

City of Yuma, Arizona
ADMINISTRATIVE REGULATION

Issued by: **Greg Wilkinson**
Authority: City Administrator

SUBJECT: REDUCTION IN FORCE
--

Issued: 7/15/2009

- 1.0 PURPOSE:** This Administrative Regulation is issued to set forth the process of conducting a reduction in force (layoff) for the City of Yuma.
- 2.0 APPLICABILITY:** This Administrative Regulation is applicable to all City of Yuma employees.
- 3.0 PROCESS:** The City Administrator may determine the need for a lay off of employees due to business necessities, department structure changes, contractual or technological changes, business reduction(s) of departments or other appropriate reasons as determined by the needs of the City of Yuma. When it has been determined that a layoff is necessary, the selection of affected employees may be based upon; (in order of preference) department/position workloads, job considerations, employment status, individual work performance, and seniority.

Decisions may be based upon the recommendations of Department Heads with the final decision being that of the City Administrator. At the discretion of the City Administrator or his/her designee, other cost saving measures may be taken into consideration prior to implementing a reduction in force of current employees. These measures may include but are not limited to:

- Instituting a hiring freeze
- Pay increase suspensions
- Interdepartmental transfers
- Furloughs (voluntarily and involuntarily)
- General pay reductions
- Eliminating some city services

The term “designee” is defined in the City Charter, Article VIII, Section 4 (a) The City Charter gives the City Administrator the authority to authorize any administrative officer who is subject to his direction and supervision to exercise any powers with respect to subordinates in that officer’s department, office or agency.

- 3.1** Layoffs, as defined in City of Yuma Personnel Rules, Section 11.1.2, are not subject to the workplace resolution complaint process or the appeal process before the Merit System Board.
- 3.2** The procedures for a reduction in force (layoff) may be as follows:
- a) **Notification of Layoff or Pending Layoff** – The City Administrator or designee may notify all city employees that a layoff is imminent and that decisions will be made over the following two week period. Once the affected employees are identified, they will be given up to five (5) workdays of notice to transfer projects and/or finish assigned work.
 - b) **Order of Separation** - When determining the order of separation for a layoff, the City may consider the following factors. Factors are listed in order of highest priority to lowest priority:
 - i) Departmental/position workloads – changes in work assigned to various departments or positions
 - ii) Job Considerations - The importance of the position in relationship to the delivery of services provided by the City
 - iii) Employment Status - New employees on a probationary status may be considered before regular full-time employees. Part-time and temporary employees may be separated before regular full-time employees.
 - iv) Work Performance - The performance of the work of the employee in the job classification based upon the current performance appraisal reports and other evidence of performance, including participation/performance above and beyond normal duties and any disciplinary actions over the past year.
 - v) Seniority – After departmental/position workloads, job considerations, employment status, and work performance have been considered, the City Administrator may consider the length of service, based on the longevity date.
- 4.0 Offer of Reassignment or Transfer** - Any regular full time status employee who has received written notice of pending layoff will be considered eligible for reassignment or transfer to an open position if qualified (or a retraining opportunity is offered) to perform those job duties. Such offers of reassignment or transfer shall be in writing and shall be signed by the City Administrator or designee.
- 5.0 Post layoff benefits** - Affected employees will be notified by Human Resources in writing of benefits being offered by the City Administration and/or any state or federal law (if applicable).
- 6.0 Re-employment Eligibility list** - The names of affected employees who are laid off will be placed on a re-employment eligibility list. The list will be for positions which require basically similar qualifications, duties and responsibilities as those of the position from which the employee was separated. If the affected employee

notifies the City that they are no longer interested in employment with the City, their names shall be removed from the re-employment list.

- 6.1** The re-employment eligibility list shall be effective for a period of twelve (12) months. After twelve (12) months, a laid off employee will be removed from the re-employment eligibility list and will be required to go through the regular application process when a vacancy occurs within the City unless the list is extended in writing by the City Administrator. In the event of a re-employment opportunity, HR will post available jobs via the city internet site. Employees who have been placed on the re-employment list will be allowed to submit for “internal only” postings. Employees who have exceeded the 12 month maximum time limit and who have requested (in writing to HR) to continue to be considered for re-employment with the City of Yuma, will be given a higher preference in any job posting(s) for an additional 6 months with acceptable past performance.
- 6.2.** It is the responsibility of the laid off employee to keep Human Resources informed of current address and contact information.
- 7.0** **Recall of Employees on the Re-employment Eligibility List** - Former full time regular status employees, who were laid off or separated from the City service by layoff or reassignment to a lower classification in lieu of layoff, shall be considered for non-competitive reinstatement or reassignment for any position vacancy which they are qualified (or able to be retrained for) to perform.
- 8.0** **Status of Recalled Former Employees from the Re-employment Eligibility list** - If an employee is returned to a position in the same classification previously occupied, the employee may return to the same pay grade of the position and at the same pay level when laid off. When a laid off employee is returned to a position in a higher classification than the one previously occupied, the employee shall serve a probation period and be placed in the appropriate pay range. If a laid off employee is returned to a position in a lower classification than the one occupied previously, and the salary exceeds the new range, then the employee's salary shall be frozen and remain the same until the new range reaches the employee's salary level. Accrual levels shall be the same as earned when the employee was separated from employment.