



**NOTE:** *If your layoff involves only probational employees please refer to Civil Service Rule 17.11. See the [Sample Notification of Layoff Affecting Only Probational Employees](#) that can be used for this purpose. The hyperlinked templates and forms referenced below can be found in Chapter 17 Job Aids & Resources.*

This guide is designed to be used in conjunction with the [Layoff Checklist](#). Review the information below to help identify the target completion dates for each step of the layoff process. These guidelines pertain to layoff involving permanent employees. Agencies are strongly encouraged to work with their HR departments and SCS Employee Relations Consultants when planning to implement a reduction in force.

### **1. Verify Adjusted Service Dates**

Adjusted service dates for employees should be verified and maintained as employees are hired and as their employment circumstances change. If your adjusted service date records are not up to date, you will need to calculate them and verify your results with each affected employee. Agencies are recommended to use the Prior State Service Questionnaire to collect prior service information. See [Job Aids & Resources: Adjusted Service Date – General Information](#) and [Template 1 – Prior State Service Questionnaire](#)

### **2. Consultation with SCS Employee Relations Consultant**

Agency HR Offices should make immediate contact with their [SCS Employee Relations Consultant](#) to discuss the agency's proposal for layoff or layoff avoidance measures. The SCS Employee Relations Consultant is available to help HR staff review layoff analysis with proposed organizational units, career fields, positions (job title and salary level), geographic areas, employees, employee adjusted service dates, and proposed targets. The SCS Employee Relations Consultant provides an opportunity in this consultation to address varied scenarios and questions early in the process depicting potential layoff and relocation of incumbents. This allows the HR staff to provide relative information to appointing authorities to help with layoff decision-making

### **3. Submit Required Documentation to the Office of Planning and Budget (OPB)**

Unless you are a quasi-state entity and your budget process is completely independent of the Division of Administration, the Division requires you to submit a [Personnel Action Fiscal Impact Statement](#) (provided by OPB – copy attached) along with certain relevant information required by the Commissioner of Administration to your agency's OPB Analyst at the Office of Planning and Budget, Division of Administration. Any questions concerning the Fiscal Impact Statement should be directed to your agency's OPB Analyst. The OPB documentation must be submitted 5 working days prior to posting the general notice of layoff.

### **4. Posting the General Notice of Impending Layoff**

Post the [General Notice of Impending Layoff" \(Template 2\)](#), which includes the contents of Civil Service [Rule 17.19](#) – Responsibilities of Employees Affected in a Layoff. The general notice may be posted on

your agency website, agency bulletin boards, etc. It may be delivered to employees along with Individual Notices. However, we recommend that you post the General Notice as soon as you know your agency will be in a layoff posture.

## 5. Draft Your Layoff Plan

Agencies should begin by identifying positions to be abolished or vacated such as those for which there is currently no available work and/or funding. To help with this determination, agencies should generate a Layoff Determination Report to identify all of the classified employees in the affected career field, as well as other information that is pertinent to the layoff process, such as Adjusted Service Date. LA Gov HCM agencies can generate the ZP12, Layoff Determination Report and non-LA Gov agencies may review information that is available to them in their human resource systems. If there is more than one position in an affected organizational unit, career field and commuting area, then the agency will determine the employees in the affected organizational unit, career field and commuting area with the least amount of service. Those employees will be laid off, creating vacancies that will be offered to the more senior employees who occupy the targeted positions. The appointing authority must decide how those employees will be placed in the vacancies created by the layoff and document his rational business reason for making those determinations. As part of this process, the agency will determine if they will use any exemptions or request any exceptions to the regular rules. All of this information must be documented in the plan in accordance with Civil Service [Rule 17.14](#). See [Layoff Template 3](#).

Any employee who received a Needs Improvement/Unsuccessful evaluation shall be included in the layoff, if the employee is within the defined organizational unit, affected career field, and commuting area as outlined in the layoff plan. An agency may expand the layoff plan uniformly to include those employees who received a Needs Improvement/Unsuccessful evaluation that are within the defined organizational unit only. The official PES evaluation cannot be rendered fewer than 60 days prior to the effective date of the layoff. Positions that are affected under this rule are not required to be abolished.

The timeframes suggested in the checklist assume that the effective date of your layoff will be six weeks (42 calendar days) after completing steps 1 through 4. Please contact your Employee Relations Consultant as you draft your plan, especially when a shorter time frame is needed.

## 6. Issue the Individual Notices of Layoff

Notify affected employees. A complete notice will contain:

- Individual Notification of Pending Layoff ([Layoff Template 4](#))
- The proposed layoff plan signed by the appointing authority
- Copy of [Rule 17.9](#) – Responsibilities of Employees Affected by Layoff

The layoff plan cannot be approved until the comment period expires, which lasts five (5) calendar days after the last employee's notice is delivered. Delivery may be accomplished by hand or mail. If the notice is mailed to employees, you must allow seven (7) days for mail delivery to the employee and an additional reasonable period of time for employees to return comments. During this five (5) day window, the agency and Civil Service will be receiving employee comments on the proposed layoff plan.

### **MAIL or DELIVER NOTICES?**

Civil Service recommends that all notices and memos be delivered to employees in person, whenever possible. In-person delivery can significantly shorten your layoff process. If you need

to mail notices, we recommend that you mail notices and memos to both the employee address of record and any current address the employee may have provided to you. Agencies must allow a minimum of seven (7) days for delivery of the letter to the employee before beginning to count the response days required in the rules. Civil Service does NOT recommend that you use certified mail when mailing these notices. Place the notices in the regular mail, or mail the notices at the post office and get a “certificate of mailing.”

## **7. SCS Approval of the Plan**

The earliest date that SCS can approve the plan is after the 5 day comment period has expired. The comment period begins when the last individual notice is delivered if such notice was hand-delivered to employees. SCS will notify the agency if / when the plan is approved. The appointment freeze as required in [Rule 17.20](#) begins on the date of approval and remains in effect until the Department Preferred Reemployment List is established. This rule imposes a hiring freeze on layoff affected job titles and career fields within the commuting areas identified in the layoff plan.

## **8. Approved Plan Made Available to Employees**

Distribute approved layoff plan, appropriate memos and forms to each affected employee. Make a copy of the approved layoff plan available to all employees who may be affected by posting on your website, by mail, etc. or by notifying employees of how it can be accessed.

## **9. Deliver memos and forms to employees who are being laid off or relocated**

Deliver memos and forms to employees who are being relocated and/or laid off. Select appropriate memos and forms from the templates provided. Relocation offers should be made in writing and include the pay that the employee will make. (If you need assistance in implementing your relocation process, please contact your Employee Relations Consultant).

- PERMANENT employees without relocation offers ([Template 6](#))
- PERMANENT employees with relocation offers ([Template 7](#))

Deliver a Layoff Relocation Offer Form ([Template 8](#)) to each employee being relocated and offered another position.

Deliver a Department Preferred Reemployment List Form ([Template 9](#)) to each permanent employee who will be eligible for the preferred reemployment list.

Document the date that the last relocation offer was made and/or, if no relocation offers were made, the date that the last notice of layoff was given.

The effective date of the layoff cannot occur before six (6) calendar days following the day that the last employee has been given final notification of the layoff per [Rule 17.12\(e\)](#). This period exists to give employees a chance to bring any possible layoff rule violations, etc. to the attention of the appointing authority and/or Civil Service prior to the effective date of the layoff.

## **10. Implement the Layoff**

Record all layoff related actions in the appropriate HRIS system and report all such transactions in the agency's regular reporting format for personnel transactions as provided for in the Documentation and Reporting Requirements.

## **11. Submit Post Layoff Report**

Submit Post-Layoff Summary Report and Detail Report ([Template 10](#) and [Template 11](#)) to DSCS no later than 15 calendar days after the effective date of the layoff per [Rule 17.22](#). This template contains the information required to finalize SCS layoff records and create the Department Preferred Reemployment List. Agencies who would like to submit the report electronically should contact their Assistance Coordinator for more information on this option.

## **12. DPRL List is Established**

SCS establishes Department Preferred Reemployment List and informs agency. The effective date of this list is the end of the appointment freeze that is enacted in [Rule 17.20](#).