

**North Orange County Regional Occupational Program
REDUCTION IN CLASSIFIED STAFF
ROP AR 4217.3**

AR 4217.3 (a)

Administrative Regulation

Classified Personnel

In accordance with ROP policy and California Education Code, classified employees shall be laid off in inverse (last hired is first to go) order of seniority by job classification. Re-employment shall be in reverse order of layoff (last laid off is first rehired).

Notice

The Assistant Superintendent, Administrative Services, shall notify employees at least sixty (60) calendar days before the layoff becomes effective. Written notice will be hand delivered to affected employees by the Assistant Superintendent, Administrative Services, or sent by certified mail to the last address on file in the Human Resources Department.

Order of Layoff

No regular employee shall be laid off from any position while probationary, substitute, or limited-term employees are retained in a position of the same classification. Employees will be laid-off in seniority order with the person having the least seniority in the layoff classification being laid off first.

In the case of identical seniority, layoffs will be determined through lottery, with the first name drawn having the greater seniority.

Length of Service

Length of service after July 1, 1971, means all hours in paid status including holidays and recesses, but does not include overtime hours. Length of service prior to July 1, 1971, will be computed from date of employment. No seniority shall be earned during periods of separation from North Orange County ROP.

Demotion in Lieu of Layoff

To be considered for demotion in lieu of layoff, resulting in displacing a less senior employee in a classification in which an employee has prior service, the employee must notify the Assistant Superintendent, Administrative Services, in writing of such election

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not later than three working days after receiving notice of layoff. Demotion (in lieu of layoff) of less senior employees can occur only downward, not laterally or upward. Employees must meet qualifications of any job when displacing an incumbent.

Any regular classified employee displaced by such demotion has the same option of demotion afforded by this rule as if his/her position had been abolished or discontinued.

Any employee demoted pursuant to this rule shall be placed on the new range and the closest step to the salary the employee was earning before demotion, provided that it is not greater than the salary before demotion.

In cases where an employee accepts demotion in lieu of layoff, his/her name shall be placed on a 24-month layoff list for the classification from which he/she was demoted. The employee will be considered for re-employment to that higher classification during that time period, provided the same classification qualifications still apply.

Re-employment

Persons laid off because of lack of work or lack of funds are eligible for re-employment for a period of 39 months and shall be re-employed, if available, in preference to new applicants in the classification from which they were laid off provided the qualifications still apply. Re-employment shall be in reverse order of layoff.

Employees who take voluntary demotions or voluntary reductions in assigned time, in lieu of layoff or to remain in their present positions, rather than be reclassified or reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for re-employment for a job for a period of up to 24 months, provided that they meet the current job qualifications.

If an employee fails to accept recall to a job equivalent in grade level to that from which he/she was laid off and one for which the employee is qualified or one in which he/she served before, he/she will be terminated and will forfeit all rights entitled under layoff status. Refusal, however, of an offer of substitute or short-term employment or reduction of hours shall not affect the standing of an employee on a layoff list.

Any employee will be terminated with loss of all recall rights if he/she fails to reply to a written notice or telephone notice from the North Orange County ROP within seven calendar days after such notice is sent or fails to report to work after acceptance of recall.

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Recall notice will be sent by certified mail to the last known address reported by the employee or by telephone.

Rights upon Re-employment

A person re-employed from layoff shall be fully restored to his/her position with all rights to permanent status. However, no seniority shall be earned during periods of separation from the services of North Orange County ROP. An employee who has been laid off for lack of work or lack of funds and who is on a layoff list may be re-employed as a suitable or short-term employee in his/her original classification or any other classification for which he/she is qualified. This shall in no way jeopardize or otherwise affect his/her status or eligibility for re-employment.

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