

A-10 Layoff/Bumping/Recall Procedure

1. The city in its discretion shall determine whether layoffs are necessary. The City may lay off an employee because of shortage of funds, shortage of work, discontinuance of services, changes in organizational unit; or for any other reasons, which do not reflect discredit on the service of the employee. Duties performed by laid off employees may be reassigned to other employees already working or holding positions in appropriate job classifications.
2. A non-represented employee displaced as a result of job elimination, budget reduction, lay-off, or for any other reason may in turn displace an employee with the least seniority in an equal or lower job classification of such employee's choosing, provided the displacing employee fulfills all of the following conditions:
 - a. The employee must first look to displacing an employee within his/her own immediate department/division (as defined by Executive Order of April 28, 1981, adopting the official Administrative Organization Chart) and level of expertise in conformance with the skills and ability requirements set forth in this Section A-10.
 - b. If the conditions set forth in paragraph (1) are impossible or inappropriate to meet, the employee may then choose to displace the least senior employee in any other department under the same administrative managership (as defined by Executive Order of April 28, 1981, adopting the official Administrative Organization Chart) of the displacing employee, again in conformance with the skills and ability requirements set forth in this Section A-10.
 - c. If the Administrative Manager of the employee's department/division approves the bump. The Administrative Manager shall consider the following factors in making his/her determination, no one factor being conclusive: seniority; the effect of the bump on the operation of the department/division; previous evaluation of the employees affected; the affected employees' educational backgrounds.
 - d. Meets the minimum training and experience requirements as established in the official job description maintained by the Human Resources Department. The Administrative Manager of the Human Resources Department or his/her designee shall consult with the department head to determine whether the displacing employee meets said requirements. There shall be no appeal from the decision of the Administrative Manager of the Human Resources Department.
 - e. Successfully completes an examination if any has been established for the position and the exam is determined by the Administrative Manager of the Human Resources Department to be necessary to establish the employee's ability to perform the duties of the new position.

- f. If the Administrative Manager of the Human Resources Department requests, successfully completes a physical examination from a physician of the City's choosing to evaluate an employee's physical ability to perform the necessary job tasks.
 - g. For purposes of layoff and bumping only as it relates to this Section A-10, departmental seniority shall be defined as that time of continuous service performed under the same administrative manager organizational structure as defined by Executive Order of April 28, 1981.
3. An employee who displaces into an equal or lower classification as a result of a layoff shall serve a six month evaluation period. If at any time during the evaluation period the department head determines that performance is unsatisfactory, said employee shall be placed on layoff status. The decision by the employer not to retain an employee during the evaluation period shall be final. However, such terminated employee shall retain recall privileges.
 4. Employees whose positions are being eliminated or an employee being displaced shall be given written notice of the action not less than seven calendar days prior to the effective date. Employees shall have forty-eight hours after receiving notice to exercise whatever options may be available to them. If a decision is not made within the forty-eight hour period, said employee shall be deemed to have been laid off by the City.
 5. An employee who displaces into a position in an equal or lower job classification shall be placed at the salary step, which most closely corresponds but does not exceed the employee's salary at the time of displacement.
 6. Administrative Managers and/or Mayoral appointments shall not be displaced by the provisions contained herein Section A-10.
 7. Employees serving on a limited term, temporary, or an initial probationary period, shall be terminated without displacement or recall rights should they be displaced or laid-off.

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