



## ADMINISTRATIVE PRACTICES MANUAL

### SUBJECT: LAYOFF/BUMPING

#### Policy

The County shall have the right to reduce the number of jobs in any classification and/or department because of shortage of funds, lack of work, or because of a change in organization or duties. When layoffs occur, the following guidelines apply to employees that are governed by the Employee Benefit Handbook or a Union contract. This Policy does not apply to Managerial employees who are governed by the Code of Ordinances nor to Limited Term Employees (LTE's).

The Employee group representative will be given 90 days prior notice before the County eliminates any Employee Group position as proposed in the Executive Budget. A summary of position changes will be submitted to the President of the Employee Group's Representative, if any, following the introduction of the County Executive's proposed budget. The County will provide at least 30 days' notice to the employee and the Employee Group's Representative prior to eliminating any Employee Group position outside of the Budget cycle with the reasons for the elimination stated in the notice. Employees whose jobs have been eliminated shall have the right to bump any junior employee in their classification and/or in their pay range or classifications in pay ranges below, provided they meet minimum qualifications of the classification and can demonstrate their ability to do the junior employee's job. Such junior employees who have lost their position as a result of a bump, shall have the right to exercise their right to bump in the same manner as if their position had been eliminated. Employees who are without a position as a result of a bump or a reduction in the number of positions, shall be placed on a re-employment list. Employees may also choose to be placed on the re-employment list rather than to exercise their bump rights.

Re-Employment List. The County shall maintain a re-employment list of laid off employees as referenced above. Such list shall be in the order of the employee's seniority at the time of the layoff with the most senior being number one on the list. Such list shall also show the classification(s) for which the employees meet minimum qualifications. Employees on the re-employment list shall maintain seniority as provided in the Seniority Policy of this Handbook and shall maintain recall rights for twenty-four (24) months from date of lay-off. No additional seniority is earned during the time of re-employment.

Recall From Layoff. Employees shall be recalled from layoff in accordance with their seniority to jobs for which they are qualified. The County shall not employ any new employees or temporary or part-time employees in positions for which there exists a qualified employee on the re-employment list. Notice of recall shall be sent by the County to the laid off employee's last known address. It is the responsibility of the laid off employee to notify the Employee Relations Office of any address change. The laid off employee shall be required to respond within two (2) weeks (14 days) from the date on the recall letter. Employees who do not respond to such recall notices on a timely basis, shall be dropped from the list and all rights shall be lost.

Seniority. Seniority for purposes of application in the Layoff, Re-employment List, and Recall From Layoff Sections of this Policy shall be computed from date of hire into a budgeted position with the County.



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### Process

1. When a position is eliminated in the County budget the employee is notified by the department of the risk of their position being eliminated (At Risk Letter).
2. Once the budget is adopted, Employee Relations sends a letter to the employee notifying them of their position elimination/change to FTE/change to department and their rights through the Employee Benefits Handbook, union contract or County Ordinance.
3. If the position is eliminated outside the budget process, the employee is notified by the Department of Administration of the elimination and their rights through the Employee Benefits Handbook, union contract or County Ordinance.
4. Employee Relations' contacts the employee to schedule a meeting to discuss options. The "bump packet" is presented during the meeting, it is not mailed to the employee.
5. For employees that this bump process applies to, Employee Relations creates two lists for the employee: (1) the seniority roster list within the Employee Group/Union and (2) the current vacant positions within the Employee Group/union list.
6. The seniority roster is sorted in order of seniority with the employee being laid off as number 1 on the list. This list will include all employees in the same pay range or lower and with less seniority of the affected employee. The completed seniority list is printed and provided to the employee and their representative, if any, at the layoff/bump meeting.

When preparing the seniority roster, Employee Relations will apply the following rules:

- a. If the employee bumping is a Clerk I-II (range 7-10) and is at the top of the range, step 8, they have bumping rights for classifications in ranges starting at range 10 and below range 10.
- b. If an employee is in a multi-range classification, Employee Relations will consider how many longevity credits the individual has earned as to what range they would be able to bump.
- c. If more than one employee is hired on the same day, seniority is based on last four (4) digits of social security number. The higher number has the higher seniority. For employees hired on the same day in the Wisconsin Professional Police Association seniority is based upon overall ranking based on testing, interview, etc. (this list is maintained by the Sheriff's Office).
- d. If the classification of the position eliminated is reclassified during the time the employee is going through the bump process, the employee can bump from the higher classification. For example, if an employee was in a position classified as a G 10, Security Support Specialist and the position was reclassified to a G 13, then the individual in the bump process would then bump from a G 13.
- e. If an employment offer has been made on a vacant position, Dane County needs to honor the employment offer and the position is taken off the vacancy log and the new hire is added to the seniority roster if applicable.



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7. The vacancy list is also prepared. Only positions within the bumping employee's employee group/union and within their range or below are presented to the bumping employee.
8. At the layoff/bump meeting the employee is given the general information sheet, seniority and vacancy list as well as a layoff preference sheet. The bumping employee should update their profile (application) through the online process. This is the "bump packet".
9. During the layoff/bump meeting the positions are discussed. The employee may ask for copies of class specifications, information on work performed, work schedule, hours, etc. Employee Relations contacts supervisors from other departments asking for information.
10. The employee has 3 working days (72 hours) to decide their bumping rank preference using both prepared lists. If the bumping employee would like to meet again, another meeting for the employee and the employee group/union representative, if any, is scheduled within this timeframe.
11. Within the 3 working days (72 hours) the employee must submit their list of ranked choices to Employee Relations along with the other required documents. If they choose not to bump into another position they would be placed on mandatory re-employment.
12. After the employee has chosen the position to bump into, Employee Relations will prepare a letter confirming what position was selected and the date, time, location and who to report to. A copy is sent to the Employee Group/Union Representative, if any, and the department.
13. Employees who have passed their probationary period shall serve an eighty-four (84) day trial period in the new position. If the department does not pass the employee or the employee does not feel the position chosen is a good fit for them, the employee is allowed to bump again using the same process described above. If an employee bumps from a G 17 to a G 16, for example, and the department does not pass the employee during the eighty four (84) day trial period, the list for the second meeting starts at G 17. For those employees who have not completed their original probationary period they shall have three months added to the remainder of their probationary period. Employees who bumped into the same classification they were laid off from (eg. Janitor to Janitor) and do not pass their probationary period will be terminated. Those employees who bumped from one classification into another classification (eg. Janitor to Terminal Maintenance Worker) and do not pass their probationary period will be placed back on the mandatory reemployment list.
14. Employees are limited to a total of three (3) bump options. After two (2) unsuccessful bumps, only vacant positions will be offered at the third meeting.
15. **Project Positions:** If an employee is hired into a Project position and the position is eliminated because funding is not renewed, the employee does not have bump rights. The only exception to this rule is if an employee had been in a "regular" position with Dane County prior to moving to the Project position. In such situations, the employee would retain their bumping rights just as any other full-time employee. Seniority is computed from date of hire into a budgeted position with the County.