



Guide to Administering Layoffs

Recruitment & Classification Unit

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A practical guide for managers, supervisors, and staff that administer the process, as well as general information for employees wanting to understand the process and their rights.

Table of Contents

Guide to Administering Layoffs	1
A practical guide for managers, supervisors, and staff who administer the process, as well as general information for employees wanting to understand the process and their rights.1	
Table of Contents	2
General Guidelines, Roles, and Timing	6
Communication To HR/County Administrators Office (CAO)	6
General Guidelines.....	6
Seniority Lists.....	6
Order Of Layoff And Displacement	7
Layoff Notices.....	7
Support Services	7
Severance And Benefits Upon Layoff	8
Restoration.....	8
Overview of the Administration Process	9
Civil Service Rule 11	12
Layoffs.....	12
• Section 11.1 Order Of Layoff	12
• Section 11.2 Alternate Classes.....	13
• Section 11.3 Displacement.....	13
• Section 11.4 – Restoration	14
• Section 11.5 – Appeals	16
• Section 11.6 – Competing In Examinations, Employment Selection Process After Layoff	17
Civil Service Rule 11 Interpretations – Question & Answers (Q&A)	18
General Layoff Guidelines.....	18
• Alternate And Substitute Classes.....	24
• Displacement.....	25

• Restoration.....	28
• Seniority Lists	30
Preparing Seniority Lists	32
Rules	32
Part-Time Employees	33
Helpful Information For Research Using Microfiche	33
HRIS Resources For Seniority List Preparation/Audits	33
Seniority List Calculation Form	34
Seniority “Quick-Check” Calculator	36
Layoff And Displacement Mapping Sample	37
Human Resources Layoff Mitigation Policy	39
Priority Transfer Employment Lists Preamble	39
Purpose	39
Policy	39
Process	39
Interpretation	40
Benefits Upon Separation	41
Medical, Dental, and Vision Insurance	41
Medical Severance Benefit (Layoffs Only)	42
Dental.....	42
Vision	42
Life Insurance	43
Employee Assistance Program (EAP).....	43
Flexible Spending Accounts	43
• Dependent Care Assistance Plan (DCAP).....	43
• Health Flexible Spending Account (Health FSA)	44
Health Reimbursement Arrangement (HRA)	44

• Active Employee HRA.....	44
• Retiree HRA.....	44
Retirement.....	45
Health Insurance In Retirement.....	45
Deferred Compensation Programs.....	45
• 457 Deferred Compensation Plan.....	45
• 401(A)	45
• Investment Options For 457 Retirement Plan And 401(A)	46
• Deferred Compensation Programs Customer Service	46
Payoffs Of Accrued Leaves.....	46
Severance Period (Only For Employees Who Are Terminated Due To Layoff).....	46
Housing Assistance Committee (HAC).....	46
COBRA – A Continuation Of Health Plan Coverage Option	47
• COBRA Notice And Election Forms.....	47
• Election Of Continuing Coverage	47
• Premium Payment.....	48
Customer Service	48
Layoff Notices	49
Layoff Notice – No Right To Displace.....	49
Layoff Notice – Right To Displace	52
• Employee Response – Layoff And Option To Displace	54
Layoff Notice – With Option To Demote/Transfer In Lieu Of Layoff.....	55
• Employee Response – Layoff And Option To Demote/Transfer.....	58
Layoff Notice – Layoff Due To Displacement With Right To Displace	59
• Employee Response – Layoff Due To Displacement With Right To Displace OR Layoff And Option To Displace	61
Layoff Notice – Layoff Due To Displacement With NO Right To Displace	62

Layoff Notice - Due To Reduction Of Hours With NO Right To Displace	65
Layoff Notice – Reduction Of Hours With Right To Displace	67
• Employee Response – Layoff Due To Reduction Of Hours With Right To Displace	69

General Guidelines, Roles, and Timing

The following section is intended to be a general overview of the layoff process as well as a matrix that demonstrates roles, steps, and timelines associated with processing layoff. In general, the Recruitment and Classification (R&C) Unit of the Human Resources (HR) Department is the “subject matter expert” on layoff administration and interpretation. If the subject matter is not within the expertise of your R&C Analyst, the analyst will inform departments on the best person/department to contact.

Departments are encouraged to contact their assigned R&C Analyst to discuss unique situations or ask any questions that are not addressed in this document.

Communication To HR/County Administrators Office (CAO)

Communication and the timing of communication are critical during the layoff planning/administration stage. Several areas need to be addressed during the communication process such as finalizing reduction numbers with the County Administrators Office (CAO), then seniority list preparation, displacement impacts, interpretations of rules, discussions with employees, employee organizations, etc. with HR. The layoff process can take up to several months and communication with HR and the CAO should begin as early as possible to ensure adequate time to prepare and address issues that arise prior to implementation of any layoffs. Additionally, Board of Supervisors’ (BOS) authorization is required prior to any layoff action and formal noticing to affected employees. Missed communication could result in issues with the process and the effective dates of layoff.

General Guidelines

One of the most important concepts to understand regarding layoff (deletion of full or partial allocation) is that lay-off occurs in a job classification, and the employee with the least seniority in that particular classification is affected; however, displacement rights to another classification is based on total, continuous, county hours.

Department representatives also need to be familiar with the rules, processes, and employee rights regarding layoff such as calculating seniority hours, preparing seniority lists, and writing and distributing layoff notices. The County of Sonoma Civil Service Rule 11 is the equivalent of the County’s policy and procedure on layoffs as well as provisions in applicable labor agreements or the Salary Resolution.

In budget years where a significant number of layoffs are imminent, HR’s R&C staff will schedule training for appropriate departmental staff on the rules, interpretations, and administration of layoff, as well as provide training sessions for those employees who are/may be affected by layoff and/or displacement.

Seniority Lists

The computation of seniority hours for the purpose of layoff and displacement is the responsibility of each department and is a critical component of layoff. Information can generally be obtained from the employee’s official personnel file and time sheets. In some cases, microfiche research

may be needed. This process is very manual and time-intensive. Depending on the severity of the anticipated layoff and number of affected classes, and department resources, developing seniority lists can take up to a few weeks.

Seniority hours accrued since the implementation of the HRIS (12/14/2010) can be obtained through Publisher reports (see HRIS Resources for Seniority List Preparation). Typically, payroll staff or positions that act as Human Resources Liaisons (HRLs) develop the lists in departments and the assigned [R&C Analyst](#) audits the lists.

Each department is also responsible for preparing, updating, and distributing seniority lists to the appropriate parties such as affected employees and union(s). Sample formats, training, and technical assistance are available from R&C Analysts and the information and resources in this Guideline. Representatives of the Payroll Section in the Auditor-Controller's Office can assist department staff with using microfiche and researching payroll records. Seniority lists must be reviewed by your Analyst in the R&C unit before any official communication and distribution to employees and unions.

Implementation of layoff and displacement may be appealed to the County's Civil Service Commission. Affected employees and employee organizations need to have an opportunity to review layoff lists and resolve any discrepancies prior to effective dates. R&C staff can assist with these discussions.

Order Of Layoff And Displacement

Civil Service Rule 11 details layoff order and displacement. In general, employees are subject to layoff when there are reductions within their department within their job classification. Layoff within the job classification shall follow the order detailed in Civil Service Rule 11 and affect the least senior employees in a job classification. Displacement is based on total continuous county service.

Layoff Notices

Departments are responsible for preparing layoff notices for affected employees but must have an analyst in the R&C unit review and approve the notices prior to distribution. (Templates are included in this Guideline.) The applicable Memorandum of Understanding with Service Employees' International Union - Local 1021 (SEIU), Engineers and Scientists of California (ESC), Western Council of Engineers (WCE), and the Salary Resolution require three weeks (21 calendar days) advance notice. Human Resources recommends and the past practice has been the same time period for employees in other groups and employees of special agencies, provided special agencies personnel policies don't state otherwise. A copy of the layoff letter to the employee needs to be placed in their personnel file and emailed to the employee's union representative, the Auditor-Controller's Office, Human Resources' Recruitment and Classification, Employee Relations, and Employee Benefits units.

Support Services

HR has developed two training sessions to provide support to affected employees. One session covers career planning with the County and the other covers the layoff process, employee rights,

and also covers how employees may find other job opportunities. Once a layoff notice has been given, the Layoff Mitigation Policy is in effect.

Severance And Benefits Upon Layoff

The labor agreements with SEIU and ESC provide that employees who have received formal written layoff notice, and who are unable to displace another County employee or secure other regular County employment, may separate from County service fourteen (14) calendar days prior to the effective date of the layoff and receive his or her normal base salary for the remainder of the hours he or she would normally be scheduled to work during that fourteen (14) calendar day period.

The labor agreements with the Sonoma County Prosecutors' Association (SCPA), Sonoma County Deputy Public Defender Attorneys' Association (SCDPDAA), and the Salary Resolution provide that employees who have received formal written layoff notice, and who are unable to displace another County employee or secure other regular County employment, may separate from County service after the eighth (8th) work day of the three week (21 calendar days) layoff notice period and receive their normal base salary for the hours they would normally be scheduled to work during remainder of the three-week period. The eight-day period begins on the day the notice is given to the employee. The term "workday" means days that work is taking place in the impacted employee's business unit, not just the days that the employee actively reports to work. (Otherwise, for part-time employees, the intended severance period may not be realized.)

Laid-off employees should have the same outgoing/exit interview process with payroll staff or HR Liaison staff as regularly separating employees. Consolidated Omnibus Budget Reconciliation Act (COBRA) information and enrollment forms will be mailed to employees within 14 days of the end of the pay period in which the separation is processed by the department. The HR Department's Benefits unit ensures the delivery of COBRA information.

Please refer to the [Benefits Upon Separation](#) information in this Guide for more details.

Restoration

Any full or part-time employee who is laid off has a right to be restored to their former department if any hiring occurs in the employee's former job class within two years from the date of layoff. R&C staff will establish restoration lists and notice the terminated employee of the offer. Shall a vacancy occur in the affected classification, in which the Department chooses to fill, the Department must offer the position to employees with restoration rights before any kind of recruitment is conducted. Order of restoration is the reverse order of layoff – the most senior employee affected in class will receive the first offer of restoration, and so on.

Overview of the Administration Process

Roles	General Process	Timing
Departments	Identify their budget needs and identify the appropriate classifications/allocations to eliminate Communicate with and involve appropriate Human Resources staff for guidance and approval Communicate with their CAO Analyst on the reduction plans Develop seniority lists and maintain the order of the lists until finalization If the reductions are “mid-year,” draft the necessary related Board reports to receive authorization to executive reductions and present to the BOS Distribute seniority lists Participate in the M&C process with unions as appropriate Draft and distribute layoff notices For employees who are being displaced, or voluntarily demoting/transferring in-lieu of layoff, new assignment notices should be provided in accordance with the MOU if applicable	As budget information is available As soon as possible after confirming budget scenario As soon as possible after confirming budget scenario Begin drafting initial seniority lists as soon as possible after identifying affected classes and finalize the list a minimum of 6 weeks prior to the implementation date in order to provide enough time to meet & confer (M&C) with union and meet noticing requirement Must be a minimum of 4 weeks to the implementation date and ideally 6 weeks or more prior to the implementation date; affected employees and unions should be notified prior to the agenda item being public; HR must be notified by this date, but should be sooner As soon as Union is noticed and/or in coordination with the public notice date of BOS agenda item requesting authorization for reductions Typically, HR schedules right after BOS authorization Twenty-one (21) calendar day noticing requirement; regardless of multiple “tiers” due to displacement, all notices should be distributed on the same date As needed and in accordance with the timing in the bargaining agreement

Roles	General Process	Timing
	Conduct exit process with affected employees Notify Human Resources when vacancies occur in a class formerly affected by layoff	Final day in office or as close as possible is recommended Immediately upon knowing of a vacancy in the prior affected class via job requisition
Human Resources – Recruitment & Classification	Provides guidance and training to departments on layoff rules and/or any closely related policies, procedures, etc. Provides guidance and training to departments on the overall layoff process including seniority list development Audits seniority lists Reviews BOS reports and approves resolutions regarding allocation changes before submittal to the CAO's Office Reviews and approves layoff notices Maintains Restoration Employment Lists and notices terminated employees of restoration offers Notifies unions of layoff in affected classes and coordinates and conducts meet and confers as necessary (R&C involves ER if necessary)	As needed As needed As soon as provided by departments (departments should factor in time for R&C Analysts to perform audits in the planning/timeline process) As needed with at least 10 business days prior to the due date to the CAO's Office As needed with at least 10 business days prior to the due date for noticing Ongoing maintenance of restoration list and immediate notification to employees of restoration rights At some point before or coordinated with the public notice date of the BOS agenda item requesting authorization for reductions; M&C will be scheduled immediately depending on scheduling issues with participating parties
Human Resources – Employee Benefits	Provides the standard information to separating employees such as COBRA notification, benefit conversion options, etc.	In accordance with the appropriate timing of separation materials
County Administrator's Office	CAO Analyst understands and approves reduction plan/budget	Check with the CAO Analyst on expected timing and expectations

Roles	General Process	Timing
	Provides feedback to the department as appropriate Provides information to CAO as necessary and reviews BOS information	Check with the CAO Analyst on expected timing and expectations Check with the CAO Analyst on expected timing and expectations

Civil Service Rule 11

Layoffs

- **Section 11.1 Order Of Layoff**

- A. Employees shall be subject to layoff whenever their positions are abolished or whenever necessary because of lack of work or lack of funds.

Layoff procedures shall be applied on a departmental basis. Where appropriate, after meeting and conferring with the recognized employee organization which represents the affected employees, the Human Resources Director may authorize that layoff procedures be restricted to employees of one or more divisions or smaller units of a department.

- B. Whenever it is necessary to layoff one or more employees in a department, division, or unit in which there is more than one employee in the class in which the layoff is necessary, employees in the affected class shall be laid off in the following order:

1. Extra-help employees as defined in Rule 1, and provisional employees.
2. Probationary employees.
3. Full-time and part-time employees with permanent status in the class. (revised 11/1/12)

- C. Continuous County service in the class in which the layoff occurs (the affected class) or in any other class having at the date layoff notice is served the same or higher salary allocation shall be counted as service in the affected class.

- D. Employees with less total continuous County service in the affected class shall be laid off before those with greater total continuous County service in the affected class. Continuous part-time service shall be calculated based on the position's allocation in its relationship to full-time work and also be prorated on an hour-for-hour basis for all hours worked in excess of the position's allocation. Time spent on a leave of absence, paid or unpaid, is considered service for seniority accrual purposes according to their position allocation. Time served in a temporary promotion in which the employee is appointed to the position without a break in service between the temporary promotion and the permanent appointment shall be counted as time served in the classification. (revised 11/1/12)

- E. If employees have the same total continuous County service in the affected class, then the criteria to break the tie shall first be total continuous County service irrespective of class, second, prior total County service, and third, chance (e.g., lottery). When departments are hiring multiple employee's into the same job class in which the newly hired employees do not have prior continuous or prior County service, and if a future layoff would then require a "chance" process to determine the affected employees, then departments shall conduct the chance process to determine the affected employee(s) within the first 30 days of appointment to determine and document the affected employees in the event of future layoffs. (revised 11/1/12)

- F. Social Service Workers III and Social Service Practitioners who have become Social Service Workers IV shall carry into that new classification, the seniority which they had in their former classification.
- G. A full-time or part-time employee appointed to a class with a Project or Limited Term designation by job classification (ex: Programmer Analyst - Project) may be exempted by the Human Resources Director from the order of layoff of the affected project or limited term class based on a continuing need for a specialized technical skill/skill mix combination. Such skill/skill mix shall have been determined by a written plan (project or recruitment/certification) prior to filling the position as an essential function inherent to the overall purpose of the job. The incumbent(s) must have been appointed based on the required specialized technical skill/skill mix. (revised 3/5/97)
- H. After September 1, 1998, no extra help hours will be counted toward seniority for layoff, displacement, or restoration. After September 1, 2002, no extra help hours, regardless of when accumulated, will be thereafter counted toward seniority for layoff, displacement, or restoration. (revised 11/19/98)
- I. Employees placed (pursuant to Rule 3.3C) into the equivalent level (e.g., entry, journey, supervisory) of a newly established class or class series shall carry into the new classification the seniority acquired in the classification held immediately prior to reclassification. If employees reclassified under Rule 3.3C on the same date and to the same classification have the same accrued hours in the class held immediately prior to reclassification, seniority shall be determined pursuant to Rule 11.1E. (revised 8/21/03, 7/1/10, 5/4/17)

- **Section 11.2 Alternate Classes**

For purposes of layoff and/or displacement, alternate classes shall be treated as one class such that continuous County service in one alternate class shall be considered as service in each of the other alternate classes in the same class series and shall be counted cumulatively.

- **Section 11.3 Displacement**

- A. An employee who is laid off and who has greater total continuous County service than another employee in the same department in another class with the same or lower salary allocation in which class the employee previously had permanent or probationary or part-time status and for which the employee is qualified for certification, transfer, or voluntary demotion, may elect to displace the junior employee with the lesser total continuous County service. An employee who is displaced shall be laid off and replaced by the employee who displaces them.
- B. An employee who is displaced because of layoff may in the same manner displace an employee who is junior to them.
- C. Should an employee have the right to displace in more than one class, the employee shall first displace in the class with the highest allocated salary.

- D. An employee who was transferred with a position reallocated from one department to another department may, upon layoff from the second department and if eligible under the conditions stated in subparagraph A. above, exercise displacement rights in the first department.
- E. A permanent full-time or part-time employee who is laid off and who has greater total continuous County service than another employee in the same department in the same job class with a project designation (ex: Programmer Analyst, Programmer Analyst - Project), may elect to displace the junior employee in the project designated class. Should the junior employee in the class possess a required specialized technical skill/skill mix not possessed by the laid off employee, the next most junior employee in the project class shall be displaced.(revised 3/5/97)
- F. Employees placed (pursuant to Rule 3.3C) into a newly established class series shall have displacement rights within the newly established series to the levels (e.g., entry, journey, supervisory) equivalent to those held in the former series. If an employee reclassified under Rule 3.3C has displacement rights to both the newly established class series and the former class series, the priority for displacement shall be within the new class series in accordance with Rule 11.3A, B, and C, (added 5/4/17)
- G. Employees retained into a class (pursuant to Rule 3.3B-C) in which the class or class series was retitled, shall have displacement rights to the retitled class or the equivalent level in the class series. (added 7/1/10)
- H. If an employee held a classification that was reclassified after leaving that classification, the employee will have displacement rights to the newly titled class (or the equivalent level in the class series), provided the following criteria is met:
 - 1. the employee held permanent or probationary status in the class that was subsequently retitled/reclassified; and
 - 2. the newly titled class or class series' purpose, scope, complexity, duties, and knowledge and abilities did not significantly change (as identified in the classification study and recommendations and determined by the HR Director); and
 - 3. the salary range for the newly retitled class or class series did not change; and
 - 4. the employee held the former class up to five years prior to the date of the reclassification; or
 - 5. the employee currently holds a position that is either a higher level in the new class series or is a logical career progression within the department's organizational structure. (added 7/1/10)

- **Section 11.4 – Restoration**

- A. Each person who has been laid off or displaced from, or who has in lieu of layoff been demoted or transferred voluntarily from a position which the employee had permanent or probationary status is eligible for restoration and shall be placed on a restoration “list” for the position and department for two years after the effective date. (revised 11/1/12)

An individual, who has restoration rights in more than one class because of layoff or displacement, shall have restoration rights in each of the classes from which the employee was laid off or displaced.

Employees laid-off from a project or limited term position have restoration rights for the specific project for which they were hired. Restoration rights shall not exceed the duration of the project or 24 months immediately following layoff, whichever is lessor. (revised 3/5/97)

Employees laid-off from a recurring defined term position shall have restoration rights for the duration of the specific term to which they were appointed, as set forth within their job specifications. Restoration rights shall not exceed the duration of the specific term as set forth within the job specifications. (revised 7/7/05)

- B. Whenever more than one person has been laid off and/or displaced in the same class in the same department, the order of restoration shall be in the reverse of the order of layoff.
- C. If an employee on the restoration list accepts a position in a job class with a probationary period and is subsequently released from probation, and the return to their former position creates a layoff, causing the employee to be laid off as the individual with the least seniority in the affected class, the employee's effective date on the restoration list will be based on their most recent layoff date, but they shall maintain their original order of placement on the restoration list in relation to any employees with the same original layoff date. (added 11/15/18)
- D. If an employee was laid off or displaced from, or who has in lieu of layoff been demoted or transferred voluntarily from a position who had prior permanent or probationary status, but was not able to elect displacement, the employee shall be placed on the restoration list for the "skipped" job class(es) for two years after the layoff effective date. The employee shall be placed on the restoration list(s) behind any employees who have been placed on the restoration list as stated in 11.4 B. (added 11/1/12)
- E. If the County determines to fill, within two years, a vacant position in a job classification and department from which an employee was laid off or displaced, the County shall offer restoration to the individual who is in the highest position on the restoration list for the respective job classification and department. The County shall make a reasonable attempt to notify an individual who is eligible for restoration including in writing by certified mail, return receipt requested. If an employee cannot be reached within 20 calendar days from the date of mailing of notice of offer of restoration, the right to restoration shall be forfeited. Should an employee not accept restoration within 5 regular County business days after the receipt of the offer or should the employee decline to begin work within 15 regular County business days after the receipt of the offer, the employee shall be declared unavailable and shall forfeit right to restoration unless further offer of restoration is granted by the Civil Service Commission. (revised 7/1/10, 11/1/12)
- F. An employee eligible for restoration has the right to waive a restoration offer to a vacant position in the classification out of which the employee was laid off or displaced under the circumstances described in (1), (2), and (3) below.

1. An employee is removed under this Rule 11, Section 11.1 from a part-time position. A full-time position in the classification becomes vacant and available for restoration. The County offers restoration to the employee. The employee may waive the restoration offer.
 2. An employee is removed under this Rule 11, Section 11.1 from a full-time position. A part-time position in the classification becomes vacant and available for restoration. The County offers restoration to the employee. The employee may waive the restoration offer. If the employee, under either (1) or (2), above, waives the restoration offer, the County may fill the position. The employee who waives the restoration offer will remain on the restoration list for that classification for the balance of the two years restoration eligibility. The employee must exercise this waiver right under this subsection B. (2) within the same 5 regular County business days standard in subsection B. (1) above. The employee's waiver must be in writing to be valid.
 3. Two employees previously "job shared" a position and were both removed under this Rule 11, Section 11.1. If a vacant position in that classification becomes available for restoration and the County desires to restore that position, it shall either:
 - a. make a restoration offer based on the same job-sharing allocation to both of the two employees who occupied it, or
 - b. determine that the position needs to be filled on a full-time basis and make a restoration offer to the most senior of the two eligible employees. Each of those employees may exercise the restoration waiver option in B. (1) above.
- G. If an employee has restoration rights in more than one class, refusal to accept restoration in one class does not eliminate the right to restoration in the other class or classes.
- H. Whenever a person is unavailable for restoration in the same class in the same department, the next senior person who is eligible for restoration shall be offered restoration in the same manner and under the same conditions. Should there be no person eligible and available for restoration, the position shall be filled by the County.
- I. A person who has forfeited for restoration may, within 10 regular County business days after forfeiture, request in writing to the Civil Service Commission that the employee be considered for further offer of restoration, should such occur within one year after layoff or displacement. The employee's request shall contain a full explanation of the reason for the employee's unavailability. Within 30 calendar days after the request is filed, the Commission shall either grant or deny the offer for restoration. The Commission may specify conditions under which further offer of restoration may be granted.

- **Section 11.5 – Appeals**

- A. The Civil Service Commission shall act as a separate and final hearing body for layoff appeals for all employees who have appeal rights.

Within the provisions of Rule 11, Section 11.1, Layoff, part-time and full-time employees have right of appeal to the Civil Service Commission; temporary and provisional employees affected by layoff or actually laid off do not have a right of appeal for any action taken under these layoff rules.

- B. Implementation of a layoff decision may be appealed by an employee laid off; however, the decision to layoff may not be appealed.
- C. Any formal written notice to a part-time or full-time employee stating that the employee is subject to layoff or layoff resulting from displacement may be appealed as follows:
1. Within ten (10) regular County business days from the date of the receipt of the notice, an employee may, within the provision of Section 11.5 B, appeal in writing, the action to the Human Resources Director.
 2. Within seven (7) regular County business days after receiving the appeal, the Human Resources Director shall give a written decision to the employee.
 3. If the employee is not satisfied with the decision in C. (2) above, the employee may, within seven (7) regular County business days after receiving the decision, appeal the decision in writing to the Civil Service Commission.
 4. The Civil Service Commission shall review an appeal resulting from C. (3) above at its next scheduled meeting.

This review and appeal procedure which applies to layoff and displacement action in no way supersedes restoration appeal procedures set forth under Section Rule 11.4 E.

• **Section 11.6 – Competing In Examinations, Employment Selection Process After Layoff**

Employees who are separated from County service due to layoff and who have applied to County positions on or before to the layoff effective date may continue to compete in the examination/selection process, be placed on the employment list(s) if successful in the examination process, and continue to be certified, provided the employment list is either active or reinstated pursuant to Rule 6.10. County service points will still be applied to final examination scores pursuant to Rule 6.4 A (3) regardless of the employee no longer holding an allocated position. Employees who have been separated from layoff do not qualify to compete in promotional examinations but may have opportunities to be re-employed pursuant to Rules 6.8 and 11.4. (Added 7/1/10)

End Of Rule 11

Civil Service Rule 11 Interpretations – Question & Answers (Q&A)

Questions and answers related to layoff, displacement, restoration, and seniority

General Layoff Guidelines

1. Q. Is a layoff confined to a department?

A. For the most part *yes*, layoffs are confined to the affected department. There is one provision in the Civil Service Rules, 11.3 D, which provides for an exception when an employee who was transferred with a position *reallocated* from one department to another department may, upon layoff from the second department and if eligible, exercise displacement rights in the first department.

2. Q. Is a reduction in hours considered to be a layoff? Must a reduction in hours be accomplished in accordance with the order of layoff as defined by Section 11?

A. Any reduction of hours that is involuntary and is a result of budgetary limitations or lack of work, is a form of layoff and must be administered in accordance with Civil Service Rules governing the order of layoffs and displacement.

3. Q. Is the employee whose position is abolished the person actually laid off or is the person in the class with the least seniority the one to be laid off?

A. The person to be laid off is the employee in the class with the least seniority, based on the order of layoff in Section 11.1. In the case where a program is canceled and therefore the position is no longer needed, the order of layoff is still by seniority and not the program.

4. Q. Does a bilingual designation of a position have any effect of differentiating that position in the order of layoff?

A. No. Section 11.1 speaks to layoff by class. Any designation of the bilingual status of a position does not affect or alter the order of layoff.

5. Q. Can departments limit layoff to a division?

A. Yes, in accordance with Rule 11.1 A. However, it requires approval of the Human Resources Director and a meet and confer process. If departments are considering this, they are strongly encouraged to initially obtain advice from their Recruitment and Classification (R&C) Analyst, and then discuss with the Recruitment & Classification Manager as soon as possible to ensure the support and viability of the concept.

6. Q. Does overtime count in computing seniority?

A. No.

7. Q. Do extra-help service hours count for purpose of layoff, displacement, or restoration?

- A. No. Since September 1, 2002, no extra-help hours, regardless of when accumulated, will be counted toward seniority for layoff, displacement, or restoration (see Civil Service Rule 11.1 G).
8. **Q. Does provisional service (appointment of an outside candidate to a vacant position pending completion of competitive exam process) count as continuous County service?**
- A. Yes, if it is in the same class or in another class with the same or higher salary allocation.
9. **Q. If regular part-time service counts, how is it to be calculated?**
- A. A regular part-time service counts. Rule 11.1 D states that it shall be prorated on an hour-for-hour basis in its relationship to full-time work. Count all hours actually worked exclusive of overtime. Any leave without pay is to be based on the employee's allocated hours or full-time equivalent (FTE) position. For example, a .5 part-time employee would receive 20 hours per week toward seniority while on leave without pay.
10. **Q. In the case of layoff, what criteria determines who is to be laid off?**
- A. Section 11.1 specifies the order of layoff. Within that order, the hours in the class in which the layoff is to occur includes all hours the employee has in the affected class as long as there was no break in service. Hours in class include time spent as a CETA employee or provisional employee in any department. *For the purpose of seniority, hours in class also include time in another class with the same or higher salary allocation on the date notice of layoff is served.*
11. **Q. In the case of two employees having the same seniority hours in a class, what criteria should be used in breaking the tie?**
- A. Per Civil Service Rule 11.1 D, the criteria to break a tie in seniority are to first consider continuous County service irrespective of class; second, prior total County service; and third, chance. (Example: Number draw, or coin flip).
12. **Q. Does a leave of absence constitute a break in service?**
- A. No. The Civil Service Rules define continuous County service as meaning continuous employment by the County, with or without pay status.
13. **Q. Should time on leave without pay be deducted from continuous County service?**
- A. No. Continuous service is with or without pay status.
14. **Q. Does an employee on leave without pay accumulate seniority hours for purposes of layoff and displacement?**
- A. Yes.
15. **Q. How are seniority hours to be calculated for an employee on a leave without pay?**

- A. The employee would accumulate seniority hours based on the allocated position's normal work schedule (i.e., full-time (80 hrs. per pay period), 0.75 (60 hrs. per pay period), 0.5 (40 hrs. per pay period), etc.).
16. **Q. Does resigning and then returning to County employment in the same position constitute a break in continuous service?**
- A. Yes. Once an employee separates, seniority status terminates. An employee who is re-employed is treated for this purpose as a new employee.
17. **Q. An employee resigns from County employment and is later reappointed. Does continuous employment begin with the date an employee is reappointed or the date payroll uses for the purpose of vacation accrual?**
- A. The date the employee was reappointed.
18. **Q. Does a layoff constitute a break in continuous County service?**
- A. Yes, except for permanent and probationary employees who have been restored in accordance with Sections 11.4 A and 9.4. Restoration nullifies separation. Continuous employment prior to layoff and after restoration are added together. Time not employed is not counted.
19. **Q. An employee held status in two different classes that were assigned the same salary range at one point in time (e.g., Assessment Clerk Trainee and Clerk Typist II). They are no longer tied due to subsequent negotiations. What date is used to determine if service in one class counts towards service in the class affected by layoff?**
- A. If both classes still exist, seniority is determined based on each class's salary allocation (salary range Step "A") as of "the date lay-off notice is served."
20. **Q. Years ago, a number of employees were reclassified from an existing class to a new class of equal pay, and the former class was abolished (ex.-Clerk Typist II to Office Assistant II). Given continuous County service, should time worked in the class that was abolished, count towards seniority in the new class?**
- A. Yes. Per Rule 11.1 I, employees placed into the equivalent level of a newly established class or class series carry into the new class, the seniority which they acquired in the class held immediately prior to reclassification. Therefore, time in the class immediately prior to the reclassification would count for seniority purposes.
21. **Q. What happens if an employee with probationary status has more seniority hours than an employee with permanent status?**
- A. Section 11.1 B states that Probationary employees are to be laid off before those with permanent status. An employee who has attained permanent status at any level of an alternate class (ex. Correctional Deputy I/II) has permanent status for purpose of layoff, even if serving a probationary period at the higher level.

22. **Q. Can an appointing authority release a probationary employee who was promoted from another department so that the employee can be restored to their former department and class, rather than being laid off from County employment?**
- A. Yes, but inter-department transfer or voluntary demotion in lieu of layoff is strongly advised.
23. **Q. Is a probationary period required when an employee with permanent status *transfers* from one class to a closely related class with the same salary range?**
- A. No, a probationary period is not required when an employee transfers to a closely related class.
24. **Q. A person has been continuously employed by the County with work experience in a higher-paying class which is interrupted by experience in a lower-paying class (e.g., SOA, OA II, SOA). What time period(s) are to be included in calculating seniority hours for the higher class? (Note OA II and SOA are not alternate classes.)**
- A. A break in County employment does not exist, so all service in the higher class is added together. Time in the lower class is excluded unless displacement rights are being calculated.
25. **Q. Does time worked in another department in a totally unrelated class of equal or higher pay count towards seniority hours for a class in which layoff is to occur?**
- A. Yes. Section 11.1 C states continuous service in any other class that has the same or higher salary shall be counted as service in the affected class provided that it has the same or higher salary as the affected class at the date layoff notice is served.
26. **Q. Does employment in a regularly allocated position interrupted by a "contract" service arrangement constitute a break in County service?**
- A. Yes. Employment as a County employee would have been voluntarily terminated.
27. **Q. Does employment in a regularly allocated position interrupted by extra-help employment constitute a break in County service?**
- A. Not unless separated from County employment; even a day of separation would constitute a break in service. The transition between regular/extra-help employment status must be consecutive.
28. **Q. When implementing layoff, should the County of Sonoma for Extra-Help Employees read "laid off"?**
- A. No, "Separated." Extra-Help employees have no right to continued employment.
29. **Q. One form of layoff is an involuntary reduction in regularly scheduled work hours. An incumbent has routinely been scheduled to work 64 hours per pay period, although the annual budget has approved funds for 80 hours. Does a reduction in hours occur if funding for the position is reduced to 64 hours?**

- A. No. The incumbent's allocated FTE/regularly scheduled hours have not been reduced, therefore there is no reduction of hours/layoff for this employee.
30. **Q. When reviewing an employee's employment history, how do you know if employment has been terminated?**
- A. The primary resource for determining if a break in continuous County employment has occurred is the payroll "Change of Status/Personnel Action Form." This information should also be reflected in HRIS.
31. **Q. Are different payroll class codes separate classes?**
- A. No. A class is defined by the class specification formally adopted by the County's Civil Service Commission as part of the Classification Plan; not reference to differences in employment status, compensation, payroll code, department, or work assignment.
32. **Q. A position is reclassified and the incumbent promoted without examination in accordance with Section 3.3 B, based on having met the "minimum qualifications of the new classification by the effective date of the action which updates the department's allocation(s)." Does seniority in the affected class start when the employee is promoted or one year prior to promotion?**
- A. Upon promotion following reclassification by the Civil Service Commission and adoption of the Civil Service Commission's action by the Board of Supervisors.
33. **Q. If someone is transferred into County service from another county or city, does the employee's time in the other county or city count for seniority purposes?**
- A. No. Civil Service Rule 1 states, "COUNTY" means County of Sonoma.
34. **Q. Is "total continuous County service" to include non-civil service agency employment such as in the Sonoma County Water Agency, or the Sonoma County Superior Court?**
- A. Civil Service Ordinance Section 12-B states "Whenever such employees (employees holding permanently allocated positions with the Sonoma County Water Agency, Community Development Commission, the Sonoma County Library, or the Sonoma County Fair) transfer to the County service without a break in pay status with the other agency or organization greater than two working days, service with the agency or organization, shall be deemed to be service with the County for purpose of seniority credit and other such benefits to which the employees would be entitled to had the employees been continuously employed by the County of Sonoma." Similar language is not known to exist for Superior Court employees.
35. **Q. An employee with permanent status in the County's classified service transfers to a position in the same class in the Water Agency (non-civil service) and then transfers back to a position in the classified service. Does a break in service exist, or does "total continuous County service" include service prior to transfer to the Water Agency and after return to the classified service?**

- A. No break in continuous County service would exist unless there was a break in pay status with the Agency of greater than two working days. See Civil Service Ordinance Section 12-B.
36. **Q. Is layoff or voluntary demotion restricted to employees who have received a written notice of layoff?**
- A. An employee is not to be laid off or voluntarily demoted in lieu of layoff until a written notice of layoff has been issued. This formal notice of layoff distinguishes layoff/displacement from dismissal or voluntary resignation and is required by Section 11.5 C. (**Note:** Notice period requirements are outlined in employee MOUs and the Salary Resolution.)
37. **Q. After formal layoff notices have been received, may an employee not scheduled to be laid off, choose layoff in place of another employee?**
- A. Although Section 11.1 D requires employees with "less" seniority in the affected class to be laid off first, past practice has enabled an employee with greater seniority to volunteer for layoff in lieu of a less senior employee in the affected class who has been formally notified of layoff. Acceptance of the employee's offer would need to be conditioned on the employee being separated in place of the most senior employee in the affected class formally notified of layoff, at the time of layoff, and the employee being separated forfeiting any right of displacement pursuant to Section 11.3. However, the employee may request voluntary demotion to a vacancy in a lower class in accordance with Section 8.8.
38. **Q. Given multiple layoffs within the affected class at the same time or within a short duration of time, what is the order of restoration for an employee who volunteers to be laid off in place of an employee with less seniority in the affected class?**
- A. Section 11.4 B requires that restoration be in the reverse order of layoff. The last employee in the class to be separated based on seniority would be the first employee to return.
39. **Q. How do we count seniority for an employee who has worked both full-time and part-time during his or her most recent period of continuous County service?**
- A. The employee is to receive credit for each hour worked, less overtime. Any leave without pay is to be based on the employee's allocated full-time equivalent position. (Ex. f/t = 80 hrs.; 0.75 = 60 hrs.; 0.5 = 40 hrs.)
40. **Q. A time limited position exists in a job class that is not specifically classified as a "limited term" or "project" class (Ex: Programmer Analyst – Project). The term expires. Absent a vacancy in same job class, who would be laid off – the person in the time limited position or the least senior employee of the job class?**
- A. The least senior employee of a represented job class would be laid off, unless layoff were further restricted pursuant to CSR 11.1 A after meeting and conferring in good faith with the position's recognized employee organization.

41. **Q. A “limited term” or “project” position is in a job class that has been specifically established by the County's Civil Service Commission and adopted by the Board of Supervisors as a project/limited term class (ex: Programmer Analyst - Project). The term expires. Who would be laid off - the least senior person in the job class or the least senior person in the job class within the same project?**

A. For “limited term” or “project” designated classes layoff is contained to that job class. If there were more than one person in this job class then it would depend on what has been communicated in writing in advance of appointment to the position, the department’s established procedures/practice regarding reassignments from project to project, differences in any specialized skill/skill mix, and if different project positions are grouped into organizational or budgetary subdivisions. When set up properly it would be by project. When not set up properly, the default is the job class.

42. **Q. Is there any exemption to layoff/displacement based on a specialized technical skill or skill mix above and beyond that required of the job class in general?**

A. Yes. Civil Service Rule 11.1 G authorizes such an exemption by the Director of Human Resources for job classes with a Project or Limited Term designation (designated by classification title). To qualify for an exemption there must be a continuing need for a specialized skill/skill mix identified by a written plan as an essential function of the job prior to filling it, and the incumbent(s) must have been appointed to the job based on that skill/skill mix.

43. **Q. If an employee is temporarily promoted to a higher job classification, does service time in the higher job class count towards that class?**

A. This question is answered by Civil Service Rule 9.3 F. Service time in a temporary promotion would only count if the employee is appointed to an allocated position in the same class as the temporary promotion and there is no break in service between the temporary promotion and the permanent appointment.

- **Alternate And Substitute Classes**

1. **Q. How do we deal with alternate classes?**

A. Alternate classes are treated as one class. The duties of alternate classes are essentially the same and only the degree of supervision or independent judgment varies. Generally, when a position is abolished, it is abolished as an alternate, e.g., Office Assistant I/II

2. **Q. An employee worked as a Correctional Deputy (CD) I/II (alternate) prior to becoming a Probation Officer (PO) I/II (alternate). If layoff were to occur in the PO I/II series, what hours should be applied towards the affected class?**

A. The salary allocation attached to the “highest alternate level” of the alternate class series should be compared. (Ex. CD II to PO II) Service as a CD I/II (alternate) should be counted towards the affected class if the salary allocation (“A” Step) of the CD II is greater than the A step of PO II.) See the definition of “Alternate Position.”

3. **Q. Is a "substitute or underfilled position" treated the same as an alternate position or class?**

A. No. Substituting or underfilling an allocation does not equate to status in the allocated class. However, since Civil Service Rule 11 provides that hours worked in any class with the same or higher salary range as the affected class be counted towards seniority, the hours worked in the substitute assignment (Senior Office Assistant) would count towards seniority hours in the employee's allocated class (Receptionist) if the salary range for both classes is the same. This still does not grant "status" in the Senior Office Assistant class as the employee was never appointed to the class.

4. **Q. A department does not have an allocated Receptionist position. They granted permission to substitute a Receptionist for an allocated Senior Office Assistant position. A year later the Senior Office Assistant position is reallocated as a Receptionist. Does the incumbent have probationary/permanent status as a Receptionist and a Senior Office Assistant?**

A. No, only as a Receptionist. Status in a "substitute position" (class) does not equate to status in the class being substituted.

5. **Q. A Legal Processor I/II is used to underfill a Senior Legal Processor. If a Senior Legal Processor position is abolished, would an employee in the "substitute position" (class) or the least senior Senior Legal Processor be laid off?**

A. An employee in a "substitute position" (class) should be removed from the substituted class allocation (Sr. LP) and returned to a position in the class in which they hold permanent or probationary status (LP I/II). If removing the employee from the allocation which they are substituting/underfilling (Sr. LP) and returning the employee to an assignment in their allocated class (LP I/II), necessitates a reduction in that class (LP I/II), a layoff would occur in the employee's allocated class (LP I/II). As this reassignment creates a layoff, not a displacement, implementation would occur based on order and seniority as defined in Civil Service Rule 11.

6. **Q. May an employee in a substitute position (class) that is not contained in the department allocation list be laid off if the department abolishes a position in the class being substituted? (Ex. Appraiser Aide substituting for Appraiser I/II/III)**

A. Yes. However, the appropriate class would need to be referenced. In this case, the Appraiser Aide.

- **Displacement**

1. **Q. Can an employee displace outside the department?**

A. Displacement is confined to the same department, except when a position and the incumbent have been transferred together from one department to another department pursuant to Section 11.3 D.

2. **Q. How is displacement exercised under Section 11.3 D (allocation transferred from one department to another) if an employee has displacement rights to job class(es) allocated in both the current and former departments?**
 - A. Displacement rights are exercised in the current department first. If an employee is not eligible for displacement in the current department in accordance with Section 11.3A, then the employee will seek displacement in the former department.
3. **Q. What criteria determines which class(es) an employee may displace in?**
 - A. Displacement may be to any and all other classes with the same or lower salary allocation in which a laid off or displaced employee previously had permanent, probationary, or part-time status, and for which the employee is qualified for certification, transfer, or voluntary demotion. Section 11.3 C requires the employee to first displace in the class with the highest allocated salary.
4. **Q. Is the formula for counting seniority for displacement different than for layoff?**
 - A. Yes. **Layoff:** total continuous County service in the affected class, based on order of layoff defined in Civil Service Rule 11.1B. **Displacement:** total continuous County service for all job classifications held in a permanent or probationary status since hire, regardless of current status (probationary or permanent). The same displacement date (total continuous service) is applicable for any and all classes into which the employee can displace.
5. **Q. Does an employee have a right to displace to a class held prior to a break in service resulting from resignation or dismissal?**
 - A. No. It is not the intent of Section 11.3 A to extend a right of displacement to a class in which the employee has no status or seniority during their most recent period of continuous County employment.
6. **Q. When an employee exercises displacement rights to a class, is the employee's displacement date compared with another employee's date of hire into the class or with another employee's date of hire into the County?**
 - A. In cases of displacement, both employees total continuous County service irrespective of class is compared.
7. **Q. "What does "the junior employee" mean in Section 11.3 A?**
 - A. The least senior employee in the affected class and department. (Ex. the least senior OA II in the same department as a laid off SOA who has a prior permanent, probationary, or part-time status as an OA II.)
8. **Q. May the displacing employee elect to displace anyone with less seniority?**
 - A. No. The employee displaces the least senior employee in the class, based on total continuous county service hours.

9. **Q. Does the department have the right to tell an employee trying to displace that the employee must accept a vacant position rather than displacing someone less senior who has a more desirable job?**
- A. Yes, the department has the right.
10. **Q. Does a person impacted by displacement need a formal written notice of layoff?**
- A. Yes, however, the notice would not be a “layoff notice” but “notice of displacement”. Ideally, the notices should be personally presented to the employee. If not possible, then it should be mailed via certified mail to the employee's last known address. The notice of displacement needs to indicate that the employee has been displaced pursuant to Section 11.3 and accordingly informed of layoff effective (date) pursuant to such rule.
11. **Q. Does the displacement rule in Section 11.3 A equally apply to the displaced employee in determining their displacement right?**
- A. Yes. For example, a laid off Office Support Supervisor may be able to displace a SOA within the same department; who in turn may be able to displace a Receptionist or OA II within the same department. Oftentimes, layoff has a domino effect.
12. **Q. Must the department follow this displacement scenario exactly, or may consideration be given towards the needs of the department?**
- A. Displacement needs to be conducted in accordance with the County's Civil Service Rules and past practice. Questions or concerns related to service needs that appear to be in conflict with existing interpretations should be discussed with the Human Resources Department, with the Civil Service Commission having final authority.
13. **Q. Does time in grade (salary step) in the class from which the employee is being displaced count as time in grade in the class to which the employee is displacing?**
- A. Yes. Displacement is based on total continuous County service.
14. **Q. Is displacement by department, division, unit, or class regardless of location?**
- A. An employee's seniority is based on their total continuous County employment irrespective of department. Displacement is applied on a departmental basis unless further restricted in accordance with Section 11.1 A or 11.3 D.
15. **Q. What happens if an employee has displacement rights to more than one class with the same salary allocation?**
- A. The employee shall exercise their displacement right against the junior most employee in all such classes, absent a vacancy which is equal in allocation to that held by the employee immediately prior to layoff. If such a vacancy exists, the employee shall be appointed to the class with the vacancy, unless not qualified. (Example: An Admin Aide allocation is being eliminated. The employee has displacement rights to Senior Office Assistant, Receptionist, and Legal Processor, all of which have the same salary range. There is a

Receptionist vacancy in the department. The employee shall displace to Receptionist, even though the class held immediately prior to layoff was Senior Office Assistant.

16. Q. May a laid off employee elect to displace the junior employee of a class when a vacancy exists within that same class and department?

A. No.

• **Restoration**

1. Q. If an employee voluntarily demotes in lieu of layoff, does the employee have restoration rights to the class from which they voluntarily demotes?

A. Yes, provided the voluntary demotion is *in lieu* of layoff as stated in their layoff notice. It is important that the employee not voluntarily demote until a layoff notice is "in hand" otherwise it's not considered a layoff and restoration rights don't apply.

2. Q. An employee goes on long-term medical leave and returns to work. All positions have been filled. What Civil Service restoration rights does the employee have?

A. The Civil Service Rules give an employee on a medical leave of absence the same rights to his or her job as any other employee. Additional rights are provided by Federal and State laws such as family leave, pregnancy, and disability laws.

3. Q. Who is eligible for restoration?

A. Sections 11 and 9.4 (A) limit restoration to probationary and permanent employees who have been laid off, displaced from, or demoted voluntarily in lieu of layoff.

4. Q. Is restoration the same thing as reappointment?

A. No. Reappointment does not confer the same benefits and rights as restoration.

5. Q. Does an employee have a right to be restored to exactly the same job (assignment, premiums, location, program, shift work, department, job class, allocation (ex. 1.0, 0.9, 0.75, 0.5), etc.) from which separated?

A. No, the County's Civil Service Rules only authorize restoration to the same department, job class, and allocation from which laid off or displaced.

6. Q. Is restoration restricted to a vacant position?

A. Yes.

7. Q. Can a restoration letter be handed to an employee as opposed to sending "certified mail return receipt requested"?

A. As a matter of past practice yes, however, Human Resources strongly recommends a certified mail return receipt copy be mailed as well. Written notification shall be received or witnessed to minimize problems related to a waiver or forfeiture of the offer. More information regarding the time and noticing requirements for a restoration can be found

in Civil Service Rule Section 11.4. It's important to contact your R&C Analyst before sending restoration notices. HR is the "keeper" of the official restoration list, and there is a process involved in administering restoration.

8. **Q. An employee is "laid off" based on a reduction in hours from a full-time (1.0) to a part-time (0.5) allocated position. The employee subsequently resigns or per request, is granted a voluntary demotion or further reduction in hours. Does the employee maintain a right of restoration to a full-time allocation?**

A. No, not to a 1.0 allocation, however, the employee retains the right of restoration to the 0.5 allocation that they were originally "laid off" from.

9. **Q. How is restoration to be offered, given the interpretation that different methods are to be used to determine seniority for purposes of layoff based on total continuous County service in the affected class, and displacement based on total continuous County service irrespective of class?**

A. Section 11.4 B requires that restoration be in the reverse order of layoff. The last employee in the class to be separated based on seniority would be the first employee to return.

For example: Assume Employees "A" and "B" are the two least senior OA IIs in a department. On 10-1-93, Employee "A" has more seniority than Employee "B" in the affected class (10,000 hrs. vs. 3,000 hrs.) for the purpose of layoff, but less overall seniority irrespective of class (13000 hrs. vs. 14,500 hrs.) for purpose of displacement.

If both Employee "A" and "B" were laid off on 10-1-93 pursuant to Section 11.1, "A" would be restored first as the more senior employee in the affected class.

If both Employee "A" and "B" were displaced on 10-1-93 pursuant to Section 11.3, "B" would be restored first as the more senior employee irrespective of class.

If Employee "A" were to be displaced on 10-1-93 as the class's junior employee pursuant to Section 11.3, and Employee "B" were to be subsequently laid off on 1-24-94 pursuant to Section 11.1; Employee "B" would be restored first, having been entitled to remain in the class on 10-1-93.

10. **Q. A Secretary is laid off. Based on total continuous county service, the employee cannot displace the junior Senior Office Assistant (SOA) in the department, however, the employee can displace the junior Office Assistant II (OA II) and does. A SOA position in the department becomes vacant. Does a right of restoration exist to the SOA vacancy?**

A. Yes. The employee shall be placed on a restoration list for Senior Office Assistant in accordance with 11.4 C.

11. **Q. An allocated position is reduced from full-time to part-time (0.7). Two months later a 0.5 allocated position becomes vacant in the same department and class. Does the employee who was "laid off" have an absolute right to have their regular work hours restored up to F/T before the department can fill the vacancy by some other means?**

A. No. An employee only has a right to be restored to a vacancy with the same allocation in the department and class from which laid off or displaced. However, the 0.5 allocation may be split and the employee restored to a higher allocation, or employee's hours increased above the present allocation based on the needs of the service.

12. **Q. Can an offer of restoration be contingent on an employee possessing a certain skill (ex. licensure or certificate, bilingual) based on the needs of the service or reimbursement requirements of a funding source? If so, if the most senior employee on the restoration list does not possess what is required, may the department offer restoration to the next most senior employee who does, or if none qualify fill the position from an open recruitment?**

A. Section 11.4 presently does not authorize an exception based on a skill.

13. **Q. If layoff is restricted to one or more divisions or smaller units of a department in accordance with Section 11.1 A, is restoration to the divisions or smaller units in addition to the department?**

A. Section 11.4 authorizes restoration to a vacant position in the classification and department which the employee was laid off.

- **Seniority Lists**

1. **Q. Does the County's Civil Service Rules require that a seniority list be established?**

A. No. Seniority lists are a tool for implementing layoff.

2. **Q. What date should a seniority list reflect in the context of anticipated layoffs?**

A. The list should be based on the last payroll closest to the anticipated date of layoff as possible.

3. **Q. Given limited time, how important is it to update seniority lists to reflect changes in employee status and/or seniority hours?**

A. The more accurate a list, the better it is. The order of layoff can easily change with a change in employment status (temp/prob/perm) or seniority hours between the date a list is published and layoff.

4. **Q. Should a seniority list have a particular format?**

A. Yes. Human Resources has prepared sample seniority lists, as well as layoff mapping documents. The list should identify the job class; date (usually the end of a particular payroll period); each employee's name, employment status, FTE, and seniority (usually in terms of hours) for the affected class and displacement. Employees should be listed in descending order based on employment status and/or continuous County service. A comment section is recommended. Additionally, each Department must submit a Layoff and Displacement Mapping Summary. This document lists the affected job classes, as well as job classes affected by displacement. For more information on how to complete

seniority lists and the mapping document, please refer to the samples provided within this packet, and/or on the HR website, or contact HR for more information.

5. **Q. When positions are allocated on an alternate basis (e.g., Eligibility Worker I or Eligibility Worker II), are separate seniority lists to be prepared for each class?**

A. No. A single consolidated seniority list is to be prepared whenever all persons employed in the lower alternate class (e.g., Eligibility Worker I) may be promoted to the higher alternate class (e.g., Eligibility Worker II), and all could be employed in the higher class at the same time.

6. **Q. Who is responsible for preparing and maintaining seniority lists?**

A. The department head or designee.

Preparing Seniority Lists

The best way to calculate seniority hours is to sit down with the employee file and list each position held, the effective date for each change, leave periods, status (permanent, probationary, extra-help), FTE, etc., for all employees in a classification. This information is based on Change of Status/Personnel Action Forms, which are the official records for seniority calculation purposes. The Seniority Calculation Worksheet should be used to capture the details of each employee's employment history and a method to calculate the hours needs to be established by the departments. The worksheets may also be used to review/verify information with employees or union representatives prior to the implementation of layoffs.

Once you have captured the employee's history on the worksheet, you can use payroll calendars to calculate hours worked for each period, based on the employee's FTE. Seniority hours accrued since the implementation of the HRIS (12/14/2010) can be obtained through Publisher reports (see "HRIS Resources for Seniority List Preparation."

Rules

Time in class is all **continuous** hours in the affected class and any hours worked in any class with the same or higher salary level. Look for voluntary demotions, previous layoff situations, transfers, temporary promotions with no break between temporary promotion and permanent appointment.

Time served in alternate classes in a series counts as time in one class.

Total county **continuous** hours are all seniority hours in any class (no breaks in service).

If someone has been laid off and then restored, the hours prior to layoff will count toward seniority, but the time off between layoff and restoration will not count.

Overtime does not count towards seniority.

Extra-help hours are not counted towards seniority.

A regular allocated position interrupted by extra help employment may not constitute a break in County service unless the employee is separated by County employment. The extra-help employment time may serve as a "bridge" between two regular allocated work periods, as long as the employee went from regular to extra-help employment from one day to the next and returned directly from extra-help to regular employment on consecutive days. In this situation, previous job classes may count for displacement purposes. Please contact HR if you have this situation.

Part-time hours are calculated according to FTE. For example: A 0.5 part-time employee would receive 40 hours per pay period in seniority hours. Any time worked by a part-time employee over their allocation (up to 80 hours in a pay period) must be included in seniority hours.

Temporary promotion status only counts towards higher level seniority hours if the employee is promoted to that class with no break between the temporary promotion and permanent appointment. The time served in a temporary promotion will count towards the employee's permanent job class seniority because it is time served in a higher-level class.

Part-Time Employees

If you have part-time employees who have worked regular hours over their FTE, you will need to include these hours in your seniority calculation. To determine seniority hours for the period 12/14/2010 to the current date, you may use the Publisher report "Seniority Hours Per Pay Period." Prior to 12/14/2010, you will have to use employee timesheets, or you can go to the Auditor-Controller's Payroll Office to look at microfiche for part-time staff employed before 1/1/2004. If you need to use microfiche, print a copy for backup. HR will require a copy of your backup material to review seniority lists.

Helpful Information For Research Using Microfiche

The years 1986 to 2006 have 26 pay periods EXCEPT 1991 and 2002 which have 27 pay periods.

You will need to use Auditor-Payroll microfiche for part-time staff employed before 1/1/2004.

Pay periods are set up in the file drawer by Warrant Date (Pay Date). The pay period ending date is shown on the microfiche.

Each year of the microfiche ends with a set dated 12/31. Do not use it as this is an end-of-year report. (Exception: 12/31/91 was an actual warrant date).

There are different packets of microfiche in each pay period. From 1986 to 1988 use "P/R Master." The employees are in Social Security number order. From 1989-1999 use the "P/R Time Report." The employees are by Dept./Division number. Get employees Dept./Div. number changes before going to Auditor Payroll.

HRIS Resources For Seniority List Preparation/Audits

The following reports can be used to obtain employee history and hours (between 12/14/10 to Current). Manual verification of part-time hours and DSA 75/85 and SCLEA 84-hour schedules is required.

- **Publisher Report: "CURRENT Seniority by Position Title"**

This report will list all full-time/part-time employees holding the class (or classes if alternate series or confidential designations) and includes total authorized Full Time Equivalent (FTE) for the class, assigned FTE, SC Hire Date ("Hire Date"), and Date in JC ("Job Seniority Date"). The Job Seniority Date is based on a user-maintained field in the HRIS IEAS/PEAS_ASSIGN screens and must be validated. Actual seniority order must be determined using seniority (continuous) hours.

Note: This report shows both filled and vacant FTE and can be used for layoff planning purposes. To use the report to develop the seniority list, export to Excel and insert columns for Dept. Hire Date, Co Continuous Hrs., Hrs. in JC, and Displacement JC.

- **Publisher Report: "Employee History Report with Leaves"**

This report will show employee history from 12/14/2010 (HRIS go live) – current and shows changes in department, job class, and FTE.

- **Publisher Report: "Seniority Hours Per Pay Period"**

This report shows the seniority hours for each pay period, starting 12/14/2010 (go live) and will include eligible hours over FTE for part-time employees.

Seniority List Calculation Form

SENIORITY CALCULATION WORKSHEET

Date Prepared: 04/05/10

Completed by: Sally Sue

Name: John Jones

Empl. ID# 111111

Hire Date: 11/17/97

Job Class	Notes	From	To	Affected Job Class			Total County Service		
				FTE	Hours in Job Class	Total hours in Job Class	County Regular Hours	Total Cont. County Service Hours	Extra-Help Hours (do not count)
Accountant II (0416)	Promo	10/10/06	04/05/10	1.0		28177		46331	
Accounting Asst (0405)	Transfer	07/05/05	10/09/06	1.0		2640			
Payroll Tech (7384)	Promo	09/08/00	07/04/05	1.0		10063			
Account Clk II (0402)	Promo	05/20/98	09/07/00	1.0		4811			
Office Asst II (0002)	New Hire	11/17/97	5/19/98	.5		640			
Office Asst II (0002)	Extra-Help	10/05/97	11/16/97						123

Notes should include all relevant COSs = status changes, LOAs, temp promos, etc.

Hrs include the base .5 hrs for this period plus all hours worked over the base FTE.

Does not include EH hours.

Sample Seniority List

EMPLOYEE SENIORITY LIST FOR ACCOUNT CLERK III (JC 0403) EFFECTIVE PPE 2/22/10									
DEPT	FTE	L NAME	F NAME	DEPT HIRE DT	SC HIRE DT	DT IN JC	CO CONT HRS	HRS IN JC	DISPLACEMENT JC
XXX	1.00	Employee	One	09/24/1985	09/24/85	1/3/1989	50960.0	44080.0	Acct Clk II
XXX	1.00	Employee	Two	11/27/1990	11/27/90	11/4/1997	36530.6	25680.0	Acct Clk II
XXX	0.80	Employee	Three	8/11/1999	8/11/1999	8/11/2009	20442.4	20442.4	None
XXX	0.90	Employee	Four	04/05/1999	04/05/99	4/5/1999	20459.2	20459.2	None
XXX	1.00	Employee	Five	06/18/2002	06/18/02	10/14/2003	15960.0	13200.0	Clerk Typ II
XXX	0.50	Employee	Six	02/06/2002	02/06/02	2/6/2002	10162.4	10162.4	None
XXX	1.00	Employee	Seven	04/06/1999	02/09/99	9/27/2005	22720.0	9200.0	Acct Clk II
XXX	1.00	Employee	Eight	01/09/2006	01/09/06	1/9/2006	8604.0	8604.0	None
XXX	1.00	Employee	Nine	10/05/2006	10/05/06	3/11/2008	7064.0	4080.0	Acct Clk II
XXX	1.00	Employee	Ten	06/17/2008	06/17/08	6/17/2008	2960.0	2960.0	None
XXX	1.00	Employee	Eleven	08/08/2005	08/08/05	11/4/2008	9488.0	2720.0	Med Rec Clk II
XXX	1.00	Employee	Twelve	02/08/2005	02/08/05	7/28/2009	8521.1	1200.0	Acct Clk II

Layoff Scenario

1.5 FTE Reduction

Results:

Employee #12: Layoff 1.0 FTE with displacement rights to Acct Clerk I/II

Employee #11: Layoff .5 FTE (remains .5 Acct Clerk III) with displacement rights to Medical Record Clerk II and is then .5 Medical Record Clerk II and .5 Acct Clerk III

Displacement Scenario

(Other department reduction = Accounting Techn & Admin Aide)

1.0 FTE AC III caused by displacement from Acct Tech reduction
(EE has 7549 County Cont. Hrs.)

.5 FTE AC III caused by displacement from Admin Aide reduction
(EE has 10061 County Cont. Hrs.)

= 1.5 FTE Additional AC III layoff due to FTE reduction in other classes

Results:

Employee #10: Then has the least County Continuous Hrs (in comparison to the EEs displacing from other job classes), therefore is displaced by 1.0 FTE with no rights to displacement to another JC. This EE is laid off.

Employee #9: Then has the next least County Continuous Hrs (in comparison to the EEs displacing from other job classes), therefore is laid off by .5 FTE, with displacement rights to AC II. EE has right to displace the least senior in the AC II job class by .5 FTE, and will remain .5 AC III.

Seniority “Quick-Check” Calculator

Located at [Staffing Reductions](#), this tool. It can be used by departments to audit the totals calculated on the Seniority Calculation Worksheet. It IS NOT 100% accurate and will only give staff the “sense” that their Worksheet totals are accurate. **Do Not** use this spreadsheet as the only tool when calculating seniority hours.

Microsoft Excel - Improved QuickCheck Updated to 6-30-05.xls

File Edit View Insert Format Tools Data Window Help

Type a question for help

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C12

1 LAYOFF/DISPLACEMENT HOURS - QUICK CHECK CALCULATOR

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Sheet1 Sheet2 Sheet3

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Draw AutoShapes

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Period Worked	Enter Start Date	Enter End Date	Enter Service Hours	Enter Days Per Pay Period	Enter Full-Time Or Part-time (FTE)	TOTAL Hours
1						0
2						0
3						0
4						0
5						0
6						0
7						0
8						0
9						0
10						0
11						0
TOTAL:						0

formula =(EndDate-StartDate)+1) / 14days*HrsPerDay*Days Worked Per Pay Period*(PTAdj)

Layoff And Displacement Mapping Sample

A Job Class	B FTE Allocated	C FTE Deletions	D FTE Vacant	E FTE Layoff	F FTE Displaced	G FTE Transfer/ Demote Lieu of Layoff	H Layoff Notes
Affected Classifications (list the classes impacted due to <u>deleted</u> allocations)							
Department Analyst	5.00	(3.00)	1.00	1.00	1.00		One vacant position cut; Bradley Cooper laid off, and Kate Winslet displaces into Admin Aide.
Administrative Aide	3.00	(1.00)	0.00		1.00		Bruno Mars displaces into SOA.
Senior Office Assistant	10.00	(5.00)	2.00	2.00		1.00	Two vacant positions cut; Marilyn Monroe & George Clooney laid off. Claire Danes offered to transfer in lieu of layoff to Legal Processor II vacancy.
Telephone Operator	2.00	(2.00)	1.00	1.00			One vacant position cut; Steve Carell laid off.
Total for Affected Class		(11.00)	4.00	4.00	2.00	1.00	
Classifications Affected by Displacement (list the classes impacted due to employees displacing into as a result of the deleted allocations above)							
Administrative Aide				1.00	1.00		Kate Winslet displaces Adele. Adele displaces to Office Assistant II.
Senior Office Assistant				1.00			Bruno Mars displaces James Taylor. James laid off.

Office Assistant II		1.00			John Mayer is laid off due to Adele displacing into OA II.
Totals for Displacement		3.00	1.00	0.00	

Deletion Summary	
Deleted Vacant Positions	4.00
Deleted Filled Positions	7.00
Final number of employees laid off/"out of a job"	7.00
Final number of employees that displaced to another position & retained employment	3.00
Deleted positions that demoted or transferred in lieu of layoff & retained employment	1.00

Human Resources Layoff Mitigation Policy

Priority Transfer Employment Lists Preamble

County employees under the Civil Service Rules may at any time request consideration to transfer or voluntarily demote to another department and/or another classification provided the request is pursuant to the Civil Service Rules and follows the procedures identified by the Human Resources Department. This policy on Priority Transfer does not impact or supersede the County's Civil Service Rules or procedures on transfer and voluntary demotion.

When employees have been identified as being impacted by a reduction in force, the County Department Heads have agreed that for those individuals impacted and who wish to be considered for transfer or voluntary demotion, that the departmental appointing authority will give them special consideration by committing to interviewing all names on the Priority Transfer List.

Purpose

When County Departments have a need to eliminate permanent, regular allocations, Priority Transfer Employment Lists will be established for the classifications of employees who have received formal notice of impending layoff to mitigate the impacts of layoff to the degree possible.

Policy

Regular employees who have been noticed of impending layoff by receiving an official notice of layoff may work with Human Resources staff to determine classifications for which they are eligible for consideration for a transfer or a voluntary demotion. Those employees will be placed on a Priority Transfer Employment List for those classifications that have been identified.

When departments submit a request for certification and a Priority Transfer Employment List is available, Human Resources will certify the Priority Transfer list along with free name, regular, and the transfer employment lists where applicable. Department hiring authorities shall conduct interviews with those candidates on the Priority Transfer, free name, and regular employment lists.

In accordance with the Civil Service Rules, employees must meet the criteria for transferring or voluntarily demoting in order to be placed on a priority transfer list.

Upon termination of employment from the County, employees no longer qualify for Priority Transfer and their names will be removed from the respective transfer lists. Employees who have been terminated due to a layoff have re-employment rights pursuant to Civil Service Rules and should work with Human Resources staff to determine their re-employment options such as restoration and free name.

Process

Employees will contact Human Resources staff to determine transfer eligibility.

The normal transfer request form will need to be completed; the notice of layoff must be attached in addition to the employee's job application and most current performance review.

Where qualified, employees will be placed on Priority Transfer Employment Lists.

The normal requisition and certification process between departments and Human Resources will take place, and when there is a Priority Transfer Employment List for a class, the Priority Transfer Employment List will be certified to the department along with any other applicable employment list the department is eligible to receive for their vacancy(ies).

Human Resources will follow the normal process of noticing candidates on Priority Transfer Employment Lists of their certification to a department and further instructions to schedule selection interviews.

Hiring authorities shall interview all candidates on Priority Transfer Employment Lists for consideration.

Candidates may be removed from Priority Transfer Employment Lists in the same manner as regular employment lists if they submit three waivers.

If an appointment is made from a Priority Transfer Employment List, normal transfer documentation and processes should be followed.

Once employees are terminated, they no longer qualify to be on a Priority Transfer Employment List; they must then work with Human Resources staff to be placed on either restoration or free name lists where eligible and applicable.

Interpretation

This policy does not supersede Civil Service Rules on transfer, free name, layoff, restoration, or any other Civil Service Rules that may apply. Questions on the interpretation of this policy should be directed to the Human Resources Director or designee.

Benefits Upon Separation

[County of Sonoma Benefits Information Upon Separation From Employment](#)

Medical, Dental, and Vision Insurance

If you are enrolled in medical coverage, your medical insurance ends at 11:59 p.m. on the last day of the month in which your employment ends.

You have the following options for continuing your medical coverage:

- COBRA continuation coverage for up to 18 months or until you enroll in Medicare, whichever occurs first after your separation. To continue your coverage, you must pay the full amount of the premium (both the employee and County portion) plus a 2 percent (2%) administrative charge. Your enrollment charges begin on the 1st day of the month after the end of the month in which your employment ends. If you continue the coverage to the end of the 18-month period, you will have another 18-month period for medical coverage only through California COBRA (Cal-COBRA). To continue your coverage through Cal-COBRA, contact your medical health carrier. You will be responsible for the full amount of the premium (both the employee and County portion) plus a 10 percent (10%) administrative charge.

The County's COBRA administrator, [Total Administrative Services Corporation \(TASC\)](#), will mail a COBRA notification to your home or secure mailbox (whichever is your preferred method of communication delivery on file) within 45 days of your last date of coverage. If you wish to continue your employee coverage under COBRA continuation coverage, you must submit the COBRA election forms to [TASC](#) within 60 calendar days from the date you received the notification.

- Enrolling in an individual or family (non-group) plan directly with your current carrier. In order to enroll in an individual or family health benefits plan, you must contact your present health benefits carrier's member services within 60 calendar days from the date your employment ends. Your health benefits carrier will have further information regarding enrollment, cost, and benefits.
- Enrollment in the Health Insurance Marketplace (Marketplace). The Marketplace offers "one-stop shopping" to find and compare private health insurance options. In the Marketplace, you could be eligible for a tax credit that lowers your monthly premiums and out-of-pocket expenses. You can apply for Marketplace coverage at [HealthCare.gov](#) or by calling [1 \(800\) 318-2596](#) (TTY [1 \(855\) 889-4325](#)). To qualify for special enrollment in a Marketplace plan, you must select a plan within 60 days before or 60 days after losing your job-based coverage.

Through the Marketplace you can also learn if you qualify for free or low-cost coverage from Medicaid or the Children's Health Insurance Program (CHIP). You can apply for and enroll in Medicaid or CHIP any time of year. If you qualify, your coverage begins

immediately. Visit [HealthCare.gov](https://www.healthcare.gov) or call [1 \(800\) 318-2596](tel:18003182596) (TTY [1 \(855\) 889-4325](tel:18558894325)) for more information or to apply for these programs. You can also apply for Medicaid by contacting your state Medicaid office or learn more about the CHIP program in your state by calling [1 \(877\) KIDS-NOW \(543-7669\)](tel:1877KIDS-NOW5437669) or visiting insurekidsnow.gov.

Medical Severance Benefit (Layoffs Only)

For employees covered by SEIU, Salary Resolution, WCE, and ESC in Bargaining Units 00, 01, 05, 10, 21, 25, 45, 49, 50, 51, 52, 60, 75, 80, and 95:

If you are enrolled in medical coverage offered by the County and are laid off, the SEIU MOU (20.3.6), the WCE MOU (18.15), the ESC MOU (20.5(e)), and the Salary Resolution (30.4) provide for a continued County contribution toward your medical coverage.

If you elect to continue medical coverage through COBRA, the County will make the employers usual medical insurance contribution for the first six (1 – 6) pay periods following layoff and then one half (50%) of the employers' normal contribution for the next six (7 – 12) pay periods following layoff. If you cancel COBRA coverage within the 12 pay periods, you will forfeit any remaining County contribution. If/when this medical severance is offered concurrently with COBRA continuation coverage, the 18 month COBRA continuation period shall be extended by each month of medical severance coverage to a maximum of 24 months. This County Contribution is coordinated with the COBRA Administrator, TASC.

The County's COBRA administrator, TASC, will mail a COBRA notification to your home or secure mailbox (whichever is your preferred method of communication delivery on file) within 45 days of your last date of coverage. If you wish to continue your employee coverage under COBRA continuation coverage, you must submit the COBRA election forms to TASC within 60 calendar days from the date you received the notification.

Dental

If you are enrolled in dental coverage, your dental insurance ends at 11:59 p.m. on the last day of the month in which your employment ends.

You have the following options for continuing your dental coverage:

- You may extend dental coverage under COBRA for up to 18 months. To continue your coverage, you must pay the full amount of the premium (both the employee and County portion) plus a 2 percent (2%) administrative charge. Your COBRA notification packet will be mailed to your home or sent to your secure mailbox (whichever is your preferred method of communication delivery on file) from TASC, the County's COBRA administrator.
- Enroll in an individual or family (non-group) plan directly with Delta Dental. In order to enroll in an individual or family dental benefits policy, you must contact Delta Dental to obtain a quote at <https://www.deltadentalins.com/individuals/plans/>.

Vision

If you are enrolled in vision coverage, your vision insurance ends at 11:59 p.m. on the last day of

the month in which your employment ends.

You have the following options for continuing your vision coverage:

- You may extend vision coverage under COBRA for up to 18 months. To continue your coverage, you must pay the full amount of the premium (both the employee and County portion) plus a 2 percent (2%) administrative charge. Your COBRA notification packet will be mailed to your home or sent to your secure mailbox (whichever is your preferred method of communication delivery on file) from TASC, the County's COBRA administrator.
- Enroll in an individual or family (non-group) plan directly with VSP. In order to enroll in an individual or family dental benefits policy, you must contact VSP to obtain a quote at <http://www.StayWithVSP.com>.

Life Insurance

Basic, Supplemental, and Dependent Life Insurance coverage end at 11:59 p.m. on the day on which your employment ends. You may be eligible to port or convert coverage for the plans in which you are enrolled. If you port or convert your policy, you will pay the entire cost of the premium, that is, the County will not contribute to the cost of the premium as it does (for Basic Life) while you are employed. Please review the documents in their entirety for details and restrictions.

If you elect to convert your coverage, you must submit the Conversion Form and the first premium due directly to UnitedHealthcare within 31 days of your coverage termination date. You may check the status of your request by contacting UnitedHealthcare directly at [\(877\) 683-8601](tel:877-683-8601).

Employee Assistance Program (EAP)

You are eligible to obtain benefits through the EAP until your last day of employment. For assistance or more details, contact Optum EAP at [1 \(866\) 248-4096](tel:1-866-248-4096) or go to the website, liveandworkwell.com.

You may extend EAP coverage under COBRA for up to 18 months. To continue your coverage, you must pay the full amount of the premium (both the employee and County portion) plus a 2 percent (2%) administrative charge.

The County's COBRA administrator, TASC, will mail a COBRA notification to your home or secure mailbox (whichever is your preferred method of communication delivery on file) within 45 days of your last date of coverage. If you wish to continue your employee coverage under COBRA continuation coverage, you must submit the COBRA election forms to TASC within 60 calendar days from the date you received the notification.

Flexible Spending Accounts

- **Dependent Care Assistance Plan (DCAP)**

This program is not eligible for COBRA continuation coverage and no additional deposits can be made to your DCAP account after your termination date. However, you can continue to submit

eligible expenses until your account is exhausted for dependent care services received on or before March 15 following the end of the plan year (the preceding December 31). Final deadline to submit claims is March 31 following the end of the plan year of December 31. For more information on the DCAP program, including eligible expenses, go to <https://sonomacounty.ca.gov/flexible-spending-account>. If you are unsure if an expense is eligible for reimbursement, please call the TASC at [1 \(877\) 401-9807](tel:18774019807).

- **Health Flexible Spending Account (Health FSA)**

Eligibility for claim reimbursement ends on your last day of employment. You may file for claim reimbursement for all eligible Health FSA expenses incurred during the plan year in which you were enrolled. For example, if you were enrolled on January 1, 2025, and separated from service on April 18, 2025, you may file for reimbursement for eligible expenses incurred from January 1, 2025, through April 18, 2025. Any eligible expenses incurred on or after April 19, 2025, would not be paid. You have until March 31 to submit claims incurred during the previous plan year.

You **may** be eligible to continue your Health FSA through COBRA.

You will not be eligible for COBRA continuation coverage if you have a negative Health FSA account balance (Your Health FSA reimbursements have exceeded your contributions to the Health FSA plan) at the time you separate from County service.

You will be eligible for COBRA continuation coverage if you have a positive Health FSA account balance (Your Health FSA reimbursements are less than your contributions to the Health FSA plan) at the time you separate from County service. COBRA enables you to continue participation in the Health FSA through the end of the plan year (December 31st). When you elect COBRA continuation coverage, you will be required to pay your contributions, on an after-tax basis, to your Health FSA account and you will be able to file for claims incurred during your participation in COBRA, permitting you to use both your unspent Health FSA balance as well as your COBRA contributions while on COBRA.

For questions, please contact TASC at [1-877-401-9807](tel:18774019807).

Health Reimbursement Arrangement (HRA)

- **Active Employee HRA**

If you have an active employee HRA account, your HRA funds remain in your HRA account and you may continue submitting reimbursement claims to TASC for eligible medical expenses until your HRA account balance is exhausted. You will be responsible for the TASC monthly administrative fee of \$2.00 which will be deducted each month from your available account balance.

For account balance and more information on the HRA, visit TASC's website at <https://www.tasconline.com> or call TASC at [1 \(877\) 401-9807](tel:18774019807).

- **Retiree HRA**

If you have a retiree HRA account, you may begin receiving reimbursements from your Retiree HRA for eligible medical expenses once you have separated from County employment AND either

have attained age 50 or have commenced retirement benefits from the Sonoma County Employees' Retirement Association (SCERA), whichever is earlier. Contact the HR Benefits Unit at [707-565-2900](tel:707-565-2900), to set up your HRA account for reimbursements before submitting a reimbursement claim to TASC. You will be responsible for the TASC monthly administrative fee of \$2.00 which will be deducted each month from your available account balance.

If you are under age 50 and/or are not retiring from SCERA, your funds must remain in your HRA account until you either attain age 50 or retire.

No withdrawals are allowed prior to age 50 or retirement.

For account balance and more information on the HRA, visit TASC's website at <https://www.tasconline.com>.

Retirement

If you are leaving before retirement, then the Sonoma County Employees' Retirement Association (SCERA) will send you a packet of information that will include your current retirement contribution balance, years of service with SCERA, and your earliest retirement date. In addition, you will receive a ***Distribution of Retirement Contributions Election*** form, which you will use to elect what you wish to do with your retirement contributions. You will also find information on SCERA's website at <http://scretire.org>.

If you are eligible for retirement, please contact SCERA at [707-565-8100](tel:707-565-8100). You will also find information on SCERA's website at <http://scretire.org>.

Health Insurance In Retirement

When you apply to retire, SCERA's Benefits Specialist will provide you a form to complete related to your eligibility for a County contribution toward retiree medical plan coverage. SCERA will send the form you completed and signed to the Human Resources Benefits Unit. Human Resources will research your eligibility and provide you a letter confirming eligibility and instructions for making retiree benefit elections. If you have questions once you receive this retirement medical benefits determination, please contact the Human Resources Benefits Unit at [707-565-2900](tel:707-565-2900).

Deferred Compensation Programs

- **457 Deferred Compensation Plan**

Contributions cease at the time of termination. You may leave the funds in the account until such time as you wish to take a withdrawal or rollover your funds to another eligible investment account. You must begin taking a required minimum withdrawal at age 72. To take any action on your account, you may access our deferred compensation forms available through the Auditor-Controller-Treasurer-Tax Collector's Office (ACTTC), Deferred Compensation Division. There are no early withdrawal penalties for 457 plans.

- **401(A)**

Contributions cease at the time of termination. You may leave the funds in the account until such

time as you wish to take a withdrawal or rollover your funds to another eligible investment account. Withdrawals will be subject to income taxes and if you are under the minimum age of 59½ at the time of withdrawal, there is an early withdrawal penalty (10%). There is no minimum dollar amount for maintaining a balance in your account. To take any action on your account, you may access our deferred compensation forms available through the Auditor-Controller-Treasurer-Tax Collector's Office (ACTTC), Deferred Compensation Division.

- **Investment Options For 457 Retirement Plan And 401(A)**

With both the 457 and 401(a) accounts, you can still change your investment options while you have funds in the account(s).

- **Deferred Compensation Programs Customer Service**

Auditor-Controller-Treasurer-Tax Collector's Office (ACTTC) website at:

<http://sonomacounty.ca.gov/ACTTC/Investment-and-Debt/Deferred-Compensation>.

For further information please email ACTTCPayrollDivision@sonoma-county.org.

Payoffs Of Accrued Leaves

Employees who terminate employment are entitled to payment of unused vacation and compensatory time off accrued at the time of separation based on employees applicable MOU or Salary Resolution. Please refer to the applicable MOU or the Salary Resolution for specific details (<http://sonomacounty.ca.gov/HR/Employee-Relations/Labor>) Payment is at the employee's base hourly rate. Payoff of accrued leaves is normally processed after the employees' final payment of earned wages. For questions, contact your department Payroll Clerk or email ACTTCPayrollDivision@sonoma-county.org.

Severance Period (Only For Employees Who Are Terminated Due To Layoff)

All employees generally receive at least three weeks' notice in advance of being laid off. If you are covered by SEIU, ESC, SCPA, SCDPDAA or the Salary Resolution, and are laid off and cannot displace another employee or secure other regular County employment, you may be eligible to separate from County service prior to your layoff date and receive your normal base salary for some of the hours you would normally be scheduled to work during the remainder of the three-week period. Please refer to the appropriate MOU or the Salary Resolution for specific details (<http://sonomacounty.ca.gov/HR/Employee-Relations/Labor>).

Contact your designated department contact if you have questions.

Housing Assistance Committee (HAC)

The Housing Assistance Committee has adopted a deferral policy for employees that are laid off and may have a Rental/Mortgage Assistance Loan, a First-Time Home Buyer Loan, or a Housing Rehabilitation Loan from the Housing Assistance Fund. At an employee's request, loan payments can be deferred for up to six months from the date of termination from County employment.

For more information, contact the Community Development Commission at [707-565-7501](tel:707-565-7501).

For an employee who has retired, voluntarily, or involuntarily separated from the County, but has not been laid off from the County, and has a Rental/Mortgage Assistance Loan, a First-Time Home Buyer Loan, or a Housing Rehabilitation Loan from the Housing Assistance Fund, the ACTTC will initiate different payment arrangements in accordance with Housing Assistance Program Policies.

For more information, contact the ACTTC Revenue & Debt (Central Collections) at [707-565-2817](tel:707-565-2817).

COBRA – A Continuation Of Health Plan Coverage Option

You have the option of continuing your County health plans coverage under a federal program called COBRA (Consolidated Omnibus Budget Reconciliation Act). COBRA allows you to continue your medical, dental, vision, and Employee Assistance Program (EAP). You may also be eligible to continue your Health Flexible Spending Account depending on your Health FSA account balance at time of separation. Coverage can generally be continued for up to 18 months, provided you pay 100% of the premiums plus a 2% administration fee.

- **COBRA Notice And Election Forms**

You will automatically receive a COBRA Notification with information regarding your eligibility and options to continue health plan coverage within 45 days after your last day of coverage. You will receive the COBRA offer at your home address from a third party administrator, TASC. If you do not receive your COBRA information, contact the Human Resources Benefits Unit at [\(707\) 565-2900](tel:707-565-2900). If you have questions after you receive your COBRA offer, please contact TASC at [1 \(877\) 401-9807](tel:18774019807) or <https://www.tasconline.com>.

Be sure to keep your payroll clerk informed of any address changes for you and your eligible dependents or update your address on the county's Employee Self Service site.

- **Election Of Continuing Coverage**

You only have 60 days from the date you receive the COBRA Notification to make your elections for COBRA continuation coverage. COBRA health plan coverage options are the same as the options you had as an employee:

- You choose which specific health plans you wish to continue. For example, you may choose to continue your dental coverage, but not your medical coverage. You have the option to continue coverage for any one or all of your dependents at the time you elect COBRA coverage.
- You and each of your eligible dependents have a separate right to elect COBRA coverage. This means that your eligible dependent may choose health plan coverage, but you are not required to also enroll yourself in the plan for your dependent's coverage to continue under COBRA.
- While on COBRA, you may not add coverage for anyone not already covered except you may add newly eligible dependents such as a newborn. However, newly eligible dependents may only be added to health plans in which you are enrolled. The newly eligible dependents do not have an independent right to coverage and may only remain on your COBRA coverage while you are eligible for COBRA coverage.

- **Premium Payment**

You must pay the premiums to TASC within 45 days of your initial election, retroactive to the last day of employee coverage. No gaps in coverage are permitted between your County coverage and your elected COBRA continuation coverage for any reason. You may want to elect coverage promptly upon receipt of the COBRA notice to prevent a gap in medical services while in the election period and to prevent a large retroactive premium invoice. After the initial COBRA premium payment, you will be required to make timely monthly premium payments which are due on the first of each month. Failure to pay benefits timely will result in forfeiture of COBRA continuation coverage.

Customer Service

[County of Sonoma COBRA webpage](#)

COBRA Administrator: [TASC](#)

Customer Service: 877-401-9807

Customer Service hours: Monday through Friday: 5:30 a.m. to 6:00 p.m. (PST)

24/7 online account access <https://www.tasconline.com>

Automated account information is available toll-free: [800-422-4661](tel:800-422-4661)

Fax Number: [608-661-9601](tel:608-661-9601)

Layoff Notices

Layoff Notice – No Right To Displace

Use for layoff without displacement

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Layoff

Dear Employee's First Name ,

I regret to inform you that your employment as a Select One Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) with this department is hereby terminated at the end of your work shift on Enter the Day of the Week and the Date (Ex: Monday, September 29, 2003). This action is necessary due to Select One.

You are to be laid off as the least senior employee in the class of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc), in accordance with Civil Service Rule 11.1. You may review a copy of this department's seniority list for your job classification. Attached is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the actual decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position.

I also wish to advise you that your name will be placed on a Restoration List for the class of

Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) in Name of Employing Department. Should a Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

(If the employee is covered by the Salary Resolution, SCPA, or SCDPDAA, add the following paragraph about the severance period)

Under the provisions of the applicable Memorandum of Understanding or Salary Resolution, you may have the right to a severance period. This allows you, with the approval of the Department Head, to separate from County service after the eighth (8th) workday of the three-week notice (21 calendar days) period and receive your normal base salary for the hours you would normally be scheduled to work during the remainder of the three-week period.

(If the employee is covered by the SEIU or ESC, add the following paragraph about the severance period)

Under the provisions of your Memorandum of Understanding, you have the right to a severance period. This allows you to separate from County service fourteen (14) calendar days prior to the effective date of layoff and receive your normal base salary for the hours you would normally be scheduled to work during that fourteen (14) day period.

(If the employee is covered by DSA, DSLEM, Local 39, SCLEA, SCLEMA, SCPDIA, or WCE, do not include a reference to a severance period.)

You may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Department Head's Title (Ex: Director of Human Services; Sheriff-Coroner; etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

Layoff Notice – Right To Displace

Use for layoff with displacement

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice of Layoff and Right of Displacement

Dear Employee's First Name ,

I regret to inform you that your employment as a Select One Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) with this department is hereby terminated at the end of your work shift on Enter the Day of the Week and the Date (Ex: Monday, September 29, 2003). This action is necessary due to Select One.

You may elect to be laid off as the least senior employee in the classification of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc), or to remain employed by displacing the junior employee in the class of List the Job Class and its Highest Salary Allocation. in accordance with the County's Civil Service Rule 11.1, and 11.3. Regardless of which option you choose, your name will be placed on a Restoration List for the classification of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) in Name of the Employing Department. Should a vacancy occur in the class of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact Name of Your Department's HR Analyst at HR Analyst's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the decision to layoff cannot be appealed.

If you elect displacement, please return the attached response form ***no later than*** Date Written Notification is Due. If I do not hear from you by that time, I will assume that you have chosen to be laid off and will proceed accordingly. If you decide to displace into the classification of List the Job Class and its Highest Salary Allocation., the effective date will be Enter the time, day of the week,

and date that the position will begin, if accepted.. Salary will be based on the job class you displace to and the Article: Select One of your employee organization's labor agreement with the County.

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of remaining employed by displacing another. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Department Head's Title (Ex: Director of Human Services; Sheriff-Coroner; etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Response Memo

- **Employee Response – Layoff And Option To Displace**

Memorandum

Date: Date of Intended Notice

To: Name of Department Contact

From: Employee's First and Last Name

Re: Displacement/Layoff Employee Response

This is to inform you that I choose the following:

- ☐ I elect to exercise my displacement rights to the classification of List the Job Class and its Highest Salary Allocation effective Enter Effective Date of Displacement (ex: January 1, 2009), per Civil Service Rule 11.3, as indicated in your letter dated Date of Layoff/Displacement Letter.
- ☐ I elect to be laid off as the least senior employee in the classification of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc), in accordance with Civil Service Rule 11.1.

Signature

Layoff Notice – With Option To Demote/Transfer In Lieu Of Layoff

Use for layoff when employee has no displacement rights but does have an opportunity to demote/transfer in lieu of layoff

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Layoff And Offer Of Demotion/Transfer In Lieu Of Layoff

Dear Employee's First Name,

The purpose of this letter is twofold:

First, to notify you that your employment as a Select One Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) with this department is hereby terminated at the end of your work shift on Enter the Day of the Week and the Date (Ex: Monday, September 29, 2003). This action is necessary due to Select One

You are to be laid off as the least senior employee in the classification of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) in accordance with Civil Service Rule 11.1. You may review a copy of this department's seniority list for your job classification. We are also sorry to inform you that you do not have any displacement rights to another classification. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice, however, the decision to layoff may not be appealed.

Second, I would like to extend you an offer of Select One to a Enter the Demoted Job Class (Ex: Department Analyst; Account Clerk II, etc) vacancy, effective Enter Effective Date of Demotion (ex: January 1, 2009). You may elect to accept this offer of Select One in lieu of being laid off according to Civil Service Rules 8.8 A, 8.7 A, and 11.4, or you may choose layoff. If you elect demotion/transfer, please notify me in writing no later than Enter Date of Your Choice. If I do not hear from you by that time, I will assume that you have chosen to be laid off.

A decision to demote/transfer into the class of Enter the Demoted Job Class (Example: Department Analyst; Account Clerk II, etc) will result in that action being implemented the beginning of the workday on Enter the First Day of Work (ex: January 1, 2009). Salary will be based on the job class you displace to and your employee organization's labor agreement with the County (see your MOU, Salary Upon Voluntary Demotion, Salary Upon Transfer). Your probationary status in the new classification will be determined in accordance with Civil Service Rule 8.7, 8.8 A, and 9.2.

Whether you choose layoff, voluntary demotion, or transfer, your name will be placed on a Restoration List for the classification of Enter the Current Job Class (Ex: Department Analyst; Account Clerk II, etc) in Name of Employing Department. Should a regular Select One Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

If you elect separation from employment, you may qualify for various benefits. Enclosed are several documents you may find useful regarding layoff and separation from the County. You are strongly encouraged to contact the subject matter experts shown as soon as possible for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of accepting a voluntary demotion. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Department Head's Title (Example: Director of Human Services; Sheriff-Coroner; etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

Response Memo

- **Employee Response – Layoff And Option To Demote/Transfer**

Memorandum

Date: Date of Intended Notice

To: Name of Department Contact

From: Employee's First and Last Name

Re: Employee Response to Layoff Notice

This is to inform you that I choose the following:

☐ I elect to Select One to the classification of Enter Demoted Job Class (example: Department Analyst, Account Clerk II) effective Effective Date of Demotion, as indicated in your letter dated Date of Layoff/Demotion Letter.

☐ I elect to be laid off as the least senior employee in the classification of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc).

Signature

Date

Layoff Notice – Layoff Due To Displacement With Right To Displace

Use when the employee is being laid off due to a displacement and also has displacement rights

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Displacement And Right To Displacement

Dear Employee's First Name ,

I regret to inform you that your employment as a Select One Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) with this department is hereby terminated at the end of your work shift on Enter the Day of the Week and the Date (Example: Monday, September 29, 2003). This action is necessary because you will be displaced by another employee as a result of layoff.

As the least senior employee in the classification of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc), you are to be displaced pursuant to Sonoma County Civil Service Rule 11.3 A and are accordingly informed of layoff pursuant to this rule. Enclosed is a copy of Civil Service Rule 11. You may review a copy of this department's seniority list for your job classification if you wish. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

You may elect to be laid off as the least senior employee in the classification of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc). However, you have displacement rights yourself and you can chose to remain employed by displacing the junior employee in the class of List the Job Class and its Highest Salary Allocation. in accordance with the County's Civil Service Rules. Regardless of which option you choose, your name will be placed on a Restoration List for the class of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) in Enter the Name of the Employing Department. Should a regular Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County's Civil Service

Commission within ten regular County business days from the date of the receipt of this notice. However, the decision to layoff may not be appealed.

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you with additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may not be eligible for unemployment benefits if you choose to be laid off instead of remaining employed by exercising your displacement rights. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Enter the Department Head's Title (Example: Director of Human Services; Sheriff-Coroner; etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

- **Employee Response – Layoff Due To Displacement With Right To Displace OR Layoff And Option To Displace**

Memorandum

Date: Date of Intended Notice

To: Name of Department Contact

From: Employee's First and Last Name

Re: Displacement/Lay-Off Employee Response

This is to inform you that I choose the following:

☐ I elect to exercise my displacement rights to the classification of List the Job Class and its Highest Salary Allocation effective Enter Effective Date of Displacement (example: January 1, 2009), per Civil Service Rule 11.3, as indicated in your letter dated Date of Layoff/Displacement Letter.

☐ I elect to be laid off as the least senior employee in the classification of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc).

Signature

Layoff Notice – Layoff Due To Displacement With NO Right To Displace

Use when the employee is being laid off due to a displacement and has NO displacement rights

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Displacement

Dear Employee's First Name,

I regret to inform you that your employment as a Select One Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) with this department is hereby terminated at the end of your work shift on Enter the Day of the Week and the Date (Example: Monday, September 29, 2003). This action is necessary because you will be displaced by another employee as a result of layoff.

As the least senior employee in the class of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc), you are to be displaced pursuant to Sonoma County Civil Service Rule 11.3 A. and are accordingly informed of layoff pursuant to such rule. You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours, or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice, however the decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position. However, your name will be placed on a Restoration List for the class of Enter the Current Job Class (Example: Department Analyst; Account Clerk II, etc) in Enter the Name of the Employing Department. Should a Select One vacancy occur in our department which we decide to fill within two years from the date of layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

(If the employee is covered by the Salary Resolution, SCPA, or SCDPDAA, add the following paragraph about the severance period)

Under the provisions of the applicable Memorandum of Understanding or Salary Resolution, you may have the right to a severance period. This allows you, with the approval of the Department Head, to separate from County service after the eighth (8th) workday of the three-week notice (21 calendar days) period and receive your normal base salary for the hours you would normally be scheduled to work during the remainder of the three-week period.

(If the employee is covered by the SEIU or ESC, add the following paragraph about the severance period)

Under the provisions of your Memorandum of Understanding, you have the right to a severance period. This allows you to separate from County service fourteen (14) calendar days prior to the effective date of layoff and receive your normal base salary for the hours you would normally be scheduled to work during that fourteen (14) day period.

(If the employee is covered by DSA, DSLEM, Local 39, SCLEA, SCLEMA, SCPDIA, or WCE, do not include a reference to a severance period.)

If you elect separation from employment, you may be eligible for various benefits as a result of layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. On or before your last day of employment, staff from your department will meet with you and provide you additional information regarding separation of employment with the County. If you have questions prior to this meeting, you may contact the subject matter experts shown on the benefit summary for more detailed information.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Enter the Department Head's Title (Example: Director of Human Services; Sheriff-Coroner; etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

Layoff Notice - Due To Reduction Of Hours With NO Right To Displace

Use when the employee is laid off by a reduction in hours with NO displacement rights

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Layoff And Offer Of Reduction Of Hours

Dear Employee's First Name,

I regret to inform you that your employment as a # of Current FTE Select One-Time Equivalent (FTE) Enter the Current Job Class (Example: Department Analyst, Account Clerk II, etc) with this department is reduced by # of FTE Reduction FTE at the end of your work shift on Enter the Day of the Week and Date (Example: Friday, April 16, 2010) of Last Day Worked at Current FTE. This reduction constitutes a layoff, in accordance with Civil Service Rule 11.1. Your position will be reduced to a # of Adjusted FTE FTE (New # of Hours Worked Per Pay Period hrs per pay period) effective at the start of your work shift on Enter the Day of the Week and Date (Example: Monday, April 19, 2010) of First Day Worked at Reduced FTE. This action is necessary due to lack of funds.

You are being laid off as the least senior employee in the classification of Enter the Current Job Class (Example: Department Analyst, Account Clerk II, etc) in accordance with the Civil Service Rules. You may review a copy of this department's seniority list for your job classification. Enclosed is a copy of Civil Service Rule 11. If you feel there is any discrepancy in seniority hours or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff, and restoration. Please note that you may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular County business days from the date of the receipt of this notice; however, the actual decision to layoff may not be appealed.

Since you have no previous work experience in any other classification found in this department, you have no displacement rights to any other position.

I also wish to advise you that your name will be placed on a Restoration List for # of FTE Reduction FTE for the classification of Enter the Current Job Class (Example: Department Analyst, Account Clerk II, etc) in our department. Should a Enter the Current Job Class (Example: Department Analyst, Account Clerk II, etc) vacancy occur in our department which we decide to fill within two

years from the date of layoff, you will be offered restoration equivalent to your FTE reduction in accordance with Civil Service Rule 11.4.

Your benefits may be impacted by your layoff. Enclosed are several documents you may find useful regarding layoff and separation from the County. Since you are not being fully separated from employment, some of the information is not applicable, but contact numbers are listed should you wish to ask questions about how your benefits may be impacted.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or by visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Department Head's Title (Example: Director of Human Services, Sheriff-Coroner, etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

Layoff Notice – Reduction Of Hours With Right To Displace

Use when the employee is laid off by a reduction in hours with displacement rights

Date of Intended Notice

Employee's First and Last Name

Employee's Street Address

Employee's City, State and Zip Code

Subject: Notice Of Layoff/Reduction Of Hours And Right Of Displacement

Dear Employee's First Name,

I regret to inform you that your employment as a # of Current FTE Select One-time Equivalent (FTE) Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II) with this department is hereby reduced by # of FTE Reduction FTE at the end of your work shift on Enter the Day of the Week and Date (Ex: Friday, April 23, 2010) of Last Day Worked at Current FTE. This reduction constitutes a layoff in accordance with Civil Service Rule 11.1. This action is necessary due to Select One.

You may elect to be laid off by # of FTE Reduction FTE as the least senior employee in the classification of Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II), or to continue your FTE equivalent by displacing the most junior employee in the classification of Enter the New Job Class Title (Ex: Administrative Aide, Account Clerk I) by # of FTE Reduction FTE in accordance with the County's Civil Service Rules.

You may review a copy of this department's seniority list for your job classification. Attached is a copy of Civil Service Rule 11. If you feel there is any discrepancy in the seniority hours or status which affects the order of layoff, please contact Name of Contact in Department at Department Contact's Phone Number by "Contact By" Date.

Civil Service Rule 11 outlines your rights and obligations related to layoff, displacement, and restoration. You may appeal the implementation of this layoff to the County's Civil Service Commission within ten regular business days from the date of the receipt of this notice; however, this decision to layoff cannot be appealed.

If you elect to displace, please return the attached response form **no later than** Date Written Notification is Due. If I do not hear from you by that time, I will assume you have chosen not to exercise your rights to displace and will proceed accordingly. If you decide to accept the # of FTE Reduction FTE position, a portion of your salary will be based on # of FTE Reduction FTE in the new classification you have displaced to and your employee organizations labor agreement with the County (see your MOU, Salary Upon Voluntary Demotion, or Salary Upon Transfer). Your work

assignment will be adjusted and you will be noticed in accordance with the labor agreement. (If you later determine that you would like to change your decision, you must contact me by on or before your layoff date.)

Regardless of which option you choose, your name will be placed on a Restoration List for # of FTE Reduction FTE for the class of Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II) in our department. Should a # of FTE Reduced FTE vacancy occur in the class of Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II) in our department which we decide to fill within two years from the date of your layoff, you will be offered restoration in accordance with Civil Service Rule 11.4.

Your benefits may be impacted by your layoff/reduction and your displacement decision. Enclosed are several documents you may find useful regarding layoff and separation from the County. Since you are not being fully separated from employment, some of the information is not applicable, but contact numbers are listed should you wish to ask questions about how your benefits may be impacted.

You may be eligible for unemployment benefits as a result of layoff. The determination will be made by the State. You may receive information and apply for benefits by calling the Employment Development Department at [1-800-300-5616](tel:1-800-300-5616) or visiting their website at www.edd.ca.gov.

Again, I would like to express my regret in taking this painful but necessary action.

Sincerely,

Department Head's Name

Department Head's Title (Ex: Director of Human Services, Sheriff-Coroner, etc.)

cc: Personnel File

Select Union

Human Resources (Recruitment & Classification, HR-eP, Employee Relations, and Employee Benefits)

Auditor-Controller

Enclosures: Civil Service Rule 11

Summary of Benefits Upon Separation

[For Your Benefit: California's Programs for the Unemployed \(DE 2320\)](#)

Layoff Mitigation Policy

- **Employee Response – Layoff Due To Reduction Of Hours With Right To Displace**

Memorandum

Date: Date of Intended Notice

To: Name of Department Contact

From: Employee's First and Last Name

RE: Notice Of Layoff/Reduction Of Hours And Right Of Displacement – Employee Response

This is to inform you that I choose the following:

☐ I elect to exercise my displacement rights per Civil Service Rule 11.3 as indicated in your letter of Date of Intended Notice. My new allocation will be as a # of Adjusted FTE of Current Job Class FTE Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II) and a # of FTE Reduction FTE Enter the New Job Class Title (Ex: Administrative Aide, Account Clerk I) effective Enter the Day of the Week and Date (Ex: Monday, April 26, 2010) of the First Day Worked at Reduced Rate.

☐ I elect to be laid off (reduced FTE) as the least senior employee in the classification of Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II). My **new allocation will be as a # of Adjusted FTE of Current Job Class FTE Enter the Current Job Class Title (Ex: Department Analyst, Account Clerk II) effective Enter the Day of the Week and Date (Ex: Monday, April 26, 2010) of the First Day Worked at Reduced Rate.**

Signature