 132S-31 WAC

REDUCTION IN FORCE FOR CLASSIFIED STAFF—CIVIL SERVICE EMPLOYEES

WAC

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WAC 132S-31-010 Purpose of rules. Pursuant to the direction of the higher education personnel board of the state of Washington, the board of trustees for Washington State Community College District No. 19 hereby establishes the procedures for reduction in force and the layoff of classified employees when such reductions or layoffs are required by lack of funds or curtailment of programs.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-010, filed 10/11/82. Formerly WAC 132S-11-010.]

WAC 132S-31-011 Definitions. As used in chapter 132S-31 WAC, the following words and phrases are defined:

(1) "Appointing authority" shall mean the president of Columbia Basin College.

(2) All other terms and phrases which describe any legal status a classified employee may have under the layoff procedures herein adopted shall have the meaning defined in WAC 251-04-020, chapter 251-10 WAC as promulgated by the Washington state higher education personnel board.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-011, filed 10/11/82. Formerly WAC 132S-11-020.]

WAC 132S-31-012 Initial procedures for reduction in force. (1) When a reduction in force is required due to lack of funds or curtailment of programs, the appointing authority shall determine the number of positions, by classification, which shall be abolished.

(2) The order of layoff and optional retention rights of classified employees shall be determined on an institutional-wide basis. The entire classified staff of Columbia Basin College shall be considered as one layoff unit.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-012, filed 10/11/82. Formerly WAC 132S-11-030.]

WAC 132S-31-013 Initial order of layoff. The initial order of layoff shall be according to the appointment status of employees in the classifications of positions to be eliminated.

(1) Probationary, temporary and hourly employees shall be laid off before permanent status employees in the same classification.

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(2) Emergency, temporary or intermittent employees shall be laid off before probationary and provisional status employees in the same classification. The order of layoff for probationary or provisional employees shall be inverse to their length of service. The employee having the least amount of such service shall be separated first and the employee having the greatest amount of service shall be separated last. Length of service shall include all periods of probationary, trial service and permanent status employment in the classification and other classifications except as broken by termination of employment.

(3) Service shall not be considered broken during military or approved leaves of absence.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-013, filed 10/11/82. Formerly WAC 132S-11-040.]

WAC 132S-31-014 Options in lieu of layoff. (1) Options shall be offered in lieu of layoff to employees in accordance with the provisions of WAC 251-10-030.

(2) Permanent status employees, according to seniority, shall be offered employment options in classifications in which the employee has held permanent status; lower classification in same class series for which the employee is qualified provided that the employee being replaced is the least senior in that classification and has less layoff seniority than the employee replacing him.

(3) No permanent status employee shall be separated through layoff without being offered those positions in classes for which he meets the minimum requirements and passes the qualifying examination currently being held by temporary, provisional or probationary employees provided that all layoff option rights have been exhausted as provided in WAC 251-10-030(4).

(4) Eligible veterans and their unmarried widows shall be provided veterans preference.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-014, filed 10/11/82. Formerly WAC 132S-11-050.]

WAC 132S-31-015 Procedures for establishing order of layoff and notice of requirements. (1) The appointing authority shall inform the personnel officer of the number of positions to be abolished, in writing.

(2) The personnel officer shall:

(a) Determine the employees to be laid off, determine their option rights, and notify the appointing authority in writing;

(b) Promptly discuss options with the employees concerned, who in turn, shall inform him in writing as quickly as possible but within three working days, whether they wish to exercise their option rights;

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(c) Promptly notify the appointing authority as to whether or not the employees have elected to use their option rights, and shall send a written notice of the reduction in force action to each employee to be laid off at least fifteen calendar days prior to the effective date of the layoff;

(d) Advise each employee of his right to appeal his lay-off per WAC 251-12-080.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-015, filed 10/11/82. Formerly WAC 132S-11-060.]

WAC 132S-31-016 Distribution of layoff notice. Copies of all notices shall be distributed as follows:

- (1) The original to the employee;
- (2) One copy to the supervisor's department files;
- (3) One copy to the personnel office.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-016, filed 10/11/82. Formerly WAC 132S-11-070.]

WAC 132S-31-017 Reemployment rights of laid off employees. (1) Reduction in force lists are established by classification and maintained by the personnel officer. The name of an employee who has been laid off will appear on those employment lists for all classes in which he has held permanent status or in which he has held a probationary appointment or a trial service appointment; his name will also appear on those lists for all lower classifications in the same class series for which he is qualified.

(2) The personnel officer may extend or reestablish employment lists as long as these actions do not jeopardize the reemployment of any employee separated by a reduction in force. Employees separated by reason of reduction in force shall have their names maintained on applicable eligible lists for a period of not less than two years from the date of their termination. Prior to the expiration date of the eligibility, he shall be notified of the expiration date and given the opportunity to extend his eligibility for one additional year by written request to the personnel officer.

[Statutory Authority: RCW 28B.50.140 and chapter 28B.19 RCW. WSR 82-21-012 (Order 82-1), § 132S-31-017, filed 10/11/82. Formerly WAC 132S-11-080.]