

## CCS Administrative Procedure

### 2.00.01 – G Non-Represented Classified Staff Reduction in Force

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#### Implementing Board Policy [2.00.01](#)

Contact: Human Resources

#### 1.0 Reduction in Force and Layoff Rights Objective and Responsibilities (summary of Board of Trustees Policy 2.00.01)

Community Colleges of Spokane (CCS), aware of its obligations as an institution of higher education and steward of the public trust, will ensure personnel administration procedures and practices comply with federal, state and local laws and statutes, are based upon sound human resource management principles, satisfy the standards of regional and national accrediting organizations, and promote a work environment of collegiality, respect and professionalism. The objective of this procedure is to provide an implementation plan that ensures reduction-in-force of non-represented classified staff is administered without prejudice, is equitable to our employees, and minimizes disruption to students, employees and the district.

- 1.1 The appointing authority will determine the basis for, extent, effective date and the length of layoffs in accordance with this procedure.
- 1.2 Application: This layoff procedure covers and applies to all Community Colleges of Spokane classified employees who are not covered by a collective bargaining agreement.
- 1.3 Reasons for Layoff: Employees may be laid off without prejudice according to these layoff procedures that are consistent with [WAC 357-46](#). The reasons for a layoff include, but are not limited to, the following:
  - 1.3.1 lack of funds,
  - 1.3.2 lack of work,
  - 1.3.3 organizational change, and/or
  - 1.3.4 termination of a project or special employment.
- 1.4 Layoff could result in any of the following:
  - 1.4.1 separation from service with Community Colleges of Spokane,
  - 1.4.2 employment in a job class with a lower salary range maximum,
  - 1.4.3 a reduction in the work year, and
  - 1.4.4 reduction in the number of work hours per week.
- 1.5 Employer rights: Nothing in this layoff procedure shall be construed to negate the rights of Community Colleges of Spokane to transfer, promote, demote, dismiss or separate any employee of any employment status in any manner permissible under WAC 357.

#### 2.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

- 2.1 Layoff: an employer-initiated action taken in accordance with [WAC 357-46-010](#)
- 2.2 Temporarily lay off: an employer-initiated action taken in accordance with [WAC 357-46-010](#) that lasts for a limited time and after which the employee returns to his/her former status.
- 2.3 Voluntary lay off: acting on one's own initiative to request and implement an action taken in accordance with [WAC 357-46-010](#) that is subsequently implemented.
- 2.4 Permanent status: An employee who has successfully completed the probationary status for his/her current position.

- 2.5 Skills and abilities: the competencies and other position requirements identified in position descriptions. Position requirements may also include:
- 2.5.1 bona fide occupational qualifications,
  - 2.5.2 license or certification requirements, and
  - 2.5.3 competencies or other requirements mentioned in recruitment announcement.
- 2.6 Comparability: comparable positions in the layoff unit may include: salary range, geographic location, number of hours per week/month, and number of weeks per year.
- 2.7 Layoff unit: the organizational unit within each institution within which layoff options are determined in accordance with this procedure. See section 4.0.
- 2.8 Seniority List: Internal layoff list maintained and administered by the Human Resources Office in accordance with [WAC 357-46-070](#) and this procedure. Certification from this list is specified in administrative procedure [2.10.04-A](#).
- 2.9 Seniority: the employee's length of unbroken classified service. All time spent in leave without pay status will be deducted from the calculation of seniority, except when the leave without pay is taken for:
- 2.9.1 Military leave,
  - 2.9.2 Compensable work-related injury or illness leave,
  - 2.9.3 Governmental service leave,
  - 2.9.4 Reducing the effects of layoff, and/or
  - 2.9.5 Cyclic employment leave.
  - 2.9.6 Veteran's preference will be granted by adding seniority in accordance with the [WAC 357-46-060](#).
- 2.10 Employment Retention Rating: An employee's individual rating, determined on the basis of seniority.

### 3.0 Alternatives to Layoff

- 3.1 In order to avoid or minimize impacts, before initiating any layoff, CCS will attempt to first mitigate the need for layoff through alternative actions whenever practical, and when actions can be taken without undue disruption to operations.
- 3.2 Voluntary layoff: An employee may request a voluntary layoff, take an unpaid leave of absence or reduce his or her hours of work in order to reduce the impact of layoffs.
- 3.3 Temporary layoff: CCS may temporarily lay off an employee for up to ninety (90) calendar days due to an unanticipated loss of funding, revenue shortfall, lack of work, shortage of material or equipment, or other unexpected or unusual reasons. Employees will normally receive notice of seven (7) calendar days of a temporary layoff. An employee who is temporarily laid off will not be entitled to:
- 3.3.1 Substitute paid leave balance, or
  - 3.3.2 Bump to any other position, or
  - 3.3.3 Be placed on a layoff register.
- 3.4 Time spent on a temporary layoff or when an employee's work hours are reduced will not be deducted from the calculation of seniority.

### 4.0 Layoff Units

Community Colleges of Spokane has been divided into the following layoff units for purpose of this procedure:

- 4.1 District Administration

- 4.1.1 Grants
- 4.1.2 Contracts
- 4.1.3 Project employment
- 4.1.4 All other classified
  
- 4.2 Institute for Extended Learning
  - 4.2.1 Grants
  - 4.2.2 Contracts
  - 4.2.3 Project employment
  - 4.2.4 All other classified
  
- 4.3 Spokane Community College
  - 4.3.1 Grants
  - 4.3.2 Contracts
  - 4.3.3 Project employment
  - 4.3.4 All other classified
  
- 4.4 Spokane Falls Community College
  - 4.4.1 Grants
  - 4.4.2 Contracts
  - 4.4.3 Project employment
  - 4.4.4 All other classified

## 5.0 Employee Retention Rating

- 5.1 Employees will be laid off in accordance with employee retention rating. CCS will determine if the employee possesses the required skills and abilities for the position and the comparability of the position. CCS may require updated information from the employee regarding his or her current skills and abilities.
  - 5.1.1 If two (2) or more employees have the same employee retention rating, ties will be broken in the following order:
    - 5.1.1.1 longest continuous time within their current job classification;
    - 5.1.1.2 longest continuous time with the institution; and
    - 5.1.1.3 by lot.

## 6.0 Layoff Notice

- 6.1 When a position is subject to layoff, the appointing authority shall give permanent employees at least 15 calendar days' written notice, unless the employee agrees to waive the 15 day notice period. The layoff notice will state:
  - the basis of the layoff,
  - The ability to meet with the appointing authority prior to the effective date of the layoff,
  - layoff option(s), if any, available to the employee,
  - alternatives to layoff that, if selected by the employee, would avoid or minimize the layoff,
  - notice of right to request placement on the appropriate layoff lists,
  - that the employee must notify the appointing authority of his/her layoff option decision within five working days of receipt, and
  - notice of any appeal rights.
  
- 6.2 If the layoff notice is personally delivered, the date of delivery will constitute the first day of notice. If the layoff notification is mailed to the employee, the notice must be sent via U.S. Mail and the date of receipt will constitute the first day of notice. The Chief Human Resources Officer or designee will record the date of receipt or the date the notice was personally delivered to the employee.

- 6.3 The employee shall advise the appointing authority in writing within five working days of the date of such notice whether the employee accepts or rejects the option(s). If the employee fails to respond to the appointing authority within the prescribed time limits, such failure shall automatically be regarded as a rejection of the option(s).
- 6.4 If the employee accepts a layoff option, the employee will also be notified of any requirement to serve a transition review period in accordance with administrative procedure [2.10.04 – D](#).
- 6.5 When there are no layoff options or when an option is rejected, permanent employees may be separated after 15-calendar days' notice in writing from the appointing authority.
- 6.6 Probationary employees must be given at least one-day notice of a layoff.

## 7.0 Options Within the Layoff Unit

- 7.1 The agency will offer options to permanent, non-represented classified employees in the following sequence:
- 7.1.1 Vacancies Within the Layoff Unit: Within the layoff unit, a permanent employee scheduled for layoff must be offered the option to take a vacant position, if available, that meets the following criteria:
- 7.1.1.1 The vacant position is allocated to the class in which the employee holds permanent status at the time of the layoff.
- 7.1.1.1.1 If no option to a vacant position in the current class is available, the employee's option is to a vacant position in a class in which the employee has held permanent status that is at the same salary range.
- 7.1.1.1.2 If the employee has no option to take a vacant position at the same salary range, the employee must be given an opportunity to take a vacant position in a lower class within an occupational category/class series in which the employee has held permanent status, in descending salary order.
- 7.1.1.1.2.1 The employee does not have to have held permanent status in the lower class, just within the occupation category/class series, in order to be offered the option to take a vacant position in the class.
- 7.1.1.2 The vacant position is comparable to the employee's current position as defined herein.
- 7.1.1.3 The employee satisfies the competencies and other position requirements.
- 7.1.1.4 The position is funded.
- 7.1.2 Bumping Based Upon Employee Retention Rating Within the Layoff Unit: If no vacant funded position is available within the layoff unit, the employee may next exercise bumping rights to a filled position occupied by the employee with the lowest employment retention rating that meets the following criteria:
- 7.1.2.1 The position is allocated to the class in which the employee holds permanent status at the time of the layoff.
- 7.1.2.1.1 If no option to a position in the current class is available, the employee's option is to a position in a class in which the employee has held permanent status that is at the same salary range.
- 7.1.2.1.2 If the employee has no option to bump into a position at the same salary range, the employee must be given an opportunity to bump into a position in a lower class within an occupational category/class series in which the employee has held permanent status, in descending salary order.

- 7.1.2.1.2.1 The employee does not have to have held permanent status in the lower class, just within the occupation category/class series, in order to be offered the option to take a position in the class.
- 7.1.2.2 The position is comparable to the employee's current position as defined herein.
- 7.1.2.3 The employee satisfies the competencies and other position requirements.
- 7.1.2.4 The position is funded.
- 7.1.3 District wide Options: If no options are available within the layoff unit, employees will be provided one (1) option within the district to:
  - 7.1.3.1 A vacant, funded position for which the employee has the skills and abilities, within his or her current job classification or to a classification in which the employee has formerly held permanent status.
  - 7.1.3.2 A funded filled position held by the least senior employee for which the employee has the skills and abilities, within his or her current job classification.
  - 7.1.3.3 A funded filled position held by the least senior employee for which the employee has the skills and abilities, at the same or lower salary range as his or her current permanent position, within a job classification in which the employee has held permanent status.
- 7.2 Appeal: If the employee believes that this procedure has not been administrated appropriately for their situation, they may appeal that concern to the Chief Human Resources Officer. The employee also has the right to appeal a layoff to the Department of Personnel per [WAC 357-52](#).