

Article 16 - Layoffs Including Reduction of Hours

- 16.1 The Board of Education agrees to comply with California Education Code Sections 35021, 45101, 45103.1, 45114, 45115, 45117, 45298, 45308, and 51101 (a) (3) and other applicable laws.
- 16.2 The District agrees not to subdivide existing positions into part-time positions and not to replace existing positions with temporary positions for the sole purpose of reducing fringe benefit costs.
- 16.3 Nothing in this provision shall in any way affect the rights of the District to hire employees, to assign employees to different job sites, or to lay off employees for lack of work or lack of funds, and to reduce force as provided by law.
- 16.4 Regular employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be, at the employee's option, returned to a position in their former classification or to positions with increased assigned time as vacancies become available, within the sixty-three (63) month period, except that they shall be ranked in accordance with their seniority on any valid reemployment list. (Education code §45298)
- 16.5 Seniority shall be determined by hire date within each classification plus higher classifications. Length of service in a lower classification shall not be credited toward seniority in a higher classification. Paid service performed prior to entering into a probationary status in the classified service shall not be credited toward seniority. Time spent on the following authorized leaves of absence shall be included when computing seniority:
- Paid leaves of absence
 - Leaves mandated by statute
 - Required military leaves of absence
- Time spent on all other leaves of absence shall not be credited toward seniority and shall be deducted from the employee's seniority for purposes of determining layoff.
- 16.6 In the case of two (2) or more classified employees with the same seniority, the order of layoff shall be determined by lot.
- 16.7 Unit members subject to layoff may use accrued leave under the terms and conditions set forth Article 7.5 – Personal Necessity and Article 8 – Holidays and Vacation for the purpose of seeking employment.
- 16.8 Unit members laid off shall, upon written request, be given primary consideration for “substitute” employment in any class within the District for which they meet minimum qualifications.