

LAYOFF AND REEMPLOYMENT INFORMATION FOR CLASSIFIED EMPLOYEES

Because the employees of the Los Angeles Unified School District are its most valuable resource, great care is taken in selecting them and every effort is made to retain them. Nevertheless, there are times when layoffs or changes of assignment are unavoidable. We have learned that at such times there are a number of questions that are asked by those who may be affected by reductions in staff.

RIF PROCESS AND PROCEDURES

1. Q: *Who is protected by classified layoff and reemployment procedures?*

A: Most regular status classified employees are covered; restricted employees, substitute employees and most unclassified employees are not protected. In a reduction in force, reemployment rights and privileges apply to a regular employee who has:

- a) been laid off
- b) been bumped by a person with greater seniority
- c) been displaced from a class because of reclassification of position
- d) taken a voluntary demotion to remain in the same position after reclassification
- e) accepted demotion, transfer to another classification (change of assignment process), or reduction in status in lieu of layoff from the District
- f) accepted reduction in assignment basis of ten days or more
- g) accepted reduction from full-time to part-time employment

2. Q: *I used to be a restricted employee, but I am now regular status. Am I covered by layoff and reemployment rules?*

A: Yes, you are covered.

3. Q: *I am a probationary employee. Am I covered by layoff and reemployment rules?*

A: Yes, you are covered. As a general rule, if you had to pass an examination to be appointed to your job, you have earned seniority as a regular employee and therefore have retention and reemployment rights.

4. Q: *If my position is being closed out, how would I know?*

A: Your manager or administrator will inform you. However, you should continue to report to your current location until you receive notice from the Workforce Management, Classified Employment Services advising you that your position is being closed.

5. Q: *What happens if my position is closed out?*

A: It depends on how much seniority you have and the number of positions in your job classification. You would be assigned to a comparable vacant position (with the same basis and number of hours) if there is one. If no comparable position exists, you would bump the person with the least seniority in the classification.

6. Q: *What is a reemployment list?*

A: It is a list of persons who have been laid off from a particular job classification. The reemployment list is established in reverse class seniority order of the employees who were laid off. If a position becomes available, the person at the top (most senior) of the reemployment list will be contacted.

7. Q: *How long would my name remain on the reemployment list?*

A: If you continue with the LAUSD in regular status, your name remains on the reemployment list indefinitely. If you are laid off from the LAUSD or you voluntarily reduce your status (e.g. substitute), your name remains on the reemployment list for 39 months. . If you refuse three regular-status job offers for the specific classification, your name will be removed from the reemployment list.

8. Q: *How much notice of layoff would I get?*

A: Prior to layoff, at least 45 calendar days notice is given to employees with reemployment rights.

9. Q: *I am on an eligibility list. What happens to my name on the eligibility list if I am laid off from the School District?*

A: Layoff does not remove your name from an eligibility list. You may be offered a position during the life of the eligibility list. In addition, if you were in regular status at the time of layoff, you retain your eligibility to compete in other promotional examinations for 39 months.

10. Q: *If a school is able to re-fund positions, what is the process, or what happens if other money is found to save positions after the budget cuts?*

A: If your school or office is able to re-fund a position, the school would be funding a position, not a person. We will need to place the employees who have rights in those classifications into those positions. Please keep in mind that not only is your school or office impacted; we have hundreds of locations and thousands of employees who have been disrupted. Other employees may have more seniority than you. If you are in a classification which has many cuts, there may be a long reemployment list of individuals with rights to vacancies that open up. Our priority is to place people back to the school or location or as close to that as possible, but we may not be able to accommodate all requests. We must follow specific guidelines when placing people in new vacancies. We are mandated by the Education Code to protect the rights of the employees, so we could not place someone who is number 50, for example, ahead of someone who is number one on the reemployment list, even if the school really wants that person.

11. Q: *Can I take a leave of absence before I'm laid off?*

A: Any regular employee who has received a notice of impending layoff may be granted an *unpaid* leave of absence at the discretion of the division head, beginning with the date of the notice until the effective date of the layoff. However, if your layoff status is

rescinded while you are on leave, you will have to return to work within 14 days. (Executive/Administrative classes have up to 28 days to return to work.)

12. Q: *If I am laid off from LAUSD, will I receive all my accrued vacation pay?*

A: Yes, you will receive your accrued vacation if you are a permanent employee and leave the District employment as a result of layoff. You may not be paid lump-sum vacation if you remain an employee of the District.

13. Q: *Suppose I am notified that I am going to be laid off in 45 days and I receive a job offer from outside the District, but they want me to start work in about two weeks. Should I resign?*

A: If you resign before you are laid off, you will lose your reemployment rights. You may request vacation or an unpaid leave of absence to protect your place on the reemployment list giving you a right to return to district employment for 39 months after layoff. However, vacation and unpaid leave requests are approved at the discretion of your supervisor and/or division head.

14. Q: *I was laid off from the District and am on a reemployment list. I need to update my home address and phone number that the District has on file so that I can be contacted if a position becomes available. How do I do that?*

A: It is very important that we are kept up-to-date with your contact information so that we can contact you if a position becomes available. Please contact the Employee Service Center at (213) 241-6670 for the proper form to update your home address and phone number. You may also visit the center on the first floor of the Beaudry building.

BUMPING, SENIORITY AND RETURN RIGHTS

15. Q: *What are bumping and reemployment rights based on?*

A: Seniority in a job classification is based on the first date of hire in **regular** status in the employee's class plus any time spent in a higher class in regular status. In the event of periods of unpaid time, seniority is reduced equal to the period of unpaid days.

16. Q: *What if I bump another employee, but I don't like the location of the new position?*

A: If your new assignment is inconveniently located, you may file a request for transfer (Change of Work Location) so that you can be considered for vacancies that might occur in the future. Obtain PC Form 5005 – Request for Transfer Form (Change of Work Location) – from the Workforce Management Classified Employment Services Branch, or from any of the Classified Employment Offices or from the Personnel Commission website.

17. Q: *I am a school-based clerical employee. I would like to remain at my school. What are my options if my position is cut?*

A: If there is a vacancy in your school for a classification in which you have seniority, you may be placed there depending on your seniority ranking. If there is no vacancy, you will be reassigned as close to your current work location and/or residence. Once you reach your new school, you can put in a transfer request to a location closer to your previous location or within your desired Local District. You will be contacted if an opening becomes available.

18. Q: *I used to be in a lower job class but I was very quickly promoted. Now my new position is being eliminated? What happens to me?*

A: It would depend on your seniority compared to others in the same classification District-wide. We would first try to place you in a vacancy in that classification. If there is no vacancy and you have more seniority than others, you would bump the individual with the least seniority district-wide, not the one with the least seniority in your location. If you are the one with the least seniority then you would bump back to your previous regular classification. Keep in mind, even though you were in the lower class for a short time, you have earned more seniority in that class. For example, let's say you were an Assistant Administrative Analyst for six months before you promoted to Administrative Analyst and you have been an Administrative Analyst for two years. You would have two years of seniority as an Administrative Analyst and two and a half years seniority as an Assistant Administrative Analyst because your seniority in your higher level classification counts towards your seniority in the lower level class.

19. Q: *I am a regular employee and still on probation. Does that mean I don't have any rights?*

A: No, the important distinction is whether you are a regular status employee, or a restricted, substitute or unclassified employee. Probationary status affects your rights in the event of discipline and other matters. If you took a test to get your job, you are most likely a regular status employee – even if you have been in your job for one day – you have rights in the event of layoff, and reemployment rights.

20. Q: *What are the bumping rules and when do they come into play?*

A: Regular employees who are laid off or experienced a reduction in hours or basis changes of 10 or more days have bumping rights when they have more seniority credit than other employees who are in classifications with the same hours and basis the laid off employees previously held. The employee who is bumped is the one with the least seniority in that classification.

21. Q: *What is District seniority versus job class seniority?*

A: District seniority began as of the first day you became regular status with the District. Class seniority begins as of the first day you started in a job classification. For example, if you were an Office Technician for three years, then became a Senior Office Technician for four years, then became a School Administrative Assistant for one year, you would have eight years counted towards your District seniority. For seniority in each class, you would have one year counted towards seniority as a School Administrative Assistant, five years towards seniority as a Senior Office Technician, and eight years towards your seniority as an Office Technician.

22. **Q: *I was a substitute Office Technician for two years. Do I have two years counted towards seniority as an Office Technician?***

A: Time served in temporary status, no matter what length, does not count towards seniority.

23. **Q: *If I am being bumped to a lower class, can I submit a change of assignment if I want to be reassigned into a different class instead of bumping?***

A: If you meet the entrance qualifications for a class that is similar in pay and duties, you can fill out a change of assignment. If there is a vacancy and the location is able and willing to take you, you can request a lateral transfer after budget cuts are finished. You still have to be interviewed and selected by the location. Although you have the right to request a change of assignment in a layoff environment, there is a possibility that you will ultimately be bumped to your lower class because there could be bumping in the class you requested with other employees who have more seniority bumping into available positions.

24. **Q: *Does time spent in a lateral classification with the same salary count towards seniority in my current class?***

A: No. Although they might be equal in pay, the classes are treated separately. However, it would count if the lateral classification paid more than your current class.

25. **Q: *I was on a leave to higher assignment and I am now in regular status in that position. Does the time spent as a leave to higher count towards seniority in the higher classification?***

A: Provisional (leave to higher) time will be counted in the higher class if you were appointed to the higher class in regular status before July 1, 2010. However, if you were appointed to the higher class in regular status on or after July 1, 2010, time in provisional status will not be counted towards the higher class. In either case, assigned time in provisional status will still count towards the lower classes in which you were regular status and your overall District seniority.

26. **Q: *My position was previously a generic classification but a few years ago it was reclassified to one of three specialized classification with no change to my seniority. Since my seniority from the generic classification counts in my new specialized classification, do I have bumping rights to the other specialized classifications?***

A: No, you do not. Your years of seniority in the generic classification were placed into the specialized classification which is different from the other specialized classifications that were created at the same time.

For example, on December 11, 2001, the Systems and Programming Analyst classification was converted into three specialized classifications of Programmer Analyst Cobol, Programmer Analyst, Oracle, and Programmer Analyst, Visual Basic.

Depending on which program an incumbent specialized in, employees were

reclassified into one of the three specialized classifications with no change to their seniority. For example, an employee who worked three years as a Systems and Programming Analyst will now have those three years of seniority moved to Programmer Analyst, Cobol. Bumping rights can only be used within the employees specialized classification (i.e. a Programmer Analyst, Cobol can only bump another Programmer Analyst, Cobol, and not a Programmer Analyst, Oracle or Programmer Analyst, Visual Basic).

27. Q: *Does my seniority in an abolished class count?*

A: Time in a higher classification counts towards a lower classification even if the classification has been abolished.

28. Q: *If I am in a confidential class whose position is being cut, can I bump the least senior employee in a non-confidential class?*

A: Yes, a confidential class and its non-confidential counterpart are treated like one class during layoffs.

29. Q: *In cases of equal seniority how is layoff determined?*

A: When it is necessary to break a tie in seniority to determine which employee is to be laid off or reassigned, the employee to be retained will be:

- a) the one who has the greater total seniority with the District
- b) in case the tie remains, the one who had the higher rank on the eligibility list from which the tied employees were appointed
- c) if a tie still remains, the one with the lower employee number

30. Q: *What happens if there is no vacancy in my job classification and I do not have enough seniority to bump another employee?*

A: You would bump back to your former regular classification according to seniority order. If that is not possible, you would be laid off and your name would be placed on the reemployment list for 39 months.

31. Q: *There is a position I would like to have and the incumbent has less seniority than I do. Can I bump that person?*

A: No, you cannot select a particular position or location to bump into. If there is a vacant position in your job classification, you would be placed in that position. Otherwise, you would bump the least senior employee in your job classification.

BASIS CHANGES

32. Q: *What are the different basis calendars?*

A: These are the most common bases for classified staff and the number of paid days in each:

A-Basis – 261
B-Basis – 221
C-Basis – 204
E-Basis – 234

All calendars can be found on the Payroll Services Branch [website](#).

33. Q: *Will my salary be annualized or paid-as-worked?*

A: Your pay will not be annualized. You will be paid during the pay periods you are on paid status.

34. Q: *Will the same number of holidays be paid under the new basis?*

A: Please refer to your assigned calendar. Employees are paid only for holidays which occur within the employees' assigned work basis.

35. Q: *Will I lose my health insurance when I am off basis?*

A: No, you will not.

36. Q: *How will my basis change affect my sick leave and vacation accrual?*

A: You will accrue the same rate factor for quotas, such as vacation and illness per the Collective Bargaining Agreement. However, the number of sick days and vacation hours may be reduced based on fewer work days.

37. Q: *Can I work for another agency doing the same type of work when I am off basis?*

A: Yes.

38. Q: *What effect does basis change have on retirement benefits?*

A: Final compensation is based on three factors: age, years of service and highest earnable salary during a 12 or 36 month period depending upon the applicable retirement system. Employees intending to retire may opt to select an alternate year(s) for the annual rate factor. Employees should contact PERS at (866)225-7377 for further information.

39. Q: *What is a full year of service credit with CalPERS?*

A: Employees must be paid for a minimum of 1720 hours in a year in order to get a full year of credit.

40. Q: *Are the basis changes temporary or permanent?*

A: In addition to addressing the current and continuing budget crisis, the District is making structural changes to better align with the workload related to declining enrollment, declining birth rates, and the return to traditional schools. By 2013-2014, it is expected there will be no more year round schools which further reduces the need for A-basis staff.

41. Q: Does my basis change affect the number of furlough days I need to take?

A: Per bargaining unit agreement, all assignment bases are subject to the same number of furlough days.

42. Q: How does a basis change affect part-time positions?

A: The assignment for an employee reflects the calendar as well as the number of hours in their work schedule. There are full and part time assignments on all bases.

43. Q: Will employees assigned to bases other than A-basis be allowed to work during off basis if needed?

A: Depending on the operational needs of the department, the Site Administrator will make the determination if employees will be required to work during off basis.

44. Q: Will I receive more seniority if I work during the off-basis time?

A: Working during off basis does not affect seniority.

45. Q: Does a basis-change reduction affect seniority?

A: Seniority is not affected by an assignment to a different basis.

OUTPLACEMENT AND OTHER EMPLOYMENT OPPORTUNITIES

46. Q: Are there outplacement services available?

A: Yes, there are outplacement services available to classified employees who will be laid off. Affected employees interested in learning about employment opportunities outside the District, or how to improve or even create a resume should contact Workforce Management Classified Training at (213) 241-3440, or visit their website at <http://classifiedtraining.lausd.net>.

47. Q: While my first choice would be to stay at the District, I have to make arrangements to support myself and my family. Where can I look to find a job in this economy?

A: We would of course prefer to keep our valued employees in LAUSD, so please consult the opportunities available here. You may qualify for some other jobs if you have an open mind. Please check www.lausdjobs.org which lists current and upcoming openings. If you click on a particular job, you can get details on the job requirements and determine if you qualify. You will note that many of the openings require highly technical skills and advanced degrees but there may be openings where some retraining will assist our current employees to transition into a new career. Our RIF website also contains links to other sites where you can look for jobs: <http://rifinfo.lausd.net>.

48. Q: *If I take a job outside the District after I have been laid off, will my name be removed from the reemployment list?*

A: No. You will remain eligible to be rehired for 39 months from the date of layoff even if you get another job.

49. Q: *Am I eligible to apply for any job openings within LAUSD?*

A: Yes. We encourage you to apply online at www.lausdjobs.org for any positions for which you meet the qualifications.

50. Q: *Where do I register to be notified of upcoming job opportunities?*

A: The fastest way to be notified of upcoming employment opportunities is to register online at www.lausdjobs.org.

51. Q: *I was laid off from the District and no longer have my District email. How can I get my email updated in the District's online application system?*

A: Please call the Talent Acquisition and Selection Branch to update your email so that you can apply for District employment opportunities. You can reach them at 213-241-3455, option 4. Let them know that you were laid off and would like to update your email on eRecruit. You can only use one email address and it is recommended that you use one that has your name. For example, firstname.lastname@gmail.com.

52. Q: *How can I apply to be a substitute after being laid off?*

A: Substitute pools are only available for clerical and some maintenance & operations positions. If your classification is included in the sub pool, you should have received a form with your RIF notice to apply for substitute assignments. Fill out the form and fax it back to the Workforce Management, Classified Employment Services or you may mail it to the address on the form.

HEALTH AND OTHER BENEFITS AND UNEMPLOYMENT INSURANCE

53. Q: *What happens to my medical, dental, and vision plan coverage if I am laid off from the School District?*

A: If you are laid off, you will be eligible to continue your medical, dental, and vision coverage plans at your expense under the COBRA programs. You may contact Benefits Administration at (213) 241-4262 or visit their website at <http://benefits.lausd.net>.

54. Q: *How does working in the substitute pool after layoff impact my PERS, COBRA benefits, and unemployment benefits?*

A: The Office of Risk Management and Insurance Services can assist you with benefits-related inquiries. Please contact Benefits Administration at (213) 241-4262 (phone), (213) 241-4247 (fax), and benefits@lausd.net (email).

55. Q: *What if I have other questions about my health benefits?*

A: Please call Benefits Administration at (213) 241-4262, or visit their website at <http://benefits.lausd.net>.

56. Q: *If I were laid off from the District, had a basis change or my hours reduced, would I be entitled to Unemployment Insurance?*

A: Claims for Unemployment Insurance benefits must be made by the employee and submitted directly to the Employment Development Department (EDD) via the web at www.edd.ca.gov or by calling 1-800-300-5616 on or after the day the lay off or reduction becomes effective. The EDD will determine if you are eligible to receive unemployment compensation. Please provide your employer's mailing address to EDD as:

Los Angeles Unified School District
C/O TALX, UCeXpress
P.O. Box 23020
Oakland, CA 94623-2302
(Do not use your work location address.)

For further information, contact the California State EDD or visit their website at www.edd.ca.gov.

57. Q: *What happens to my life insurance coverage if I am laid off from LAUSD?*

A: Please contact MetLife at (866) 492-6983 for more information.

RETIREMENT

58. Q: *What happens to my retirement funds if I am laid off from LAUSD?*

A: Several choices are available to you. Contact CalPERS at (800) 225-7377 to discuss available options, or visit their website at www.calpers.ca.gov.

OTHER

59. Q: *What happens if I am laid off and I have a loan with my credit union?*

A: Even if you are laid off, you will be able to remain a member and can use the services of your credit union. For details, contact your credit union.