Termination of Employment – Layoff

A layoff, although it is initiated by the District, differs from other terminations in that it is normally a temporary situation, resulting from a lack of work. A temporary situation is defined as lasting no more than six months, unless the Director extends the time period due to extraordinary circumstances.

In a layoff situation, it is the intent of the District to protect a budgeted employee’s tenure and all related benefits. Therefore, an employee who is laid-off because of a temporary lack of work will be regarded as an employee, but one who is not currently working and not receiving regular compensation.

In place of regular compensation, the District will substitute payment of accumulated annual leave equal to the person’s normal weekly hours during the layoff. Payment stops when the annual leave bank is depleted. Accrual of sick leave will continue as long as the employee is receiving compensation from the District. Sick leave will be paid according to Policy #352 Leave-Sick.

During the layoff, employees who carry health insurance sponsored by the District may continue payment of the subsidized monthly premium for continuation of coverage. Employees will remain active in other district sponsored benefit programs for the duration of the layoff.

Employees who are enrolled in the LAGERS retirement plan will remain in an active status until their annual leave is exhausted. Once annual leave is exhausted the LAGERS account becomes inactive. The account status will change to active or terminated upon acceptance or declination of a recall assignment or at the end of the layoff period, whichever comes first.

If a layoff is necessitated, employees will be given as much notice as possible. Employees who are laid off will be maintained on a recall list for up to six months, unless an extension has been approved. While on the recall list, employees should report to the Human Resources (HR) department if they become unavailable for recall. Employees who do not keep a current home address on record with the HR department will lose their recall rights.

Employees will be recalled according to the needs of the District, their job classification, and their ability to perform the job. Assignments may be at any branch location or the administrative office. If an employee declines a job offer, he or she forfeits any job rights with the District. Notice of recall will be sent by registered mail with return receipt to the current home address on record with the HR Department. The District will hold positions open for seven (7) days from the recall notification mailing date. If the employee does not respond within seven days, his or her name will be removed from the recall list and the employee will no longer have any job rights with the District.

This policy does not apply to termination of employment for disciplinary reasons or termination of temporary positions.