

CITY OF LOS ANGELES

LAYOFF PROCESS



WHAT IS A LAYOFF?

- A layoff is a separation from employment due to lack of work, lack of funds, or abolishment of positions.
- The City lays off based on employee seniority.

WHAT IS THE BASIS FOR DETERMINING THE LAYOFF PROCESS?

- Charter Section 1015 is the basis for determining layoff and displacement seniority, and reserve list rights. In addition to Charter Section 1015, there are several other sources used to determine layoff and displacement seniority. These sources are:
 - Civil Service Rules
 - Personnel Policies
 - Personnel Procedures Manual
 - City Attorney Opinions

WHO DECIDES WHERE LAYOFFS OCCUR?

- The Mayor and Council make this decision after receiving recommendations from General Managers, CAO staff, etc., relative to the types of functions within the City that should no longer be funded.
- A determination is then made regarding which class groups will be affected by the decision to no longer fund particular functions.
- A class group is all the positions in a class in a particular department.

TYPES OF SENIORITY USED IN LAYOFFS

- Layoff Seniority
- Displacement Seniority

LAYOFF SENIORITY RULE

(Civil Service Rule 1.33B)

- Defined as the length of continuous service in a class and all higher classes since original appointment to the class after deducting all absences without seniority credit.
- Continuous service means all time since original regular appointment to the class less any periods of absence that do not count, e.g., unpaid absences over seven days (56 hours).
- A “class” includes all pay grades, departments, and work locations.

LAYOFF SENIORITY EXAMPLE

An employee receives an appointment to the Senior Management Analyst class in Department A as well as Department B. That employee would receive layoff seniority credit for the time in both departments regardless of pay grade.

Please note that any absences for which seniority is not accrued, such as unpaid leave of absence more than seven days (56 hours), cumulatively, are deducted from layoff seniority credit.

DISPLACEMENT SENIORITY

(Civil Service Rule 1.33A)

- Defined as service in a class group and all higher classes since original regular appointment to the class, after deducting all absences without seniority credit.
- Class group = all positions in a class in a department.
- To displace means to replace an employee with another employee. Must be eligible to displace someone.
- Employee can select which former class group to displace to.

DISPLACEMENT SENIORITY EXAMPLE

An employee was laid off as a Senior Management Analyst from Department A. They are eligible to displace to Department B as a Senior Management Analyst, where they were previously employed as a Senior Management Analyst. That employee would receive displacement seniority credit only for the time in Department B regardless of pay grade.

The displacement process will continue until a displaced employee is identified with no displacement rights.

Please note that any absences for which seniority is not accrued, such as unpaid leave of absence more than seven days (56 hours), cumulatively, are deducted from your credit.

PERSONNEL DEPARTMENT ROLE

For each Department:

- Prepares layoff plan which will include performing layoff calculations for civil service positions in structured phases:
 - **Phase 1:** Entry-level classifications with no displacement seniority – straightforward and not as complex
 - **Phase 2:** Mid- and upper level classifications – will likely have displacement seniority and will therefore, be more complex to calculate
- Prepares layoff and displacement lists by seniority
- Assists with wraparound services such as placement (transfers), benefits, and EAP services

PROCESSING A LAYOFF



SENIOR CITY WORKER

The final adopted budget eliminates a position authority (e.g., a Senior City Worker) within a particular department.

LAYOFF SENIORITY



SR.
CITY WORKER
#1



SR.
CITY WORKER
#2



SR.
CITY WORKER
#3



SR.
CITY WORKER
#4



SR.
CITY WORKER
#5

LAYOFF SENIORITY must be calculated for all Senior City Workers in the affected department.



300 DAYS



500 DAYS



200 DAYS



700 DAYS



1000 DAYS

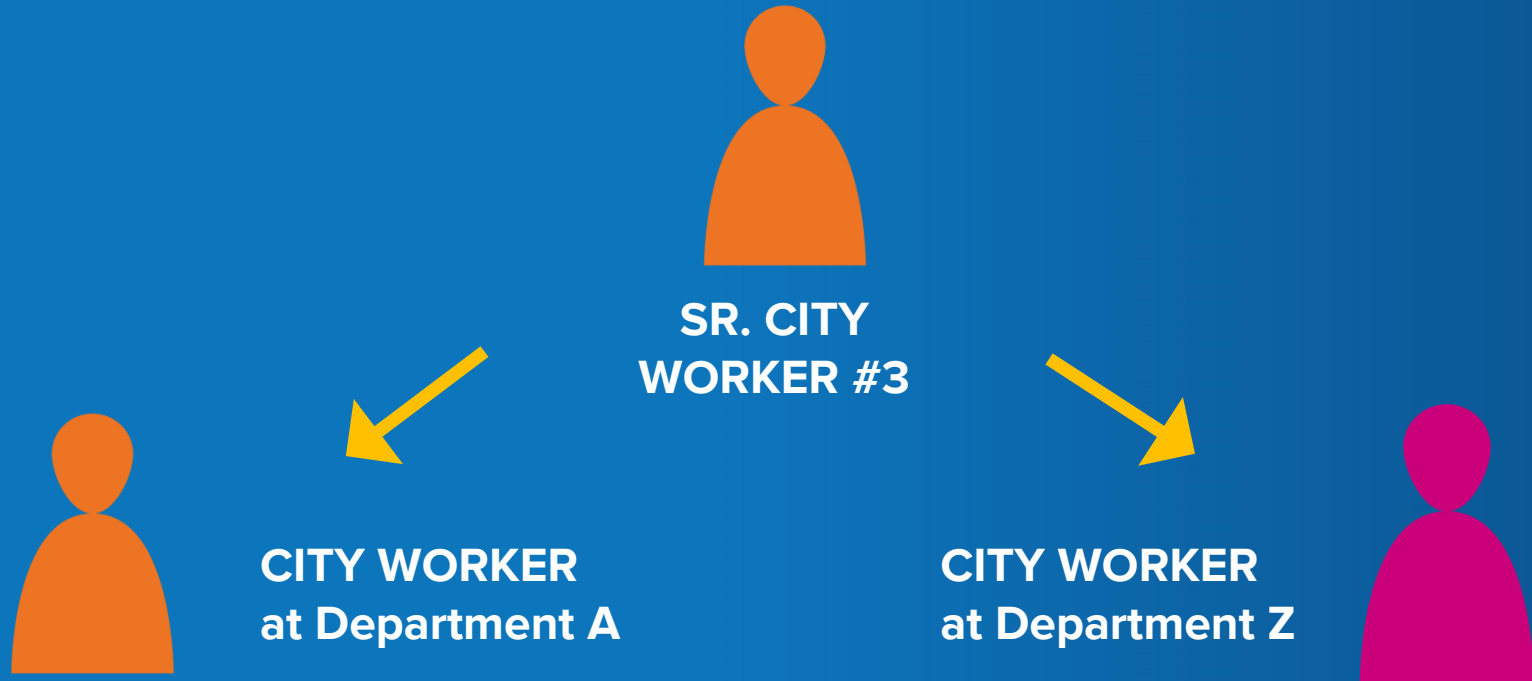
The employee with the least amount of **LAYOFF SENIORITY**,
in the class of Senior City Worker and all higher classes,
will be identified for layoff.

DISPLACEMENT SENIORITY (Civil Service Rule 1.33A)



- Employees can select which ***formerly held job*** to displace or “bump” to.
- Displacement (“bumping”) Rights are based on:
 - the ***length*** of eligible service
 - in a class + all higher classes
 - minus unpaid time (absences)
 - *within each department*

DISPLACEMENT SENIORITY

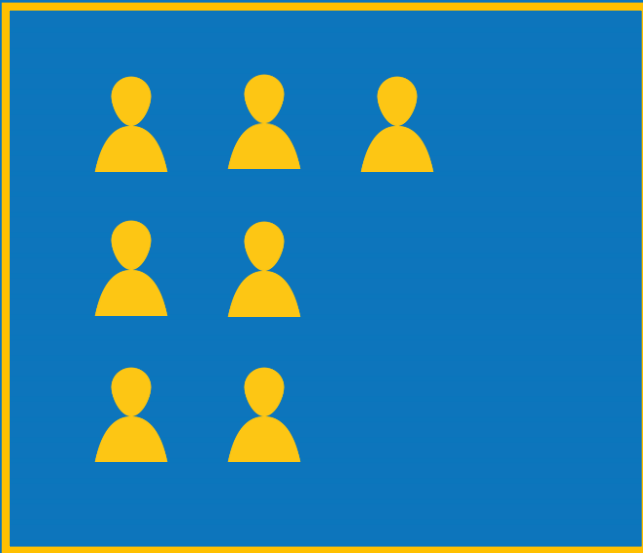


The “Senior City Worker” may have the ability to bump to a previous class. The ability to bump will depend on the Senior City Worker’s **DISPLACEMENT SENIORITY.**

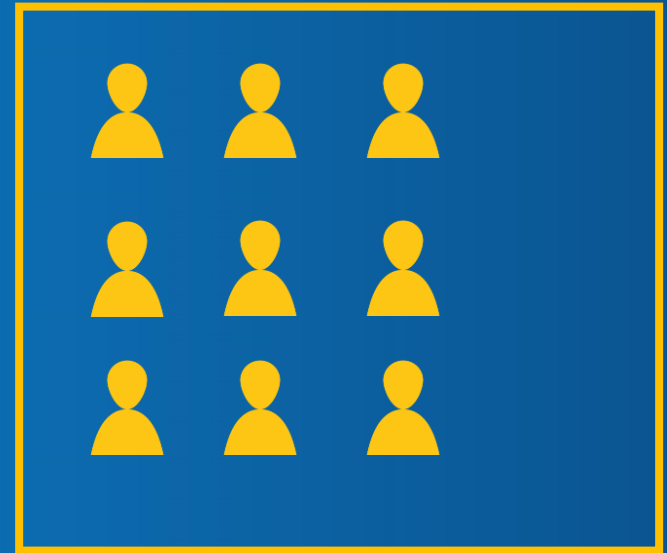


SR. CITY
WORKER #3

CITY WORKERS Department A



CITY WORKERS Department Z



DISPLACEMENT SENIORITY will be calculated for all City Workers in the Department(s) where the employee elects to return.



CITY WORKER
Department A

The “Senior City Worker” elects to displace to “City Worker” at Department A.

The employee with the least amount of displacement seniority will be effectively bumped.

The bumped employee (or the original employee) may also have displacement rights to a lower class.

**SENIOR CITY
WORKER**



CITY WORKER



ASST. CITY WORKER



**Employee is LAID OFF
and placed on reserve list;
has NO displacement rights**

CIVIL SERVICE RULES AND THEIR EFFECT ON SENIORITY

- **CIVIL SERVICE RULE 1.11**

CLASS means a position or a group of positions sufficiently similar in duties and responsibilities that are grouped under a common title pursuant to Charter Section 1003.

HIGHER CLASS means a class that has been determined by the “Civil Service” Commission to be of higher level than another class for purposes of Charter Section 1015 based on a comparison of the duties, responsibilities, requirements, and compensation.

- **CIVIL SERVICE RULE 1.12**

CLASS GROUP includes all the positions in a class in a department. The CLASS GROUP for an employee being laid off includes all positions determined by the “Civil Service Commission” Board to have been created from such class group subsequent to his original regular appointment therein.

- **CIVIL SERVICE RULE 8.1**

The first person laid off within a class shall be the one in the department in which layoff is being made with the least layoff seniority. The order of layoff of intermittent and limited employees is determined by the appointing authority.

- **CIVIL SERVICE RULE 8.3**

The person laid off shall be entitled to displace to a position in a class group in which he formerly held a regular appointment and in which there is an employee with less displacement seniority. The employee with the least displacement seniority shall be displaced by the person who is laid off. The employee displaced shall be considered as laid off for the same reason as the person who displaced him and shall in the same manner be eligible to displace to a position in a class group in which he formerly held a regular position. If two or more employees have the same displacement seniority to a position in a class group, the order of displacement shall be determined by the appointing authority of that class group or tie breaker that was negotiated with Unions.

NOTE: Charter Section 1015 (b) states in part, "Any person entitled to displace a person in the manner provided hereinabove may fill instead, with the consent of the appointing authority, a vacant position in the class-group in which he is entitled to displace."

- **CIVIL SERVICE RULE 8.4**

An employee may elect to displace in any class and in any department in which he has displacement rights or may waive any or all of his rights. In the absence of an election by the employee, he shall displace in the highest class in which he has displacement rights. If he has displacement rights in two or more classes at the same level, he shall displace in the class in which he has the greater displacement seniority. If he has displacement rights in his highest class in more than one department, he shall displace in the department in which he has the most displacement seniority. If his displacement seniority is equal in two or more classes or departments, he shall displace in that class or department in which the employee with the least displacement seniority is working.

- **CIVIL SERVICE RULE 8.8**

Whenever simultaneous layoffs occur in a class series, the layoff will occur first in the higher class, followed by displacement to the lower class. When displacements in the lower class have been completed, the layoff in the lower class will occur.

These next four (4) slides will show two (2) sample employee job histories and how the rules are applied to their layoff seniority and displacement seniority calculations.

EMPLOYMENT HISTORY 1			
CLASS TITLE	DEPARTMENT	TRANSACTION DATE	TRANSACTION TYPE
Administrative Clerk	City Clerk	April 1, 2004	Original Regular Appointment
Administrative Clerk	Fire	February 6, 2006	Transfer
Secretary	Pensions	July 22, 2008	New Appointment
Principal Clerk	City Clerk	June 12, 2012	New Appointment

The Office of the City Clerk requests a layoff list for Principal Clerk, effective August 9, 2024, end of shift. Using Employment History 1, LAYOFF SENIORITY will be reflected as follows:

Principal Clerk - City Clerk: The employee will receive credit for service as a Principal Clerk for the period June 12, 2012 through August 9, 2024 (the date of layoff).

In Employment History 1, each subsequent appointment to a new class is considered to be a HIGHER CLASS than the previous class. Therefore, the DISPLACEMENT SENIORITY will be reflected as follows:

Secretary - Pensions: Displacement seniority will be allowed for the service as a Secretary, Department of Pensions and Principal Clerk, Office of the City Clerk.

Administrative Clerk - Fire: Displacement seniority will be allowed for service as an Administrative Clerk, Fire Department, Secretary, Department of Pensions, and Principal Clerk, Office of the City Clerk. Credit will not be allowed for service as an Administrative Clerk in Office of the City Clerk. This is a different class group.

Administrative Clerk - City Clerk: Displacement seniority will be allowed for service as an Administrative Clerk, Office of the City Clerk, Secretary, Department of Pensions, and Principal Clerk, Office of the City Clerk. Credit will not be allowed for service as an Administrative Clerk in Fire Department. This is another class group, and service is not in a higher class.

In Employment History 2, there are several other rules that will be used to determine seniority in addition to those previously discussed. The rules are:

- **CIVIL SERVICE RULE 7.10**

Service in a class during a probationary period shall not be credited to that class if the probationary period is not completed because of discharge or resignation from that class.

- **CIVIL SERVICE RULE 7.11**

Service in a class during a probationary period shall be credited to that class if the probationary period is not completed because of a layoff or termination to accept another City position.

- **CIVIL SERVICE RULE 7.8**

In computing seniority, credit shall be given for all continuous service. Layoff and displacement seniority shall be allowed for any absence from a position in the classified civil service only in the following cases:

- Absence without pay not exceeding seven calendar days.
- Absence on leave to accept an emergency, exempt, intermittent, or limited appointment or an appointment to a temporary training position.

EMPLOYMENT HISTORY 2

CLASS TITLE	DEPARTMENT	TRANSACTION DATE	TRANSACTION TYPE
Administrative Clerk	City Clerk	April 1, 1999	Original Regular Appointment
Administrative Clerk	City Clerk	February 6, 2001	Disciplinary Suspension
Administrative Clerk	City Clerk	February 9, 2001	Returned to duty after Disciplinary Suspension
Secretary	Pensions	June 22, 2003	New Appointment
Secretary	Pensions	October 7, 2003	Resigned to return to former class while on Protective Leave
Administrative Clerk	City Clerk	October 8, 2003	Returned from Protective Leave
Secretary	Rec & Parks	March 5, 2004	New Appointment
Principal Clerk	Pub Wks	June 12, 2004	New Appointment
Principal Clerk	Conv. Ctr.	March 23, 2006	Transfer
Principal Clerk	Conv. Ctr.	September 1, 2008	Unpaid Leave of Absence
Principal Clerk	Conv. Ctr.	November 12, 2008	Returned from Unpaid Leave
Council Aide	Council	January 1, 2022	Exempt Appointment

On May 12, 2025, the Convention Center requests a layoff list for Principal Clerk, effective August 9, 2025. Using Employment History 2, LAYOFF SENIORITY will be reflected as follows:

Principal Clerk – Convention Center: The employee will receive credit for service as a Principal Clerk for the period of June 12, 2004 through August 9, 2025, deducting the period from September 1, 2008 through November 11, 2008. (Civil Service Rules 1.33b, 7.8b, 7.8d)

In Employment History 2, each subsequent appointment to a new class is considered to be a HIGHER CLASS than the previous class. Therefore, the DISPLACEMENT SENIORITY will be reflected as follows:

Secretary – Pensions: Displacement seniority will not be given for the service as a Secretary, Department of Pensions. The appointment is considered as if it did not occur. The employee resigned from this position and returned to the class from which they were on protective leave of absence. (Civil Service Rule 7.10)

Secretary – Recreation and Parks: Displacement seniority would be given for the period March 5, 2004 to the date of layoff, August 9, 2004. However, displacement seniority will be deducted for the period of time they were on unpaid leave of absence from September 1, 2008 through November 11, 2008. (Civil Service Rule 7.11 and 8.3)

Other Calculation Considerations:

Seniority credit will be given for the period of time the employee received a Disciplinary Suspension because it was **less** that seven (7) days. (Civil Service Rule 7.8b)

Seniority credit will not be given for the period of time the employee was on unpaid leave of absence because it was **more** that seven (7) days. (Civil Service Rule 7.8b)

BREAK IN SERVICE VS. CONTINUOUS SERVICE

- **CIVIL SERVICE RULE 1.34**

SERVICE or CITY SERVICE or SENIORITY means service in a class or position as the result of having received a regular appointment or having been granted regular status in accordance with Charter provisions.

- **BREAK IN SERVICE** means a separation from City employment caused by abandonment of position, resignation, service retirement, or discharge for cause.
- **CONTINUOUS SERVICE** means service in the classified civil service since original regular appointment, excluding all time prior to a break in service and all periods of absence without seniority credit.

CHARTER SECTION 1014 TRANSFERS

- **CIVIL SERVICE RULE 7.14**

An employee transferred under the provisions of Charter Section 1014 to a permanent position shall be credited in the class group to which the employee is transferred with all the seniority in the class from which the employee is transferred. Any employee transferred under the provisions of Charter Section 1014 shall be considered automatically on leave of absence from his or her last class. If the employee is transferred to a permanent position because of injury or sickness and becomes capable of performing satisfactorily the duties of the class from which he or she was transferred, or return to the former class is for the good of the service, the employee may, with the approval of his or her former appointing authority and the General Manager, return from leave of absence. In the event of the return of an employee from a permanent position, the employee shall be credited in the class group to which the employee returns, with all seniority credited to him or her while on leave of absence. Seniority accumulated prior to the employee's transfer to the permanent position shall be credited as if the transfer had not occurred. If the employee is transferred to a temporary training position as defined under Section 5.30 of these class within the specified training period, the employee automatically shall be returned to their former class.

RESERVE LISTS

- Are “call back” lists after a layoff or displacement occurs
- Employee must pass probation to be eligible to be placed on a reserve list
- Lists are certified in order of layoff seniority
- Names remain on list for 5 years, if separated, or until reappointment for the length of City service
- Do not gain seniority while on reserve list unless you displace to the same class
- Employees who have not passed probation may seek reinstatement to an eligible list
- Restoration to eligible lists for individuals who passed probation may also be available if approved by appointing authority

DEPARTMENTAL RESERVE LISTS

- Consist of employees laid off in a specific class group
- Only certified to department which had the layoff or displacement
- The first list certified when filling a vacancy
- "Rule of One" applies which means only the individual with the highest seniority will be certified and eligible for hire

GENERAL RESERVE LISTS

- Consists of all employees laid off in a class in the City
- Use layoff seniority order
- Certed to any department
- Certed after promotional list and before open list
- "Rule of Three Whole Scores" applies which means the top three individuals with the most layoff seniority would be certified and eligible for hire

CIVIL SERVICE RULES THAT RELATE TO LAYOFF

In addition to the Civil Service Rules previously discussed, there are other Rules that relate to layoff.

5.7 Certification of the Reserve List

5.13 Certification of the Reserve List

5.16 Limited Appointments

5.19 Intermittent Appointments

5.30 Temporary Trainee Appointments

6.2 Regular and Tentative Transfers (probationary period)

6.6 Reversions (probationary period)

6.8 Charter Section 1014 (probationary period)

7.7 Leaves of Absence while accepting new appointments

7.8A Absence with pay resulting from disability not incurred in the line of duty

7.8C Absence on leave for active service in the armed forces

7.8E Absence while serving a probationary period

7.8F Absence on leave for disability incurred in the line of duty

7.8G Absence on leave - employee loaned to another governmental or private agency

7.8H Absence on leave to receive veteran's educational benefits

7.8I Absence on leave to serve on a trial jury

7.8J Absence on leave while serving in the Merchant Marine

7.8K Absence on leave while serving in the United States Peace Corps

7.12 Seniority - employee retained in error out of seniority order

7.13 Seniority while on Tentative Transfer

7.15 Seniority while legally employed in a class

8.2 Ties in layoff seniority

8.5 Displacement rights - elections and waivers

8.6 Transfer of Function

TO SUMMARIZE

- We start the layoff process by calculating layoff seniority.
- Then, we conduct displacements into and out of the affected class groups and departments by displacement seniority.
- Laid off and displaced employees who have passed probation are placed on departmental and general reserve lists.