

I. Layoff:

Layoffs may occur for reasons of, but not limited to, the following: shortage of funds or work or other material changes in the duties or organization, and may be either temporary (up to 30 days) or long term (more than 30 days). It is the policy of the City of Gainesville to affect layoffs in a nondiscriminatory, orderly, systematic and uniform manner in accordance with applicable law and established procedures.

A. The Department Head or his/her designee shall determine the extent of layoffs necessary by:

1. Identifying the class or classes of positions from which layoffs are to be made; and
2. Identifying the number of positions in each class to be eliminated resulting in layoffs.
3. Reassigning the duties performed by an employee who is laid off to other employees already working who hold positions in appropriate classes, if necessary.

B. When it becomes necessary to reduce the number of employees within a given classification in any department, employees shall be laid off in the order listed as follows:

1. Temporary employees.
2. Initial probationary employees.
3. Regular employees and all other probationary employees.

C. When the need arises for laying off an employee serving a probationary period which resulted from a promotion, transfer, or voluntary demotion, such employee may be returned to his/her previous position, at the sole discretion of management.

- D. Among regular employees in the same classification within a division or department, the order of such layoffs shall be based on legitimate, job related and non-discriminatory criteria, in the following order:
 - 1. equal ability and qualifications to perform the work, **and**
 - 2. comparable work performance as demonstrated by all pertinent job related documentation.
 - 3. Provided that 1 and 2 are comparable, layoffs shall be affected in order of seniority, with the least senior employees in the classification and division being laid off first.

- E. Employees on layoff shall not accrue any employee benefits whatsoever.

- F. In the event of a layoff, the employee may be reassigned to a vacant available position that requires cross-training, as long as the new assignment is not to a higher pay grade. Such employee will be subject to a probationary period in the new assignment.

- G. Every effort will be made to provide any employee who is subject to layoff with a minimum of ten (10) working days notification prior to layoff. Whenever a regular employee is subject to layoff, he/she shall be notified on or before the effective date of the layoff of the right to file a grievance, in accordance with Policy E-4, to restore alleged loss of rights due to the application or interpretation of the Layoff and Recall Policy and Procedure.

II. Recall:

- A. Regular employees who are laid-off shall be recalled to the classification and department from which they were laid off, in the reverse order in which they were laid-off.

- B. In the event a position becomes available in a different City department in the classification from which the employee was laid off, employees may be recalled to those positions in reverse order in which they were laid off.

- C. Regular employees laid-off shall have precedence for recall to their classification over new applicants for a period of 180 days. Laid-off employees recalled within 180 days shall have their tenure of service restored. If re-employed after 180 days, the employee shall be treated as a new employee.

- D. The City will offer recall to laid-off employees by certified mail to the last known address on file with the Human Resources Department. If, without good cause, the laid-off employee fails to report to the Human Resources Department his/her intentions of returning to work within seven (7) calendar days after mailing of said certified notice, tenure of service shall be broken.

- E. In the event a position becomes available, recall to the same classification will be offered to laid-off employees. A laid-off employee, when offered recall, who is temporarily unable to accept due to medical reasons, may request an accommodation.

- F. Laid-off employees may apply for any regular position with the City and, if selected within the 180 day recall period, shall have their tenure of service restored. Such appointment does not forfeit recall rights to the position held prior to layoff.

Adopted: 11/05/15