

## INFO ON REDUCTION IN FORCE (RIFs) FOR WCEA MEMBERS

Note: When Washoe County lays off any of their county employees, here are the rules that come into play.

- **What is accomplished by the reduction in force/re-employment (recall) rights articles in your collective bargaining agreement?**
  - The contract establishes a fair and equitable system for determining the order of layoffs.
  - Within the department and in the class series selected and the class specified, all nonpermanent employees of the department shall be laid off before any permanent employees and in the following order: temporary, provisional, and probationary.
  - Seniority within a class shall prevail as the determining factor for purpose of layoff and right to rehire.
  
- **When layoffs are necessary, who determines which job titles will be affected?**
  - The individual department (appointing authority) makes the determination.
  - WCEA will be informed of any pending reduction in force layoffs at least seven (7) days prior to the official notification of the employees affected. This notification will include the reasons for layoffs and the number and types of positions affected. At this time, the Association may make its views and recommendations known to the Human Resources Director concerning the implementation of such layoffs.
  
- **Who determines the order of layoff?**
  - The Department of Human Resources determines which employee(s) in the affected class(es) and series will be laid off.
  - The order of separation is controlled by the contract.
  - Employees affected shall be given thirty (30) thirty days notice of layoff.
  
- **What if there are vacancies in your department or division, will you still be laid off?**

Displacement rights as provided for in the contract will be applied first to determine which individuals have rights to vacant positions – if they can be filled. If vacant positions are to be filled and they are not covered by displacement rights – employees may be considered for existing vacancies at, or below, their current job class based on their qualifications for the job.
  
- **Can you “bump” other employees with less seniority?**

The contract provision on displacement (“bumping”) is confusing, and we encourage our members to discuss these questions with their representative. All determinations on displacement options are made by the Department of Human Resources after extensive review of all the issues such as seniority and vacancies and consultation with the department.
  
- Displacement rights take two forms; starting with the job class identified, employees have displacement rights downward within the job family as documented in appendix C. of the contract based on their seniority. Specifically, seniority in the higher level job classes is applied to lower

### What if you were previously laid off from a higher pay grade?

- If you receive a RIF notice, and you were laid off from a higher pay grade position within the preceding two years, you will have recall rights to jobs at the higher pay grade based on your position on the reemployment list.

### What is the reemployment list and how do I get on one?

- Placement on a reemployment list is based on seniority calculations performed by the Human Resources Department in conjunction with the appointing authority. Individuals who are laid off (including displacement) are placed on reemployment lists in order of seniority

### How do recall rights work?

You are eligible for mandatory rehire rights to vacancies in County government that management intends to fill, and for which you are eligible in the position you were originally laid off from.

### Can you lose your recall rights?

Yes, under the following conditions:

- Refusal of an employee to accept an appointment to a position in a class from which he/she was laid off or elected displacement may result in the removal from the reemployment (recall) list.
- If you inform Human Resources that you are unavailable for work. Recall Rights may be "frozen" if you are physically unable to accept work.
- If you fail to set your employment parameters and update your employment application with Human Resources.

**Note: You can accept a temporary part time or intermittent hourly position without forfeiting your remaining mandatory offers.**

### Can you accept a job outside of County government without forfeiting your recall rights?

- Yes.

### Can you maintain insurance coverage if on recall status?

*Yes, if you and/or your dependents are covered under a Washoe County Group Health Plan, each covered member has the right to continue coverage, individually or collectively, on a temporary basis should you lose coverage as a result of a "qualifying event". Termination of employment is considered a "qualifying event" and allows continued coverage for up to 18 months through COBRA. Information pertaining to COBRA is sent to the individual within 14 days and the member has 60 days to elect. Coverage is not activated until payment is received.*

**The American Recovery and Reinvestment Act of 2009 established the COBRA Temporary Premium Assistance for employees who are/were involuntarily terminated (ie: layoff). Those who are determined to be qualified beneficiaries of the program will receive a notice informing them that they are eligible to only pay 35% of the COBRA premium. The Federal government will subsidize the remaining 65% premium through December 31, 2009.**

### **What are the voluntary separation incentives?**

- For an involuntary separation, the amount of severance pay is dependent upon length of service (we have the table) and/or the employee is entitled to exercise any bumping rights that may be available to them. Yes
- For those who voluntarily layoff, is there a deadline as to when they must leave in order to receive the 3 months of severance pay? 3/30/09 is the deadline to express your interest in the voluntary incentives. You do not need to separate by this date, but separation date is considered when reviewing/approving incentives as we need to generate as much of a cost savings as possible.
- Will severance pay (voluntary or involuntary) be calculated at the 2.5 % reduced pay rate or at the rate they had prior to the reduction? The rate prior to 2.5% reduction in pay.
- Will the severance pay be paid out in one lump sum or each regular payday or ??? Lump Sum
- Will there be a formal agreement for the employee to sign? Yes, once the requested incentives are approved and a retirement date is set, HR will draft an agreement.

### **Any other questions?**

- Check with your WCEA representative call Washoe County Employees Association at 329-9750 or contact Human Resources at 328-2081.