

16.1 Layoff and Reemployment

A. *Application.* Whenever it is necessary because of a lack of work or funds, or whenever it is advisable in the interest of economy to reduce the number of permanent and/or probationary employees (hereinafter known as "employees") in any State agency, the State may layoff employees pursuant to this Section.

B. *Order of Layoff.* Employees shall be laid off in order of seniority, on a statewide basis only, pursuant to Government Code Sections 19997.2 through 19997.7 and applicable State Personnel Board rules.

C. *Notice.* Employees compensated on a monthly basis shall be notified 30 calendar days in advance of the effective date of layoff. Where notices are mailed, the 30 calendar day time period will begin to run on date of mailing of the notice. Notice of the layoff shall be sent to CAPS.

D. *Transfer or Demotion in Lieu of Layoff.* The State may offer affected employees a transfer or a demotion in lieu of layoff pursuant to Government Code Sections 19997.8 through 19997.10 and applicable State Personnel Board rules. If an employee refuses a transfer or demotion, the employee shall be laid off.

E. *Reemployment.* In accordance with Government Code Sections 19997.11 and 19997.12, the State shall establish a reemployment list by class for all employees who are laid off. Such lists shall take precedence over all other types of employment lists for the classes in which employees were laid off. Employees shall be certified from department or subdivisional reemployment lists in accordance with Section 19056 of the Government Code.

F. *State Service Credit for Layoff Purposes.* In determining seniority scores, one point shall be allowed for each qualifying monthly pay period of full-time State service regardless of when such service occurred. A pay period in which a full-time employee works eleven (11) or more days will be considered a qualifying pay period except that when an absence from State service resulting from a temporary or permanent separation for more than eleven (11) consecutive working days falls into two (2) consecutive qualifying pay periods, the second pay period shall be disqualified.

G. An appeal of any portion of this layoff provision shall solely be through the procedures established in Government Code Section 19997.14.