



# **Reduction in Force Planning and Implementation Guide**

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## DEFINITIONS AND SUMMARY OF LAYOFF PROCESSES

The *Reduction in Force Planning and Implementation Guide* is a resource guide for managers, supervisors, human resources (HR) professionals, and employees. It provides guidance on addressing workforce reductions due to lack of work, lack of funds and/or implementing workplace efficiencies. This includes guidance on administering layoff, recall, and the Priority Placement processes.

- A. Subject Title:** *Reduction in Force Planning and Implementation Guide* supersedes and replaces the *Workforce Management Manual* dated September 2020. The *Reduction in Force Planning and Implementation Guide* will be updated as needed by the Department of Human Resources (DHR).
- B. Organizations Affected:** The *Reduction in Force Planning and Implementation Guide* applies to all executive branch career service employees. Where the *Reduction in Force Planning and Implementation Guide* conflicts with any applicable provision set forth in a collective bargaining agreement (CBA), the CBA provision shall prevail.
- C. Effect of Reduction in Force Planning and Implementation Guide:** The effect of the provisions of the *Reduction in Force Planning and Implementation Guide* confers no new privilege, right of appeal, right of position, transfer, demotion, promotion, recall nor reinstatement for any individual. The *Reduction in Force Planning and Implementation Guide* does not constitute an express or implied contract. It provides general guidance that cannot form the basis of a private right of action. The principles and procedures set forth in the *Reduction in Force Planning and Implementation Guide* are subject to change and may be modified, suspended, or revoked without notice in whole or in part.

The *Reduction in Force Planning and Implementation Guide* is located on the Department of Human Resources internet site under “Separation of Employment” at:

<https://www.kingcounty.gov/audience/employees/policy-forms/hr-policies.aspx>

### D. Definitions:

**Adjusted service date:** The most recent date of hire into a regular position, as backdated for any prior eligible service that ended no more than two years before reemployment, or other time period required by law. The service date is adjusted for unpaid leaves of absence, including unpaid family leave, that exceed 30 calendar days. In this context, eligible service means employment in a regular position; however, if an employee moves from a term-limited temporary position into a regular position with no break in service, employment in the term-limited temporary position will be included when establishing the adjusted service date. In most cases, time spent in a short-term temporary assignment will not be included when establishing the adjusted service date. Personnel Guidelines Section 22.

**Basis of merit:** The value, excellence, or superior quality of an individual’s work performance, as determined by a structured process comparing the employee’s performance against defined standards and, where possible, the performance of other employees of the same or similar class. KCC 3.12.010(D).

**Budgetary furlough:** A circumstance in which projected county revenues are determined to be insufficient to fully fund county agency operations and, in order either to achieve budget savings or to meet unallocated budget reductions, which are commonly known as contras, or both, cost savings may

be achieved through reduction in days or hours of service, resulting in placing an employee for one or more days in a temporary furlough status without duties and without pay. KCC 3.12.010(F).

**Career service employee (also referred to as regular career service employee):** A county employee appointed to a career service position as a result of a selection procedure pursuant to KCC Chapter 3.12, and who has completed the probationary period. KCC 3.12.010(G).

**Career service position (also referred to as regular part-time or regular full-time career service position):** All positions in the county service except for those which are designated as exempt by Section 550 of the King County Charter (the charter). Divisions in the executive departments and administrative offices as determined by the county council shall be considered to be executive departments for the purposes of determining the applicability of Section 550 of the charter. KCC 3.12.010(H).

**Career service exempt position (commonly listed as appointed, provisional, probationary, term-limited temporary, short-term temporary, and interns):** All elected officers; the county auditor, the clerk and all other employees of the county council; the county administrative officer; the chief officer of each executive department and administrative office; the members of all boards and commissions; administrative assistants for the Executive and one administrative assistant each for the county administrative officer, the county auditor, the county assessor, the chief officer of each executive department and administrative office and for each board and commission; a chief deputy for the county assessor; one confidential secretary each for the Executive, the chief officer of each executive department and administrative office, and for each administrative assistant specified herein; all employees of those officers who are exempted from the provisions of [KCC Chapter 3.12] by the state constitution; persons employed in a professional or scientific capacity to conduct a special inquiry, investigation or examination; part-time and temporary employees; administrative interns; election precinct officials; all persons serving the county without compensation; physicians; surgeons; dentists; medical interns; and student nurses and inmates [jail residents] employed by county hospitals, tuberculosis sanitariums and health departments of the county.

Divisions in executive departments and administrative offices as determined by the county council shall be considered to be executive departments for the purpose of determining the applicability of Section 550 of the charter.

All part-time employees shall be exempted from career service membership except, all part-time employees employed at least half time or more, as defined by ordinance, shall be members of the career service. KCC 3.12.010(H).

**Career Support Services (CSS) section:** Work unit within the Department of Human Resources which provides King County employees with a variety of programs, services, and resources to enhance career development and provides support to employees whose positions are subject to a reduction in force.

**Comparable position:** A position or classification that is in the same pay range or having the same hourly maximum salary of the classification from which the employee is being laid off, and the same FTE level (i.e., 1.0 FTE, .8 FTE, .5 FTE, etc.).

**Department of Human Resources (DHR):** Executive department delivering centralized human resource services to King County agencies.

**Eligibility Period for Priority Placement:** Career service employees are eligible for the Priority Placement Program upon receipt of a proposed layoff notice and for two years following the final layoff date. Employees will be removed from the list pursuant to PART IV. Section K of this document.

**Furlough day:** A day when an employee is directed not to work and shall receive no pay due to an emergency budget crisis necessitating emergency budget furloughs. KCC 3.12.010(FF).

**Furloughed employee:** An employee who is placed in a temporary status without duties and without pay due to a financial emergency necessitating budget reductions. KCC 3.12.010(GG).

**Informational Meeting:** If it is unclear whether a Priority Placement participant possesses competencies, knowledge, skills, abilities, or qualifications for the position, an informational meeting or phone screen can be conducted to assist an employee in the Priority Placement Program.

**Layoff:** A reduction in force (RIF) due to lack of work, lack of funds, or considerations of efficiency. Personnel Guidelines Section 22.

**Layoff Coordinator:** The department representative who has the authority to represent the agency or department director in coordinating the administration of the agency's layoff process.

**Loudermill meeting:** Career service employees who are subject to layoff have a constitutionally protected property right in their employment. This means that prior to the deprivation of employment (e.g., layoff) or deprivation of compensation (e.g., reduction in FTE) career service employees are entitled to notification of their potential layoff and an opportunity to be heard. The opportunity to be heard is via a Loudermill meeting or written submittal. See *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 105 S.Ct. 1487 (1985) and *Levine v. City of Alameda*, Nos. 06-15480 and 06-15481, D.C. No. CV-04-01780-CRB (9th Cir. May 13, 2008). The meeting can be in person, on the phone, or online.

**Non-represented employee:** An employee whose position is not represented by a labor organization.

**Office of Labor Relations (OLR):** Executive department delivering labor relations services to King County agencies.

**Priority Placement Program:** A program administered by DHR that provides Priority Placement consideration for eligible career service employees who have received a proposed layoff notice or have received a final layoff notice within the last two years. This process requires hiring departments, when practicable, to assess the qualifications and job references of such employees prior to, and/or independent of, others in the candidate pool and to extend a job offer if the employee meets the required qualifications.

**Priority Placement Program careers site:** A page of the King County careers website that is used to house jobs from the time the position posting closes until an offer is made by the department. Priority Placement participants have access to this resource through a link provided by DHR.

**Promotion:** The movement of an employee to a position in a classification having a higher maximum salary. KCC 3.12.010(BBB).

**Recall:** A career service or civil service employee who is laid off due to lack of work, lack of funds, or considerations of efficiency, may be reemployed in their former classification, in a similar classification for which they are qualified, in a lower classification within the same classification series, or in any other classification deemed appropriate by the DHR Director. Personnel Guidelines Section 19.4.

**Reductions in force:** Due to lack of work, lack of funds, or considerations of efficiency, employees may be laid off from their positions. In the event of a reduction in force due to lack of work, lack of funds, or considerations of efficiency, layoffs shall be conducted at a department, division, or section level. Absent a conflicting rule, the order of layoff shall be conducted by class on the basis of merit. Where two or more career service employees within a class are of equal merit, county seniority shall determine the order of layoff between those employees. Where there is an applicable collective bargaining agreement, the order of layoff shall be determined by the collective bargaining agreement. In lieu of laying off a career service employee, the director may reassign the employee to a comparable, vacant position when the director determines the reassignment to be in the best interests of the county. KCC 3.12.300.

**Regular position:** A position established in the County budget and identified within a budgetary unit's authorized full time equivalent (FTE) level as set out in the budget detail report. KCC 3.12.010(GGG).

**Represented employee:** An employee whose position is represented by a labor organization such as a union, guild, or association.

**Salary or pay rate:** An individual dollar amount which is one of the steps in a pay range paid to an employee based on the classification of the position occupied. See Personnel Guidelines Section 22; provisions set forth in collective bargaining agreement. KCC 3.12.010(HHH)

**Second review:** An impartial review of the selection process and criteria used by a hiring department to reassess whether an employee who is eligible for Priority Placement consideration is qualified for a specific position. This is sometimes referred to as an appeal. The "second review" request may be made by the Priority Placement candidate after the hiring department makes a determination that the candidate is not qualified. The review is conducted by DHR in collaboration with the hiring department.

**Section:** Agency's budget unit comprised of a particular project program or line of business as described in the budget detail plan for the previous fiscal period as attached to the adopted appropriation ordinance or as modified by the most recent supplemental appropriations ordinance. This definition is not intended to create an organization structure for any agency. KCC 3.12.010(III)

## SUMMARY OF THE LAYOFF PROCESS

Summary Process for Non-Represented Employees	Summary Process for Represented Employees
<p><b>I. Mitigating strategies</b></p> <p>Once the department has determined position cuts are necessary (generally in consultation with PSB) due to lack of work, lack of funds or efficiency considerations, the department shall consult with DHR on potential alternatives and mitigating strategies to laying off employees (e.g., postpone filling vacancies, Voluntary Separation Program, volunteer layoffs, furloughs, etc.).</p>	<p><b>I. Mitigating strategies:</b></p> <p>Once the department has determined position cuts are necessary (generally in consultation with PSB) due to lack of work, lack of funds, or efficiency considerations, the department shall consult with DHR and OLR on potential alternatives and mitigating strategies to laying off employees (e.g., VSP, volunteer layoffs, furloughs, etc.).</p> <p>Consult with OLR negotiator to determine if discussing mitigating strategies with the union is required by the CBA.</p>
<p><b>II. Identify positions to be cut:</b></p> <p>Department determines potential/necessary position reductions by classification per department, division, or section.</p> <p>If more than 1 employee occupies the classification within the organizational unit subject to RIF, inform all those employees of the RIF and that the actual person to be laid off will be based on merit.</p> <p>Where two or more employees within a classification are of equal merit, county seniority shall determine the order of layoff.</p>	<p><b>II. Identify positions to be cut:</b></p> <p>Department determines potential/necessary position reductions; meet with OLR negotiator to review application of CBA language.</p> <p>Obtain/update current union seniority lists for classifications in which layoffs are anticipated.</p> <p>Identify the individuals who will be laid off using applicable CBA provisions (e.g., position occupied by the least senior employee in a classification).</p> <p>Work with OLR negotiator to identify potential bumping issues within and/or across work units/agencies.</p>
<p><b>III. Review and approval:</b></p> <p>Provide initial list of positions/employees subject to layoff to DHR Director and OLR Director for review and approval (OLR Director reviews to ensure there are no representation or labor issues).</p> <p>Provide final list of positions/employees subject to layoff to Chief People Officer and Performance Strategy and Budget (PSB) Director (cc DHR Director and OLR Director) for review and approval to proceed.</p>	<p><b>III. Review and approval:</b></p> <p>Provide initial list of positions/employees subject to layoff to DHR Director and OLR Director for review and approval.</p> <p>Provide final list of positions/employees subject to layoff to Chief People Officer and Performance Strategy and Budget (PSB) Director (cc DHR Director and OLR Director) for review and approval to proceed.</p>

<p><b>IV. Issuing layoff notice:</b></p> <p>Seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.</p> <p>There is no requirement of advance notice to employees; however, it is recommended that agencies provide at least a 30-day advance notice. Issue proposed layoff notice that includes Loudermill meeting opportunity.</p> <p>Provide RIF list to DHR for county-wide tracking purposes at time notices are issued, and updates as changes occur. DHR coordinates list with OLR.</p>	<p><b>IV. Issuing layoff notice:</b></p> <p>Seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.</p> <p>OLR negotiator will inform affected labor unions about its represented employees who are subject to layoff as a courtesy and/or as required by their CBA.</p> <p>Employees shall be given advance notice of layoff in accordance with their CBA. If the CBA is silent about advance notice, it is recommended that employees be given at least a 30-day advance notice.</p> <p>Provide proposed layoff notice that includes notice of bumping rights pursuant to CBA (if applicable) and Loudermill meeting opportunity.</p> <p>If employee exercises right to bump, the employee being bumped receives a proposed layoff notice also.</p> <p>Provide RIF list to DHR for county-wide tracking purposes at time notices are issued, and updates as changes occur. DHR coordinates list with OLR.</p>
<p><b>V. Loudermill meeting and final decision</b></p> <p>Hold Loudermill meeting, if requested; make final layoff decision; provide employee with post-Loudermill notice decision.</p>	<p><b>V. Loudermill meeting and final decision</b></p> <p>In consultation with OLR negotiator, hold Loudermill meeting, if requested; make final layoff decision; provide employee with post-Loudermill decision.</p>
<p><b>VI. Coordinate with DHR</b></p> <p>Provide RIF list to DHR for county-wide tracking purposes at time notices are issued, and updates as changes occur.</p> <p>Employees with proposed layoff notices, or already laid off, will apply to open positions that have the same or lower pay range and for which they believe they are qualified. DHR will work with the agency to ensure employees are given priority consideration during the eligibility period and coordinate employee appeals.</p> <p>Once postings are closed to general applications, DHR will move them to the Priority Placement Only careers site until filled.</p>	<p><b>VI. Coordinate with DHR</b></p> <p>Provide RIF list to DHR for county-wide tracking purposes at time notices are issued, and updates as changes occur. DHR coordinates list with OLR.</p> <p>Departments, in consultation with OLR, will administer CBA recall provisions when vacancies occur in their respective agency.</p> <p>Unless otherwise specified in a CBA, employees with proposed layoff notices, or already laid off, may apply to open positions that have the same or lower pay range and for which they believe they are qualified. DHR will work with the agency to ensure employees are given priority consideration during the eligibility period and coordinate employee appeals.</p>

<p>Priority Placement candidates can apply to positions anytime during the recruitment process until the vacancy is filled.</p>	<p>Once postings are closed to general applications, DHR will move them to the Priority Placement Only careers site until filled.</p> <p>Priority Placement candidates can apply for positions anytime during the recruitment process until the vacancy is filled.</p>
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## PART I. GIVING EMPLOYEES PRIORITY CONSIDERATION WHEN FILLING CAREER SERVICE VACANCIES

### A. PRIORITY PLACEMENTS

In general, there are three processes/programs that give employees priority access/consideration to vacant positions prior to filling the positions through a competitive merit-based process. Unless otherwise stated in a collective bargaining agreement (CBA), they are to be applied in the following order:

1. **Collective Bargaining Agreement provisions.** Departments must adhere to CBA provisions which address placement, promotional, or recall processes. Be sure to check these provisions before proceeding to fill a vacancy through other county processes.
2. **Qualified Disability Services' Job Reassignment Program.** The Reassignment Program is for non-promotional referrals of qualified employees who can no longer perform their regular work because of a disability but are able to work in another capacity. Reassignment Program staff conduct weekly queries of the county's job application tracking system to identify possible job opportunities for program participants and will contact hiring departments when potential opportunities are identified.
3. **DHR Priority Placement Program.** This is a program administered by DHR that ensures eligible career service employees are given priority consideration prior to, and/or independent of, others in the candidate pool during the eligibility period. A job offer will be extended to eligible employees who have both applied for a vacant position and met the required qualifications, which includes a reasonable belief that the employee can effectively perform the job duties within the established probationary period. The general process is as follows:
  - a. During the eligibility period, employees are responsible for regularly reviewing the county's job page and the Priority Placement careers site and applying directly to positions for which they believe they are qualified.
  - b. DHR has the right to refer an employee directly to the hiring agency up until a job offer is extended. (For a detailed explanation of this process, see Part IV of the *Reduction in Force Planning and Implementation Guide*).

**SUMMARY OF WHEN DISABILITY SERVICES AND DHR REVIEW/POST A  
VACANCY BEFORE BEING FILLED:**

<b>Type of Vacancy to be Filled</b>	<b>Is a Disability Services' Job Reassignment Program Review Required?</b>	<b>Does the position need to be posted? See PART IV. THE PRIORITY PLACEMENT PROCESS of this document below.</b>
<b>Career Service Exempt</b>	Only when job is not posted on the county's job page	No
<b>Career Service</b>	Only when job is not posted on the county's job page	Yes
<b>Term-Limited Temporary</b>	Only when job is not posted on the county's job page	Yes
<b>Short-Term Temporary</b>	No	Yes
<b>Contract Worker</b>	At the agency's request	No
<b>Special Duty</b>	No	Only when the assignment is offered as a TLT that is expected to last six months or greater and is not in conflict with a CBA

## PART II. PLANNING FOR THE LAYOFF PROCESS

Once agencies have determined that a reduction in force is necessary due to lack of work, lack of funds, or considerations of efficiency, they should work closely with PSB, DHR, and OLR to develop a process to identify the specific positions to be cut. Documentation supporting the RIF should be maintained by the agency.

### A. IDENTIFY DEPARTMENT LAYOFF COORDINATOR

Each department must appoint a Department Layoff Coordinator who has the authority to represent the Department Human Resources Manager, division director, and/or department director on the layoff process. Names of the Coordinators are to be provided to DHR, who will maintain the list.

### B. STRATEGIES TO AVOID EMPLOYEE LAYOFFS

Once agencies have determined that a reduction in force may be/is necessary, they should consider strategies/alternatives to reduce or avoid layoffs. Alternatives the department may want to consider include, but are not limited to:

1. Postpone the filling of vacant positions;
2. Provide lateral transfer or voluntary demotion opportunities to vacant positions for career service employees;
3. Determine if there may be potential attrition via resignations and retirements;
4. Terminate contract workers who are performing work that may be done on a temporary basis by regular career service employees;
5. Terminate short-term temporary and term-limited temporary employees who are performing work that may be done on a temporary basis by regular career service employees;
6. Encourage employees affected by consolidation, reorganization, or budget reductions to apply for promotions, demotions, or lateral position placements in other non-affected work units;
7. Allow employees to volunteer to be laid off (see Part III C, Volunteering for Layoff);
8. Implement budgetary furlough (currently, to implement a furlough for non-represented employees, KC Code requires the Executive to first declare a budgetary emergency; KCC 3.12F.020); and
9. Utilize the county's Voluntary Separation Program (KCC 3.12S.010).

### C. DETERMINE WHICH EMPLOYEES ARE SUBJECT TO LAYOFF AND REQUEST AUTHORIZATION TO PROCEED

For both represented and non-represented employees:

1. Layoffs are conducted at the department, division, or section level, or in accordance with Reduction in Force provisions of CBAs.
2. Division Directors, in consultation with their Department Director, identify positions that may/will be eliminated within their respective Divisions and the employees who will be affected/laid off as a result (recognizing that employees who receive the proposed layoff notice may not be the individuals ultimately laid off due to union bumping rights, etc.).
3. **For non-represented positions:** The order of layoff shall be conducted by classification within an organizational level (i.e., department, division, or section) on the basis of merit as set forth in King County Code KCC 3.12.300.

The department develops a merit-based process/assessment which must be applied equally to all persons in the classification for that organizational unit; e.g., if the agency determines that it will lay off a PPM IV in a specific section, all of the PPM IVs in that section are subject to the review process. King County's Equity and Social Justice (ESJ) principles and values must be taken into consideration in the development of an assessment process.

While assessment processes may vary between different classifications and/or agencies, they must be reviewed by DHR's Division Manager for Human Resources Service Delivery, or designee, prior to implementation.

Examples of merit-based processes include but are not limited to:

- a. Using an interview process, assess the employee's competencies and/or knowledge, skills, and abilities (KSAs) required to effectively perform the job.
- b. Assess the prior performance of each of the employees, as evidenced through documents such as:
  - Prior performance evaluations
  - Commendations
  - Disciplinary records
  - Attendance records - Do not consider use of leave that is job-protected leave, (e.g., FMLA, KCFML, PFML, leave as a disability accommodation, military leave, etc.)
- c. Agencies may also use a pre-developed reduction in force assessment process and form (see Appendices A and B as example)

Where two or more non-represented career service employees within a classification have equal merit as determined in the assessment process, county seniority shall determine the order of

layoff between those employees. County seniority is determined by the employees' adjusted service date.

4. **For represented positions:** The Department Layoff Coordinator must consult with OLR about the proposed position cuts to ensure compliance with applicable CBAs.
  - a. Departments are responsible for ensuring that employee seniority dates are current, particularly ahead of a layoff process. The Department Layoff Coordinator works with the OLR negotiator assigned to the respective contract to ensure that the department is working with a current union seniority list.
  - b. Many CBAs cover employees in more than one agency. These CBAs may have bumping provisions where an employee subject to layoff may bump a less senior employee in another division or department. Therefore, Department Layoff Coordinators should work with the OLR Negotiator to assess their respective department's RIF impact on other agencies.
  - c. Once departments determine what classifications will be impacted by the RIF, the Department Layoff Coordinator works with the OLR negotiator to determine which represented employees in those classifications will be impacted pursuant to CBA's RIF provisions (e.g., order of layoff may be based on seniority, the least senior employee in a classification being laid off first).
5. **Preliminary layoff list:** Department Layoff Coordinator compiles the following information to be provided to DHR and OLR for each identified position:
  - a. Department
  - b. Division
  - c. Section
  - d. Work location
  - e. Classification
  - f. Position number
  - g. Employee Name
  - h. Race
  - i. Gender
  - j. Date of Birth
  - k. Labor Union/CBA if represented
  - l. OLR binder number
  - m. Labor negotiator
  - n. PeopleSoft union code
  - o. Current FTE level (e.g., 1.0 FTE, .75, etc.)
  - p. Salary range, step, and salary table (if on a unique salary table)
  - q. Merit over the top (if applicable)
  - r. Additional pertinent information (e.g., is employee eligible for merit increase on January 1, is employee on military or family medical leave, etc.)
  - s. Anticipated layoff date (last day of work)
  - t. Reason for layoff and references to any supporting documentation

6. The Department Layoff Coordinator develops a draft action plan which outlines and tracks the layoff process and timelines for informing employees and unions of layoff decisions. For represented employees, this must be done in consultation with the OLR negotiator. Timelines should account for mitigation discussions with union leaders and advance notification to employees as required by CBA's.
  - a. For non-represented employees, and for CBAs that do not specify an advance notice requirement, it is recommended that departments provide at least a 30-day advance notice of a layoff.
7. The DHR and OLR Directors must review and approve the departments' preliminary layoff list.
8. Following DHR/OLR approval, the list is forwarded to The Chief People Officer and Performance, Strategy and Budget (PSB) Director (cc DHR Director and OLR Director) for review and approval. A formal approval to proceed is required even if they have seen a previous list or were involved in earlier discussions about the agency's RIF.

The Department Layoff Coordinator should coordinate this communication with DHR and OLR. *See Appendix C for sample email requesting authorization to proceed with planned layoff.*

## PART III. THE LAYOFF PROCESS

### A. LAYOFF NOTICE AND LOUDERMILL MEETING

#### 1. Non-represented career service employees.

- a. After the merit-based assessment process has occurred in which non-represented career service employees have been identified for layoff, and after approval from the Chief People Officer and PSB Director to proceed, the Department Layoff Coordinator drafts the “Notice of Proposed Layoff” letter for Career Service Employees (see Appendix D for sample letter). **A layoff packet should accompany the letter** that contains at a minimum (see Appendix G):
  - information about the employee’s Loudermill rights and a Loudermill Meeting Option Form,
  - information about the County’s Career Support Services and Priority Placement Programs and a *Bumping Rights Election Form*,
  - a list of resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement and unemployment (found here on the DHR website: [Employee Layoff Resources](#)), and
  - information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).
- b. Department Layoff Coordinator must seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.
- c. Department Layoff Coordinator coordinates distribution of layoff notification packets; they should be hand-delivered to the employee by department management and/or mailed to their home addresses via certified mail. If an in-person meeting is not practical, the notification can be delivered via email and discussed via a virtual meeting.
- d. DHR will orient employees to the Priority Placement Program and related services. This may be done individually, in groups, or on-line.
- e. The Department shall offer a Loudermill meeting to give the employee an opportunity to offer additional information to management decision-makers to be considered prior to a final decision being made<sup>1</sup>. The appropriate management decision makers and a department or division human resource representative should attend the meeting and review any information submitted by the employee.

No final layoff decision should be made regarding a non-represented employee until the employee has either had the opportunity to provide additional input or declined the opportunity to do so.

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<sup>1</sup> The offer of a *Loudermill* meeting is required in order to provide an employee subject to layoff an opportunity to respond to the layoff proposal. *Levine v. City of Alameda*, Nos. 06-15480 and 06-15481, D.C. No. CV-04-01780-CRB (9<sup>th</sup> Cir. May 13, 2008). The *Loudermill* opportunity applies to all career service employees, whether or not they are represented by a labor organization.

- f. If, after considering the information presented during the Loudermill process, the decision is made to not layoff the employee, the department will inform the employee in writing.

If, after considering the information presented during the Loudermill process, the decision is made to proceed with the layoff, the department will prepare and send the employee a final layoff notice (see Appendix F – Notice of Layoff for Career Service Employees, issued Post Loudermill).

## 2. Represented career service employees.

- a. Department management consults with OLR negotiators on a plan to provide the respective unions with advance notice of the reduction in force. OLR will provide this notice to the union(s) as a courtesy and/or as required by their CBA.
- b. The Department Layoff Coordinator drafts the “Notice of Proposed Layoff” letter (see Appendix D for sample letter). A layoff packet should accompany the letter that contains at a minimum (see Appendix G):
  - a copy of layoff/reduction in force provisions from the employee’s collective bargaining agreement (if the employee is represented),
  - information about the employee’s Loudermill rights and a Loudermill Meeting Option Form,
  - information about the county’s Career Support Services and Priority Placement Programs and *Bumping Rights Election Form*,
  - a list of resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement and unemployment (found here on the DHR website: [Employee Layoff Resources](#)),
  - information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).
- c. Department Layoff Coordinator must seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.
- d. Department Layoff Coordinator coordinates distribution of layoff notification packets; they should be hand-delivered to the employee by department management and/or mailed to their home addresses via certified mail. If an in-person meeting is not practical, the notification can be delivered via email and discussed via a virtual meeting.
- e. Copies of the letters must be provided to the respective union representative.
- f. DHR will orient employees to the Priority Placement Program and related services. This may be done individually, in groups, or online.
- g. The Department shall offer a Loudermill meeting to give the represented employee an opportunity to offer additional information to management decision-makers to be considered prior to a final decision being made. The appropriate management decision makers and a department or division human resource representative should attend the meeting and review any

information submitted by the employee. Employees may have their union representative present as well.

No final layoff decision should be made regarding a represented employee until the employee has either had the opportunity for such input or declined the opportunity to do so.

- h. If, after considering the information presented during the Loudermill process, the decision is made to not layoff the employee, the department will inform the employee in writing and copy the union representative.

If, after considering the information presented during the Loudermill process, the decision is made to proceed with the layoff, the department will send the employee a final layoff notice (see Appendix F – Notice of Layoff for Career Service Employees, issued Post Loudermill).

### 3. Career service exempt employees.

- a. If these employees are represented, the Department Layoff Coordinator must consult with the OLR negotiator to determine if there are any additional steps pursuant to a CBA. The Coordinator must also consult with the OLR negotiator on a plan to provide the respective unions with advance notice of the reduction in force. OLR will provide this notice to the union(s) as a courtesy and/or as required by their CBA.
- b. Career service exempt employees are not eligible for Priority Placement services but are still subject to layoff. These employees include:
  - Appointed
  - Probationary employees (although technically in a career service position, those who have not successfully completed probation upon their initial hire with the county are exempt from Career Service)
  - Provisional
  - Term-limited temporary
  - Short-term temporary
  - Administrative interns, work study students, veteran fellows
- c. If career service exempt employees are identified for layoff, the Department Layoff Coordinator should draft a layoff letter for each person (see Appendix E for sample letter, “Layoff Notification for Career Service Exempt Employees”). A layoff packet should accompany the letter that contains (see Appendix G):
  - a copy of layoff/reduction in force provisions from the employee’s collective bargaining agreement (if the employee is represented),
  - information about the county’s Career Support Services and Priority Placement Programs and a *Bumping Rights Election Form*,
  - a list of resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement, and unemployment (found here on the DHR website: [Employee Layoff Resources](#)), and
  - information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).

- d. While no Loudermill meeting is required for these at-will career service exempt employees, departments may still offer to meet and discuss the layoff with these at-will employees.

## **B. DEPARTMENT LAYOFF COORDINATOR RESPONSIBILITIES**

1. Ensure layoff notification packets are delivered to the employee by department management and/or mailed to their home addresses via certified mail. If an in-person meeting is not practical, the notification can be delivered via email and discussed via a virtual meeting.
2. Distribute copies of the layoff letters to the appropriate parties including the unions representing the employees, if applicable.
3. Place copies of each employee's proposed, final, and if applicable, rescinded layoff notification letters and completed *Bumping Rights Election Form* in the employee's personnel file (DO NOT batch or include multiple employees' documents into one PDF).
4. Compile final layoff list.
  - a. Once bumping is completed for represented employees, if provided by their CBA, Loudermill meetings with the affected employees have occurred, and volunteer layoffs (if any) have been identified, the Department Layoff Coordinator, in consultation with OLR, compiles a final list of employees who will be laid off or have their FTE reduced. The final layoff list is provided to:
    - Chief People Officer
    - Director of Performance Strategy and Budget
    - Director of the Office of Labor Relations
    - Director of the Department of Human Resources
    - DHR Layoff Support (PPP and CSS)
  - b. The layoff list should contain the following information:
    - Department
    - Division
    - Section
    - Work Location
    - Classification
    - Position Number
    - Employee Name
    - Race
    - Gender
    - Date of Birth
    - Labor union/CBA
    - OLR binder number
    - Labor negotiator

- PeopleSoft union code
- Current FTE level (e.g., 1.0 FTE, .75, etc)
- Salary range, step and salary table (if on a unique salary table)
- Merit over the top (if applicable)
- Additional pertinent information (e.g., is employee eligible for merit increase January 1, is employee on military or family medical leave, etc.)
- Date of layoff notice
- Anticipated layoff date (last day of work)
- Position into which employee bumped (if applicable)
- Reason for layoff and references to any supporting documentation

5. Coordinate with affected employees’ supervisors the return of all county equipment, keys, work materials, uniforms, business cards, and their employee identification/bus pass badge.

### **C. VOLUNTEERING FOR LAYOFF**

WAC 192-150-100 outlines how an employee may qualify for unemployment benefits when they have volunteered to be a laid off during a reduction in force. The regulation states:

“(1) You will not be considered to have been separated from employment for a disqualifying reason when:

(a) Your employer takes the first action in the separation process by announcing in writing to its employees that:

(i) The employer plans to reduce its work force through a layoff or reduction in force, and

(ii) That employees can offer to be among those included in the layoff or reduction in force;

(b) You offer to be one of the employees included in the layoff or reduction in force; and

(c) Your employer takes the final action in the separation process by accepting your offer to be one of the employees included in the layoff or reduction in force, thereby ending your employment relationship.

(2) This section does not apply to situations where an employer modifies benefits or otherwise encourages early retirement or early separation, but the employer and employee do not follow the steps in subsection (1)(a) through (c).”

a. Accepting or denying a request for voluntary layoff is within the discretion of management and the employee has no right to be laid off, unless otherwise provided for under a collective bargaining agreement. Accepting or denying a request for voluntary layoff must be communicated to the employee in writing.

1. Eligibility for unemployment compensation is subject to evaluation and determination by the Washington State Employment Security Department. Managers and supervisors must not make any assurances about eligibility for unemployment compensation.
2. If employees have questions, about unemployment, they should be directed to contact the Washington State Employment Security Department to determine eligibility in the event of a voluntary layoff at: 1-800-318-6022, or at: <https://esd.wa.gov/unemployment>
3. Eligible career service employees who volunteer to be laid off will be eligible for Priority Placement services.
4. Employees who volunteer to be laid off should be reminded that any vacation or sick leave cash out that they receive may be used toward a COBRA payment.

#### **D. RESIGNATION OR RETIREMENT PRIOR TO LAYOFF**

If the career service employee resigns or retires in good standing prior to being laid off, the employee may be eligible for rehire for up to two years after the date of the employee's resignation. However, the employee will not be eligible for Priority Placement services.

#### **E. RETIREMENT AFTER LAYOFF**

If an employee is laid off and then retires under a retirement plan by the Washington State Department of Retirement Systems (e.g., PERS) or the Seattle City Employees' Retirement System, the employee will not be eligible for Priority Placement services.

#### **F. EMPLOYEES WHO ARE ON PROTECTED LEAVE (e.g., FAMILY MEDICAL LEAVE) AT THE TIME OF LAYOFF**

An employee who is on protected leave (e.g., family medical leave) may be laid off, however, under no circumstances may an employee be laid off because the employee is on protected leave. Department Layoff Coordinators should consult with their Human Resource Manager prior to the department making a decision to layoff such employees.

The employee may still be eligible for Priority Placement services if the employee is medically released to work and available for work within two years of their layoff date. The employee must be able to perform the essential functions of the position with or without reasonable accommodation.

#### **G. EMPLOYEES WHO ARE ON UNIFORMED SERVICES LEAVE AT THE TIME OF LAYOFF**

An employee who is on leave in the Uniformed Services may be laid off, however, under no circumstances may an employee be laid off because the employee is on leave in the Uniformed Services. Department Layoff Coordinators should consult with their Human Resource Manager prior to the department making a decision to layoff such employees. The employee will be eligible for Priority Placement services if the employee reports back from leave in the Uniformed Services within time period(s) provided for in the *Reduction in Force Planning and Implementation Guide* Part IV(C)(2).

## **H. EMPLOYEES WHO HAVE CURRENT EMPLOYMENT COMPLAINTS OR ARE UNDER INVESTIGATION FOR INAPPROPRIATE WORKPLACE CONDUCT**

An employee who has filed an employment complaint or who is under investigation for inappropriate workplace conduct may be laid off and is eligible for Priority Placement services. However, under no circumstances may an employee be laid off because the employee filed an employment complaint or is under a work-related investigation. Department Layoff Coordinators should consult with their Human Resource Manager prior to the department making a decision to layoff such employees.

## **I. EMPLOYEES WHO ARE SUBJECT TO A REDUCTION IN THEIR FTE**

Unless as otherwise provided in their collective bargaining agreement, employees whose positions are subject to a reduction in their full-time equivalencies (FTE) (e.g., 1.0 FTE reduced to 0.75 FTE), have a choice to work the reduced hours or be laid off. In either case, those employees are eligible for recall and Priority Placement services.

## **J. EMPLOYEES WHO ARE LAID OFF**

1. Unless otherwise allowed under a Collective bargaining Agreement, reductions in force are not subject to the grievance process and not subject to appeal.
2. Employees who are laid off must return all county equipment, keys, work materials, uniforms, business cards and their employee identification/bus pass badge.
3. If employees have questions about unemployment eligibility, compensation, etc., they should be directed to contact the Washington State Employment Security Department at: 1-800-318-6022, or at: <https://esd.wa.gov/unemployment>
4. An employee who is laid off may continue to pay for and receive medical, dental and vision benefits for up to 18 months under COBRA. Benefits, Retirement and Payroll will provide COBRA election information to a laid off employee.

It is recommended that laid off employees review the county's website on "Leaving Employment" which includes a "Leaving Employment Checklist" to guide them through the separation process. The website can be found at: <https://www.kingcounty.gov/audience/employees/benefits/leaving-employment.aspx>

## **K. EMPLOYEES WHO FIND NON-COUNTY POSITIONS AFTER BEING LAID OFF**

Employees who are laid off but find a non-county position after layoff may receive Priority Placement services for up to two years after their date of layoff. However, employees may be removed from the list as provided for in the *Reduction in Force Planning and Implementation Guide* Part IV (K).

**L. EMPLOYEES WHO FIND NON-COUNTY POSITIONS PRIOR TO EFFECTIVE LAYOFF DATE**

Employees who receive a layoff notification and are hired into a non-county position PRIOR to the effective date of layoff are considered to have resigned. Employees who resign are not eligible to receive Priority Placement services.

## PART IV. THE PRIORITY PLACEMENT PROCESS

### A. ELIGIBILITY FOR PRIORITY PLACEMENT SERVICES

#### 1. To be eligible for Priority Placement services:

- a. The employee successfully completed a probationary period upon initial hire with the county in a regular career service or civil service budgeted position;
- b. The employee successfully completed at least six months of a standard one-year probationary period in a regular career service or civil service budgeted position;<sup>2</sup>
- c. The position from which the employee was laid off was a regular career service or civil service budgeted position;<sup>3</sup>
- d. The employee received a proposed layoff notice or final layoff notice after bumping rights have been exhausted pursuant to a collective bargaining agreement or similar agreement.
  - NOTE: An employee can participate in the Priority Placement Program as soon as they receive a proposed notification of layoff, but actual placement into another position through this program is contingent upon the employee completing or waiving their right to a Loudermill process, and exhausting or waiving their CBA bumping rights if represented (except that employees can bump into a lower-level position and still be eligible for priority placement consideration; see item B.1.f. below).

### B. INITIATING PRIORITY PLACEMENT SERVICES

#### 1. In order to receive Priority Placement services:

- a. The employee receives a “*Notice of Proposed Layoff*” (Appendix D) and final “*Notice of Layoff*” (Appendix F).
- b. The Department Layoff Coordinator **immediately** notifies DHR of the employee’s layoff status.
- c. Upon receipt of the employee’s proposed layoff notice, DHR sends an email to the employee briefly describing the Priority Placement process and related services. If possible, departments are encouraged to allow employees the opportunity to work with DHR during regularly scheduled time.

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<sup>2</sup> An employee subject to a standard six-month probationary period whose probation has been extended beyond six months for one of the reasons set forth in Personnel Guidelines Section 11.2, is not eligible for the priority placement referral program.

<sup>3</sup> An individual who was employed in a King County Sheriff’s Office civil service position at the time of layoff may be recalled into a career service position, if qualified. An individual who was employed in a career service position at the time of layoff may not be recalled into a civil service position due to civil service rules.

- d. Department Layoff Coordinators can request to schedule orientations. These are typically done virtually but on-site workshops at worksites will be considered if requested. Approval to attend these events are at the discretion of the manager. The process utilized to request and obtain approval shall be determined by work unit management. Departments may require that requests and approvals be made in written form. Departments may require that approvals specify the total amount of time the employee is approved to be away from the worksite. Where normal work unit operations are difficult to maintain without the employee's presence, requests may be denied.
- e. Although employees who separated from county employment are considered external candidates in recruitment processes, individuals who were laid off are still provided Priority Placement consideration for two years from their layoff date for qualified executive branch positions when applying for jobs that meet the eligibility requirement and when the applicant uses the identified process.
- f. Once an employee receives a proposed layoff notice, the employee may pursue multiple opportunities concurrently to secure continued employment including applying for vacant King County positions, participating in a Loudermill meeting or in a bumping process. During the notice period, employees may also concurrently exercise their rights using the Priority Placement services for any position in which they are eligible and qualify. Please note:
  1. When an employee is offered and accepts any position as a result of a Priority Placement process, the employee waives their right to exercise their bumping rights.
  2. When an employee is offered and accepts a comparable career service position as a result of a bumping process, the employee is no longer eligible for Priority Placement services.
  3. When an employee is offered and accepts a lower-level career service position as a result of a bumping process, the employee only remains eligible for Priority Placement services to a comparable career service position that restores them back to pre-layoff conditions for the remainder of their two-year eligibility period.

## **C. PRIORITY PLACEMENT**

1. Eligible Employees are provided:
  - a. Priority Placement consideration in comparable or lower-level career service and comprehensive benefit eligible temporary positions, for which they may qualify, during the eligibility period.
  - b. An employee who is hired into a temporary position following a layoff notice (either through their own application efforts, through a union bumping process, or as a result of a Priority Placement), is eligible for Priority Placement back to a comparable career service position, for which they may qualify, for the remainder of their two-year eligibility period.
  - c. An employee who is hired into a lower-level career service position following a layoff notice (either through their own application efforts, through a union bumping process, or as a result of a

Priority Placement), is eligible for Priority Placement back to a comparable career service position, for which they may qualify, for the remainder of their two-year eligibility period.

- d. Laid off employees can apply to comparable or lower positions anytime during the two-year eligibility period and should be given Priority Placement consideration even if the actual selection process begins or continues after the eligibility period expires.
- e. Should the placement occur after the individual's two-year eligibility period expires, then the individual, while still hired, no longer has access to reinstatement benefits.

## **2. For employees serving in the military (Uniformed Services):**

- a. An employee laid off while serving in the Uniformed Services, will be eligible for two years of Priority Placement following discharge. If an employee is called to duty while in the Priority Placement Program, the county shall extend the former employee's Priority Placement eligibility an amount of time equivalent to what was remaining in the two-year eligibility period at the time the employee was called to serve in the Uniformed Services. That extended period runs from the date that the former employee reports back from the Uniformed Services. However, the total amount of Priority Placement eligibility is not to exceed two years. In order to be eligible for Priority Placement or the extension, the former employee must contact DHR within the following time period:
  - 1. The employee's Uniformed Services leave is 30 days or less, the employee must contact DHR the next business day after the individual's discharge and inform DHR that the employee is available for Priority Placement services.
  - 2. If the employee's Uniformed Services leave is 31-180 days, the employee must contact DHR within 14 days of discharge and inform DHR that the employee is available for Priority Placement services.
  - 3. If the employee's Uniformed Services leave is 180 days or more, the employee must contact DHR within 90 days of discharge and inform DHR that the employee is available for Priority Placement services.

## **D. POSTING JOBS AND THE PRIORITY PLACEMENT PROCESS**

- 1. Departments post their vacant positions on the King County job page for a minimum of 14 calendar days or the minimum number of days required by policy or CBAs.
  - a. All Priority Placement Program eligible postings must include all applicable supplemental questions to allow applicants to identify their status as a Priority Placement participant and confirm eligibility for priority consideration. For example:

1. Which of the following best describes your response to the following question:

Are you applying to this position as a Priority Placement Program participant and is this position the same or lower percentage of full-time and do you possess the skills and abilities to qualify for this position?

- Yes, I was given a layoff notice from my role at King County AND I am within two years of the effective date of my layoff AND the position I was laid off from was the same or a higher percentage of full-time status when compared to this one.
- No.

2. If you answered yes to the question above and you are applying for this position as a Priority Placement Program participant, to be considered you must provide the following three pieces of information in the space provided:

- 1. The title you held when you received your layoff notice
- 2. The department you worked in
- 3. The effective date of your layoff

- b. When conducting a concurrent recruitment for special duty assignment/term-limited temporary position, candidates are eligible for Priority Placement consideration if the position will be filled as a TLT.
  - c. When the position will not be posted, or if the department will hire from an existing candidate list, the hiring department must first provide DHR with a position description that DHR will distribute to the active Priority Placement participants. Those participants will then notify the department human resources representative of their interest in being considered for the position. The hiring department will determine if candidates meet the required qualifications as identified in the job posting. If no Priority Placement candidates are identified, the hiring department may proceed with filling their position.
2. Program participants should apply on the King County careers site for posted positions that they believe they are qualified for. The hiring department will use the advanced filter function to identify the program participants at the close of the recruitment based on the questions above. A desk manual guide to performing the filter is available.
- a. Priority Placement participants may also apply for positions that are no longer accepting applications but are not yet filled by using the Priority Placement job site. These applications will be filtered by a DHR analyst before being sent to the department. These applications will be given the same consideration they would receive in a recruitment in which their materials were submitted to the original job posting before the closing date. If the recruiter has questions regarding the applicant's eligibility for Priority Placement consideration, they may contact DHR.
3. Priority Placement process will not result in a promotion.
4. Priority Placement candidates are not part of the competitive selection process that includes other candidates and only need to meet required qualifications. To the extent possible, Priority Placement candidates should be assessed independently from other candidates applying for the position. This could include the hiring department placing the selection process for the rest of the candidate pool on hold while they complete the assessment process for the Priority Placement candidate.

- a. For selection processes that are time sensitive, involve a large number of staff, or the filling of multiple vacancies, and where it is determined to be a hardship for the hiring department to run a separate process just for the Priority Placement candidate, the hiring department may run a process for the pool of candidates that includes the Priority Placement candidate. This should be done in consultation with DHR. A decision on the Priority Placement candidate must be made prior to extending a job offer to another applicant.
5. As with any selection process, the assessment should evaluate the candidate's qualifications and transferability of competencies, and/or knowledge, skills, and abilities listed in the job posting. However, if the applicant's qualifications are not clear in their written materials, departments are encouraged to conduct additional assessments (e.g., informational meeting, a phone screen, in-person interview, etc.) to further determine if the candidate meets the requirements to move to the next step of the selection process. Candidates must be evaluated on meeting **required** qualifications only. **Desired qualifications may be explored during the selection process; however, the Priority Placement candidate cannot be screened out for not meeting the desired qualifications.**
6. Hiring departments should maintain all materials used as part of the assessment/evaluation process in the recruitment file which will be requested by DHR in the event the employee appeals a department's "not qualified" decision.
7. In addition to employees applying directly to the agency, DHR reserves the right to refer eligible employees to departments for Priority Placement consideration at any time during a recruitment process up until a job offer is made to someone.
8. DHR may place a hold on a vacancy pending the referral of a Priority Placement candidate. In such situations, the department may not offer a position to another candidate until the referral has been made and the department completes an assessment of the Priority Placement candidate to determine if they are qualified for the position.
9. DHR may provide the candidate with pre-interview consultation and coaching and may debrief with the candidate following the interview.

## **E. INFORMATIONAL MEETINGS**

1. An informational meeting or phone screen can be conducted in cases where it is unclear about the transferability of the program participant's competencies, knowledge, skills, abilities, or qualifications for the position. Informational meeting requests can be initiated by the participant or the hiring department.
2. In partnership with the department HR representative, the hiring manager will provide information about the job, department, culture, etc. The program participant will share information about their background, training, education, transferrable skills, competencies, and other types of pertinent information related to the job.

3. If the department determines that the participant appears qualified, the participant will move forward through the selection process (e.g., formal interview, testing, reference checking, personnel file review, etc.) and a job offer should be extended if the participant passes each step of the process.
4. If the department determines that the participant does not appear to be qualified, the department will notify the participant following the meeting indicating the reasons for the determination and will notify DHR of the outcome and reasons. If the participant still believes that they are qualified for the position, they may apply in order to go through a formal selection process.

Informational meetings are not intended to replace the more formal assessment process; however, should enough information be obtained during the meeting to make a hiring determination, the hiring department may choose to waive any further assessment process and simply hire the Priority Placement candidate into the position. The department will notify DHR of the outcome.

#### **F. DEPARTMENT DETERMINES CANDIDATE IS QUALIFIED**

1. If the department finds the candidate meets required qualifications, a reference check with the candidate's current/most recent supervisors and an employee personnel file review should be conducted prior to offer. The department will document its actions so as to ensure consistency with other reference review processes.
2. If a department is filling multiple positions performing the same body of work, departments should make every effort to provide the Priority Placement candidate with a start date that is prior to the start date of other candidates hired into the same classification.
3. If the Priority Placement candidate is hired, the hiring department completes all new hire paperwork, including a hire letter. If the candidate is currently employed by the county and the hire constitutes a lateral hire or demotion, no pay approval form processing is required. If the candidate has been separated from employment, the department processes the required pay approval forms for hires above Step 1.
  - a. If the individual is no longer employed in the county, the individual must participate in the county's New Employee Orientation (NEO).

#### **G. DEPARTMENT DETERMINES CANDIDATE IS NOT QUALIFIED**

1. If the hiring department determines the candidate is "not qualified" during the selection process, as affirmed by the department HR Manager, the hiring department should notify the candidate verbally and must provide them with a documented notification, utilizing the "Priority Placement Not Selected-Not Qualified" notice template in NEOGOV, which includes the instructions to request a "Second Review" The department must also notify DHR of the determination and provide justification for their decision.
  - a. A "not qualified" determination must be based on specific qualification(s) the individual does not possess, along with any other information which demonstrates why the individual was/should not be hired into the particular position. Information obtained from screening tools such as

application materials, interviews, testing, background checks, reference checks, employee file review, etc. may all be used in the department's determination.

2. When a second review request is received, departments can continue with their selection process BUT MAY NOT extend an offer until step 5 is completed.
3. When a Priority Placement candidate requests a "second review," DHR will notify the hiring department to submit the supporting documentation used in making their determination. Supporting documentation may include but is not limited to:
  - a. Job Posting
  - b. Written summary of required qualifications that the candidate does not meet
  - c. Phone screening questions, criteria used and notes of the conversation
  - d. Interview questions, notes and rating criteria
  - e. Tests with questions, answers, rating criteria, and scores
  - f. Reference information
  - g. Any other documentation or written information used to make the assessment
4. DHR will review the documentation, consult with the hiring department, and make a determination. DHR will notify both the hiring department and candidate of its decision. If a determination is made that the candidate meets the required qualifications for the position, the department must extend a job offer.
5. Departments may not extend a job offer to a non-Priority Placement candidate until DHR provides written notification that their position is released.

#### **H. PAY UPON PLACEMENT OR RECALL**

1. Use the employee's pay range and step at the time of separation as the basis for determining the new hourly or annual salary.
2. When determining pay, apply appropriate Cost of Living Allowance/General Wage Increase if this took affect after the employee's separation from employment.
3. If the individual was receiving merit pay over the top at the time of their separation from employment, they will receive merit pay over the top upon recall or placement for the remainder of the period for which the individual maintains eligibility to receive merit pay, unless otherwise provided by the individual's collective bargaining agreement. Prior to making a pay rate offer to the placed or recalled individual, departments should examine the individual's eligibility for merit pay based on the most recent performance appraisal score and make a pay determination accordingly.

## PAY UPON PLACEMENT OR RECALL

If	Then
An individual is placed or recalled into the same classification or to a classification with an identical pay range.	The individual's pay will be at the same step in effect at the time of separation from employment. The actual pay will include any applicable cost-of-living/general wage increase that took effect since being separated. Special duty, work-out-of-class and premium pays are not included in the pay calculation.
An individual is placed or recalled into a lower classification.	The individual's pay will be at the step that is closest to the pay in effect at the time of separation from employment. The actual pay will include any cost-of-living/general wage increases that took effect since being separated. However, the pay cannot exceed Step 10 of the lower pay range unless the individual remains eligible for merit over the top. Special duty, work-out-of-class and premium pays are not included in the pay calculation.
An individual is placed or recalled into the same classification after having been placed or recalled into a lower classification or after having been demoted in lieu of being separated from employment.	The employee's pay will be at the same step in effect at the time of separation from employment or demotion. The pay will include any applicable cost-of-living/general wage increase that took effect while in the lower classification.
An individual is serving a probationary period as a result of having been placed or recalled.	The individual may receive a step increase upon completing probation at management's discretion, or in accordance with CBA provisions.
An individual was receiving merit pay over the top step prior to separation from employment and the individual's most recent performance evaluation score would have qualified the individual to continue to receive merit pay.	The individual receives merit pay over the top step for an eligible individual.
An individual was receiving merit pay over the top step prior to separation from employment but the individual's most recent performance evaluation score would not have qualified the individual to continue to receive merit pay.	The individual's pay will be at the same step in effect at the time of separation from employment or demotion. The individual may not receive merit pay over the top step nor may the former merit pay amount be used to calculate pay.

## **I. PROBATIONARY STATUS UPON RECALL OR PLACEMENT**

1. Unless otherwise specified in a CBA, employees placed in career service positions as a result of a Priority Placement process, shall serve a probationary period of not less than six months or more than twelve months of actual service.
2. In the event an employee is separated from employment and returns to the individual's former position, the employee may serve all or part of the probationary period for the position. Management has the discretion to waive the probationary period, provided that the individual previously passed probation in that position.
3. In the event a placed or recalled individual is not performing satisfactorily, the hiring authority may extend the probationary period, provided that the employee serves probation no more than a total of twelve months of actual service. The hiring authority may consult with DHR when the employee is not performing satisfactorily prior to a termination.
4. In the event that an individual does not successfully pass the probationary period, and the reason was not workplace misconduct, the individual remains eligible to receive Priority Placement services for the remainder of their two-year eligibility period. The department representative or the employee should contact DHR prior to a termination.

## **J. BENEFITS**

1. Employees who are laid off continue to receive insurance benefits through the end of the month in which they were laid off and may continue to pay for and receive medical, dental, and vision benefits for up to 18 months under COBRA. Employees may also continue contributing toward their Health Care FSA through the remainder of the calendar year when electing COBRA. If employees do not elect to continue their FSA benefit, employees will need to expend their remaining benefit prior to the last day of the year for expenses incurred prior to their layoff date.

Depending upon the circumstances, there are options for continuing group life insurance coverage through portability or conversion.

For more details, go to the county's website on "Leaving Employment" at:

<https://www.kingcounty.gov/audience/employees/benefits/leaving-employment.aspx>

2. Recalled or placed employees with a break in service will receive health benefits (medical, dental and vision) and life & disability benefits effective the first day of the month following their recall or placement or immediately upon recall or placement if re-employment begins on the first day of the month.

## **K. REMOVAL FROM THE PRIORITY PLACEMENT ELIGIBILITY LIST**

An eligible employee will be removed from the Priority Placement list when:

1. The employee's Priority Placement eligibility period has expired.

2. The employee is terminated for cause or did not pass probation in the position in which they were placed for reasons unrelated to a poor skills match.
3. The employee accepted a comparable or promotional county career service position.
4. The employee's layoff was rescinded.
5. The employee successfully bumped into another comparable position.
6. The employee resigns from the career service position prior to their layoff date.
7. The employee did not inform DHR of their change of address and/or contact information or fails to respond to contact attempts by DHR.

## **L. PRIORITY PLACEMENT PROCESS - ROLES AND RESPONSIBILITIES**

1. Responsibilities of the **employee** being laid off:
  - a. Initiate contact with DHR for services
  - b. If requested, provide DHR with a current copy of their resume
  - c. Review the county's job postings on a regular basis and apply directly for county jobs for which they believe they are qualified during the posting period
  - d. Notify DHR of the positions to which they are applying
  - e. May contact DHR for assistance with application materials
  - f. May contact DHR for assistance in preparing for the interview
  - g. May request DHR to conduct a second review of the hiring department's determination should the department find the employee "not qualified" for a specific position
  - h. Respond to DHR phone calls and emails within 1 business day
  - i. May contact DHR for support during the probationary period as needed
2. Responsibilities of the **hiring department**:
  - a. Ensure that position postings contain the required supplemental questions and are appropriately updated in the system during the hiring process
  - b. Contact DHR when a position will not be posted on the county's job page

- c. Make a good faith effort to fully evaluate Priority Placement candidates' qualifications during each step of the selection process
- d. Evaluate Priority Placement candidates prior to the remaining applicant pool, except in cases where collective bargaining agreements indicate differently or a hardship on the department would occur
- e. Communicate directly and in a timely manner with Priority Placement candidates and DHR at each step of the selection process; keep candidates apprised of their status and next steps
- f. Notify both the Priority Placement candidate and DHR when the candidate is determined to be "not qualified"
- g. Document and maintain all records
- h. Prepare written documentation as to why the applicant was not qualified; provide to DHR along with selection/testing materials if applicant appeals a "not qualified" decision.
- i. Seek technical guidance from DHR at any point in the selection process and if questions or concerns arise during the probationary period
- j. May contact DHR for support during the individual's probationary period as needed

3. Responsibilities of **DHR**:

- a. Orient employees and department representatives about Priority Placement process and related services es, policies, roles and responsibilities and additional resources
- b. Provide tips, tools, resources, and coach program participants in the development of all job application materials, interviewing skills and job search efforts
- c. Deliver virtual or on-site program orientations and workshops
- d. Maintain the Priority Placement job posting page for positions that have closed but are not filled
- e. Conduct spot audits to verify that departments are properly using supplemental questions on job postings
- f. Maintain a list of employees who receive layoff notices, determine Priority Placement eligibility to specific positions, and generate reports
- g. Provide technical assistance and guidance to hiring departments and program participants
- h. Notify the Priority Placement candidate of the "second review" process should the candidate have concerns with the department's assessment

- i. Conduct “second reviews” of selection processes as requested by Priority Placement candidates
- j. Provide support to hiring department and employee during the probationary period as needed
- k. Manage the Countywide Layoff and Priority Placement process

#### **M. PRIORITY PLACEMENT PROCESS BEST PRACTICES**

1. Hiring departments clearly demonstrate going the extra mile at each step in the process to fully assess Priority Placement candidates’ qualifications.
2. All evaluation/selection tools used to make the hiring decision are based on the required qualifications stated on the job announcement.
3. Candidates may be evaluated on desired qualifications but cannot be disqualified for not meeting them.
4. Recruiter participates in each step of the selection process to support the hiring manager in exploring, assessing, and documenting the candidate’s qualifications
5. Administering a test serves as one method of evaluating a candidate’s skill; additional methods such as related interview questions and verifying the candidate’s skill level during a reference check process may also be considered as part of the hiring decision
6. Hiring managers should consider if the candidate can be trained or obtain a specific knowledge or skill to perform the body of work within the probationary period
7. Hiring managers should consider the individual’s transferable competencies, knowledge, skills, and abilities, as well as any related experience the individual possesses, which may not be recent
8. All justifications for not moving the candidate forward are documented in the recruitment file and based on the required job qualifications and job functions as stated on the job announcement
9. If a verbal reference is provided, it should be documented in writing and kept in the recruitment file

## APPENDICES

**Note:** The following sample templates do not necessarily reflect updated processes and should be modified to address the agency's particular situation and current processes.

## APPENDIX A: SAMPLE/OPTIONAL REDUCTION IN FORCE ASSESSMENT PROCESS FOR NON-REPRESENTED CAREER SERVICE EMPLOYEES

Layoff of non-represented employees shall be conducted by classification on the basis of merit at the department, division, or section level. (King County Code 3.12.300.)

**Step 1:** Determine which non-represented classifications are subject to reduction in force.

**Step 2:** Determine if the reduction in force will be administered within the department, division, or budget section (see requirement as set forth in KCC 3.12.300).

**Step 3:** Once steps 2 and 3 are completed, use those determinations to compile a list of the non-represented “Layoff Group” (or groups) and those employees in the Layoff Group will be formally assessed to determine who will be retained and who will be subject to reduction in force.

- Establish a Layoff Group designation date based upon when that list is established.

The tool you will use for this is the “Reduction in Force Layoff Assessment Form for Non-Represented Employees” (“Assessment Form”; Attached as Appendix B).

**Step 4:** Identify Subject Matter Experts (SMEs) familiar with the work performed by the employees in the Layoff Group to develop Knowledge, Skills and Abilities (KSAs).

- Your agency Layoff Coordinator works with agency management to identify SMEs to develop the KSAs to be used for the assessment. The SMEs group will also assign “Weight Values” to each KSA for use on the Assessment Form. The SMEs typically includes supervisors, managers, and others familiar with the work performed by the employees in the Layoff Group.

**Step 5:** Develop a list of KSAs for the assessment. KSAs are the primary indicators for successful performance of the positions needed to carry out the agency’s business plan.

- Knowledge – the possession of concepts and information gained through experience, training and education
- Skills – the proficiency with task performance that can be demonstrated
- Ability – the demonstrated power to perform something physical or mental which may be a natural aptitude or an acquired proficiency

The minimum number of KSAs listed for assessment is three and the maximum number is eight. In developing the KSAs, the SMEs may utilize tools such as:

- The agency’s current business plan
- The agency’s strategic plan for future operations
- A current King County classification specification related to the positions needed to carry out the agency’s business plan
- A job analysis form

- A recent job posting related to the positions needed to carry out the agency’s business plan
- A Lominger card sort, to identify the competencies for the positions needed to carry out the agency’s business plan

Once developed, the KSAs to be used for the assessment are the same for all employees in the Layoff Group.

**Step 6:** Develop “Weight Values” for KSAs. The Weight Value reflects the relevance and priority of the KSA. The Weight Values are 1= desirable, 2 = important, and 3 = critical. A KSA assigned a Weight Value of 2 is twice as important as a KSA assigned a Weight Value of 1. A KSA assigned a Weight Value of 3 is three times as important as a KSA assigned a Weight value of 1.

In developing a Weight Value consider:

- The importance of KSA as compared to the other KSAs -- is it critical, important, or just desirable?
- The complexity of the KSA; is it difficult or easy?
- The frequency with which important and complex duties are performed; are they conducted daily, weekly, monthly, or annually?

Once developed, the Weight Values used for the assessment are the same for all employees in the Layoff Group.

**Step 7:** Your agency Layoff Coordinator works with agency management to collect the following information and documents from the personnel files of each employee in the Layoff Group:

- The adjusted service date
- Performance Appraisals completed over the last two years from the date that the Layoff Group was determined
- Commendations received over the last three years from the date that the Layoff Group was determined
- Disciplinary Action imposed over the last five years from the date that the Layoff Group was determined
- Corrective action, including disciplinary action, imposed for attendance issues over the last three years from the date that the Layoff Group was determined

**Step 8:** Determine who will serve on the Assessment Review Group.

- Your agency Layoff Coordinator works with agency management to identify at least three assessors assigned to the Assessment Review Group who will score each employee in the Layoff Group. The assessors may be compiled of some or the same employees who served as KSA SMEs such as the supervisor of the Layoff Group, the division manager over the Layoff Group, and the human resources representative for the Layoff Group.

**Step 9:** Your agency Layoff Coordinator fills in the following information on the “Reduction in Force Layoff Assessment Form” for each employee in the Layoff Group and provides the pre-filled forms (one for each employee) to each member of the Assessment Review Group:

- Department/Division/Budget Section Name: (Bold and underline the level at which the reduction in force will be administered; see Step 3)
- Employee Name
- Employee Classification
- Employee Adjusted Service Date
- Date that the Layoff Group was determined
- Date of Assessment
- KSAs as determined by SMEs (in order from highest Weight Value to lowest Weight Value: 3 to 2 to 1)
- Weight Values as determined by SMEs (in order from highest Weight Value to lowest Weight Value: 3 to 2 to 1)



**APPENDIX C: SAMPLE EMAIL TO CHIEF PEOPLE OFFICER AND DIRECTOR OF PERFORMANCE STRATEGY AND BUDGET REQUESTING AUTHORIZATION TO PROCEED WITH A PLANNED LAYOFF**

RE: The department of X is requesting approval to proceed with notifying unions and employees of the following reduction in force:

Provide a table with that includes, but is not limited to:

- Department:
- Division:
- Section:
- Location:
- Classification:
- Position numbers:
- Employee Names:
- Race
- Gender
- Date of Birth
- Labor Union/CBA:
- Labor Negotiator:
- PeopleSoft Union Code:
- Current FTE level (e.g., 1.0 FTE, .75, etc.):
- Salary range, step and salary table (if on a unique salary table)
- Merit over the top (if applicable)
- Anticipated layoff date (last day worked)
- Reason for reduction

**APPENDIX D: SAMPLE OF PROPOSED LAYOFF NOTIFICATION for CAREER SERVICE EMPLOYEE** *(modify as needed; e.g., tailor it to represented or non-represented)*

Delivered via <Method of transmission; e.g., email, hand delivery, U.S. Mail, certified mail>

Date

<name>  
<Address>  
<city, state, zip>

RE: Notice of Proposed Layoff -or- Reduction in FTE

Dear <Employee Name>:

This letter is to give you notice that the Department of <specify> is proposing to eliminate your position of <classification>, <or reduce your full-time employment status> effective <Month, Day, Year>. <Brief explanation of why the department is taking this action>. It was a difficult business decision that had to be made which unfortunately affects your position, but we are providing you with notice now to allow you as much time as possible to plan and prepare for this transition.

Enclosed with this letter is a packet containing important information about your layoff rights and benefits. Please review and carefully consider this information as soon as possible. Included in this packet is:

1. a copy of layoff/reduction in force provisions from your collective bargaining agreement <delete this line if the employee is not represented>,
2. information about your right to provide additional information before a final decision is made, including a *Loudermill Meeting Option Form* (action required),
3. program information about the County's Priority Placement Program and additional services designed to help employees facing a layoff,
4. a list of resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement and unemployment, and
5. information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).

In addition, it is strongly recommended that you attend an upcoming **Employment Transitions** class to immediately access the various resources and services available to you. The class is scheduled for (insert date and time). To register for this session or to see additional dates, please go to [TBD].

If you have questions about any aspect of the layoff process, please contact <Name>, our department Layoff Coordinator.

I know this is difficult news to receive. As a reminder, the following resources are available to support you now and through this transition: King County's Making Life Easier program ([www.KCMakingLifeEasier.com](http://www.KCMakingLifeEasier.com), 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at [hrdeap@kingcounty.gov](mailto:hrdeap@kingcounty.gov)).

Sincerely,

Name  
Division Director

Enc.

CC w/o Enc: Department Human Resource Manager  
Personnel File  
Union Representative (if employee is represented)

ACKNOWLEDGEMENT OF RECEIPT:

---

Employee Signature

---

Date

**APPENDIX E: SAMPLE OF LAYOFF NOTIFICATION for CAREER SERVICE EXEMPT EMPLOYEE; these individuals are at-will and do not receive a “proposed layoff notification” (e.g., appointed employees, Term-Limited Temporary)**

**Delivered via <Method of transmission; e.g., email, hand delivery, U.S. Mail, certified mail>**

**Date**

<name>  
<Address>  
<city, state, zip>

RE: Notice of Layoff -or- Reduction in FTE

Dear <Employee Name>:

This letter is to give you notice that the Department of <specify> will be eliminating your position of <classification>, <or reducing your full-time employment status> effective <Month, Day, Year>. <Brief explanation of why the department is taking this action>. It was a difficult business decision that had to be made which unfortunately affects your position, but we are providing you with notice now to allow you as much time as possible to plan and prepare for this transition.

As a career service exempt employee, you are not covered by the provisions of the county’s career service system. You are eligible for services offered by Career Support Services (CSS); however, the Priority Placement Program (PPP) is not available to employees who are exempt from the career service. You are eligible to apply and be considered for any career service vacancy through the normal recruitment process; and while employed by the County you are considered “internal” for those positions that are advertised as open only to “internal” County employees.

Enclosed with this letter is a packet containing important information about your layoff and benefits. Please review and carefully consider this information as soon as possible. Included in this packet is:

1. a copy of layoff/reduction in force provisions from your collective bargaining agreement <delete this line if the employee is not represented>,
2. program information about the County’s Career Support Services,
3. a list of resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement, and unemployment, and
4. information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).

In addition, it is strongly recommended that you attend an upcoming **Employment Transitions** class to immediately access the various resources and services available to you. The class is scheduled for (insert date and time). To register for this session or to see additional dates, please go to [TBD].

If you have questions about any aspect of the layoff process, please contact <Name>, our agency Layoff Coordinator.

Your supervisor will coordinate with you the return of all County owned property including bus pass/identification cards, key cards, keys, laptop, cell phones, uniforms, etc., before your last day at work.

I know this is difficult news to receive. As a reminder, the following resources are available to support you now and through this transition: King County’s Making Life Easier program ([www.KCMakingLifeEasier.com](http://www.KCMakingLifeEasier.com), 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at [hrdeap@kingcounty.gov](mailto:hrdeap@kingcounty.gov)).

Sincerely,

Name  
Division Director

Enc.

CC w/o Enc: Department Human Resource Manager  
Personnel File  
Union Representative (if employee is represented)

ACKNOWLEDGEMENT OF RECEIPT:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**APPENDIX F: SAMPLE OF FINAL LAYOFF NOTIFICATION FOR CAREER SERVICE EMPLOYEES, ISSUED POST-LOUDERMILL** *(modify as needed to reflect whether Loudermill was held or not held; and whether proposed layoff decision is sustained or being rescinded)*

**Delivered via <Method of transmission; e.g., email, hand delivery, U.S. Mail, certified mail>**

**Date**

<name>

<Address>

<city, state, zip>

RE: Notice of Layoff -or- Reduction in FTE

Dear <Employee Name>

*Option 1 – Employee chose not to have a Loudermill meeting:*

This is in follow-up to the <date> proposed layoff <or reduction in full-time employment status> notification letter that you received. In that letter, I provided the basis for the proposed decision, but also provided you an opportunity to share additional information for me to consider prior to a final decision being made. You opted to not exercise your right to provide additional information. Given the circumstances for eliminating your position <or reducing your full-time employment status> have not changed, and there is no additional information to consider, this letter serves as a final notification of your layoff which will be effective <date>.

*Option 2: Employee chose to have a Loudermill meeting/provide additional information to be considered:*

This is in follow-up to the Loudermill meeting held regarding the <Date> proposed layoff <or reduction in full-time employment status> notification you received. In that letter I provided the basis for the proposed decision but also provided you an opportunity to share additional information for me to consider prior to a final decision being made.

We met on <Date>. In attendance were you, <names of others> and me. You shared <brief summary of the meeting including what the employee and/or Union rep shared including whether employee opted to work the reduced FTE or be laid off, if applicable>.

We appreciated the opportunity to meet and discuss the proposed layoff with you and determined the additional information you shared does not change the circumstances for eliminating your position <or reducing your full-time employment status> or warrant rescinding the proposed layoff <or reduction in full-time employment status> notice. Therefore, this letter serves as a final notification of your layoff which will be effective <date>.

*For Option 1 and 2:*

Please review the packet of information you received with the proposed layoff <or reduction in full-time employment status> notification. It contains important information about your layoff and resources available to you. If you have questions about any aspect of the layoff process, please contact <Name>, our department Layoff Coordinator.

If you have not already done so, it is strongly recommended that you attend an upcoming **Employment Transitions** class to immediately access the various resources and services available to you. To register for this session please go to [TBD].

Your supervisor will coordinate with you the return of all County owned property including bus pass/identification cards, key cards, keys, laptop, cell phones, uniforms, etc., before your last day at work.

Again, I know this is difficult news to receive. As a reminder, the following resources are available to support you now and through this transition: King County's Making Life Easier program ([www.KCMakingLifeEasier.com](http://www.KCMakingLifeEasier.com), 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at [hrdeap@kingcounty.gov](mailto:hrdeap@kingcounty.gov)).

Sincerely,

Name  
Division Director

Enc.

CC w/o Enc: Department Human Resource Manager  
Personnel File  
Union Representative (if employee is represented)

**APPENDIX G: LAYOFF PACKET** *(suggested documents to include in Layoff Packet that accompanies the proposed layoff letter for career services employees or the layoff letter for career service exempt employees)*

1. Copy of Reduction in Force/Layoff/Bumping Language from the employee’s Collective Bargaining agreement (if represented)
2. Information about your right to provide additional information before a final decision is made, including a Loudermill Meeting Option Form (included below)
3. Program information (and one-page flyers) about the County’s Priority Placement Program and additional services designed to help employees facing a layoff (included below)
4. A one-page flyer listing resources/links for employees being laid off which provide information on a variety of topics including benefits, retirement, and unemployment (included below)
5. Information for the County’s Making Life Easier program (MLE) and Employee Assistance Program (EAP) (included below)

## Loudermill Meeting - Rights and Options

As a Career Service employee who received a *Notice of Proposed Layoff*, you have the right and opportunity to offer any additional information to the decision maker that you would like considered prior to a final decision being made. This is called a “*Loudermill*” meeting.

### ✓ ***NEXT STEP – ACTION REQUIRED:***

**Complete and return the attached *Loudermill Meeting Option Form* to your Department Layoff Coordinator within 5 calendar days of the date that this letter was post-marked or hand-delivered, or as required by your Collective Bargaining Agreement if you are represented.**

## LOUDERMILL MEETING OPTION FORM

Because you have received a *Proposed Layoff Notification*, you have a right and an opportunity to offer any additional information to the decision maker that you would like considered prior to a final decision being made. This is called a “*Loudermill*” meeting.

*Employee Instructions:*

1. Fill out information below and check appropriate box.
2. Make a copy for your own records.
3. **Provide a copy of this form to your Department Layoff Coordinator within 5 calendar days of the date that this letter was post-marked or hand-delivered, or as required by your Collective Bargaining Agreement if you are represented.**

**Employee Name:**

**Job Title:**

**Union, if represented:**

**Personal Email (if you do not have a work email that you regularly check):**

**Home or Personal Mobile Phone Number (if you do not have a work phone number at which you can be easily reached):**

Please check your desired option below:

I wish to have a *Loudermill* meeting.

**Yes**    **No**

I do not wish to have a *Loudermill* meeting but am inclosing written materials which I would like the Director to consider in making the final decision.

**Enclosing written materials**

If you opt for a *Loudermill* meeting, your department will immediately begin the process to schedule the meeting and will contact all necessary parties. Generally, this meeting is attended by you, the manager or director making the final decision, and a Human Resources staff person. If you are represented and would like your Union representative present, it is your responsibility to contact your union representative.

**If you do not opt for a *Loudermill* meeting, or if you do not return this form within 5 calendar days of the date that this letter was postmarked or hand-delivered, you will waive your right to respond to this matter and the director or designee will issue a final decision based on the current available information.**

## King County Priority Placement and additional services

### *Assistance for Employees Facing Layoff*

#### **Priority Placement Program ([www.kingcounty.gov/PriorityPlacement](http://www.kingcounty.gov/PriorityPlacement)):**

We understand that experiencing a layoff can be a difficult time for employees and their families.

Career service employees who receive formal written notification of a proposed layoff or having their full-time employment reduced are eligible for Priority Placement into non-promotional career service and temporary positions for which they qualify.

- Priority Placement means the laid off employee's eligibility for vacant non-promotional positions will be evaluated immediately for potential placement.
- Employees are eligible for Priority Placement immediately upon receipt of a proposed layoff notice and for up to two years from the effective date of layoff, or until the individual is restored to pre-layoff employment status, whichever comes first.

Employees are strongly encouraged to register and attend an **Employment Transitions** class as soon as possible in order to maximize their options and immediately take advantage of the resources and services available. During this one-hour class, King County experts will share important information about the Priority Placement and Career Support Services Programs, Employee Assistance Program, Making Life Easier Program, Balanced You and Benefits. There will also be time for questions. This is a voluntary virtual meeting. For upcoming dates and to register go to [TBD].

#### **Resources at a glance:**

A variety of resources and information is available for King County employees who are being laid off. A summary of resources can be found on the attached "**Employee Layoff Resources**" or at [https://www.kingcounty.gov/~media/audience/employees/career-services/Links\\_to\\_resources\\_for\\_layoff\\_employees.ashx?la=en](https://www.kingcounty.gov/~media/audience/employees/career-services/Links_to_resources_for_layoff_employees.ashx?la=en).

#### **Benefits, Retirement, Unemployment Compensation Questions?**

Information on leaving county employment may be accessed at the Benefits, Payroll and Retirement website at: [www.kingcounty.gov/leaving-employment](http://www.kingcounty.gov/leaving-employment). The website provides information regarding COBRA and continuation of your medical, dental and vision health benefits; the Dislocated Worker Program; and Unemployment Insurance. The website also provides a "Leaving Employment Checklist" to guide you through a step-by-step process of separating from King County employment.

Please contact an Employee Benefits, Payroll and Retirement representative at 206-684-1556 or [kcbenefits@kingcounty.gov](mailto:kcbenefits@kingcounty.gov) if you have additional questions about benefits or retirement

#### **Unemployment Questions?**

The **King County Unemployment Compensation Program** is administered in accordance with Washington State Law. To determine your eligibility or to resolve any other unemployment compensation questions, please

contact your local Washington State Employment Security Office at 1-800-318-6022 or go to <https://esd.wa.gov/>.

### **Career Support Services**

**[www.kingcounty.gov/CSS](http://www.kingcounty.gov/CSS); email at [careersupportservices@kingcounty.gov](mailto:careersupportservices@kingcounty.gov)):**

Career Support Services (CSS) provides resources, tools, information sessions and workshops on a variety of career-related topics, such as how to create more effective application materials, including resumes and cover letters, along with strategies and techniques to enhance one's interviewing skills. Staff are committed to supporting employees who are facing a layoff and are available for one-on-one career coaching assistance.

### **Making Life Easier and Employee Assistance Programs**

Both the Making Life Easier Program (MLE) and Employee Assistance Program (EAP) provide free confidential services to all employees, including assessments, brief counseling, and referrals to providers regarding concerns that are affecting their personal and/or work life.

Additionally, MLE services will be available to you for 3 calendar months following your separation from King County. For more information about these programs visit:

#### **Making Life Easier Program:**

- [www.KCMakingLifeEasier.com](http://www.KCMakingLifeEasier.com) (Username: King County)
- 1-888-874-7290

#### **Employee Assistance Program:**

- [www.kingcounty.gov/EAP](http://www.kingcounty.gov/EAP)
- [HRDEAP@kingcounty.gov](mailto:HRDEAP@kingcounty.gov)
- 206-263-8733

# Bumping Rights Election Form

**\*\*\* PLEASE PRINT CLEARLY OR TYPE \*\*\***

<p><b>Employee Instructions:</b></p> <ol style="list-style-type: none"> <li>4. Fill out information below and check <u>appropriate boxes</u>.</li> <li>5. Sign and date the bottom of this form.</li> <li>6. Make a copy for your own records.</li> <li>7. <b>Within 10 business days</b>, send a copy of this Election Form to your Department Layoff Coordinator.</li> </ol>	<p><b>Department Layoff Coordinator Instructions:</b></p> <ol style="list-style-type: none"> <li>1. Review the submitted form for completion.</li> <li>2. Sign and date the bottom of this form.</li> </ol>
Employee Name:	Date of Layoff:
Job Title:	Department/Division:
Personal Email:	Union:
Home or Personal Mobile Phone Number:	Office Phone Number:

## BUMPING RIGHTS (represented employees)

**Please mark only one of these options.**

<input type="checkbox"/>	I choose to <b><i>exercise my bumping rights</i></b> as provided in my collective bargaining agreement. I understand that I will be notified later of specific bumping options.
<input type="checkbox"/>	I choose to <b><i>NOT exercise my bumping rights</i></b> as provided in my collective bargaining agreement.

Employee Signature	Date	Dept. Layoff Coordinator Signature	Date
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# Department of Human Resources

## EMPLOYEE LAYOFF RESOURCES



### King County Resources

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#### Affordable Health Care

King County Community Health Access Program (CHAP)  
[www.kingcounty.gov/chap](http://www.kingcounty.gov/chap)  
[CHAP@kingcounty.gov](mailto:CHAP@kingcounty.gov)  
1-800-756-5437

#### Balanced You

[www.kingcounty.gov/BalancedYou](http://www.kingcounty.gov/BalancedYou)  
[www.KCBalancedYou.com](http://www.KCBalancedYou.com)  
[BalancedYou@kingcounty.gov](mailto:BalancedYou@kingcounty.gov)  
206-263-9626

#### Benefits, Payroll and Retirement

[www.kingcounty.gov/leaving-employment](http://www.kingcounty.gov/leaving-employment)  
[KC.Benefits@kingcounty.gov](mailto:KC.Benefits@kingcounty.gov)  
206-684-1556

#### Benefits and Retirement Navigator

Carmen Johnson  
[Carmen.Johnson@kingcounty.gov](mailto:Carmen.Johnson@kingcounty.gov)  
206-263-1096

#### Career Support Services (CSS)

Provides a variety of virtual career and job search services, workshops, and online resources.  
[www.kingcounty.gov/CSS](http://www.kingcounty.gov/CSS)  
[CareerSupportServices@kingcounty.gov](mailto:CareerSupportServices@kingcounty.gov)  
206-477-4460

#### Employee Assistance Program (EAP)

Provides employees with counseling and coaching regarding work related concerns and problems.  
[www.kingcounty.gov/EAP](http://www.kingcounty.gov/EAP)  
[HRDEAP@kingcounty.gov](mailto:HRDEAP@kingcounty.gov)  
206-263-8733

#### King County Jobs

[www.kingcounty.gov/jobs](http://www.kingcounty.gov/jobs)

#### King County Job Interest Alerts

[www.kingcounty.gov/job-alerts](http://www.kingcounty.gov/job-alerts)

#### Making Life Easier (MLE)

Provides counseling, credit and legal consultations, mortgage and childcare resources, and more to employees and dependents at no cost to the employee. *Available to every employee and individuals living in the employee's home for 90 days after their layoff at no cost.*  
[www.KCMakingLifeEasier.com](http://www.KCMakingLifeEasier.com)  
Username: King County  
1-888-874-7290

#### Mental Health Benefits and Resources Guide

Comprehensive list of King County and community health resources.  
[www.kingcounty.gov/employee-mental-health](http://www.kingcounty.gov/employee-mental-health)

#### Priority Placement Program

Provides Priority Placement into qualifying career service and temporary positions for career service employees being laid off or whose full-time employment has been reduced. *Eligibility begins when the employee receives a written layoff notice and continues two years from the effective layoff date.*  
[www.kingcounty.gov/PriorityPlacement](http://www.kingcounty.gov/PriorityPlacement)

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Department of Human Resources

[HRCentral@kingcounty.gov](mailto:HRCentral@kingcounty.gov) • [www.kingcounty.gov/DHR](http://www.kingcounty.gov/DHR)

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### Washington State Resources

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**Washington Career Bridge**  
[www.careerbridge.wa.gov](http://www.careerbridge.wa.gov)

**Washington State Unemployment Benefits**  
[www.esd.wa.gov/uibenefits](http://www.esd.wa.gov/uibenefits)

**Washington State Retirement System (PERS)**  
[www.drs.wa.gov](http://www.drs.wa.gov)  
1-800-547-6657

**WorkSource WA**  
[www.worksourcewa.com](http://www.worksourcewa.com)

### Career Development and Job Search Related Resources

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**CareerOneStop**  
Provides comprehensive career exploration, training and job search resources, toolkits and links to local service providers.  
[www.careeronestop.org](http://www.careeronestop.org)

**O\*NET OnLine**  
An interactive application for exploring and searching hundreds of occupations. The database also provides Career Exploration Tools, a set of valuable assessment instruments to help people find or change careers.  
[www.onetonline.org](http://www.onetonline.org)

**LinkedIn**  
Manage your professional identity, build and engage a professional network, and access knowledge, insights, training, and opportunities.  
[www.linkedin.com](http://www.linkedin.com)

**WorkSource Seattle-King County**  
Provides job leads, job search workshops, retraining, self-employment help, and direct access to employers.  
[www.worksourceskc.org/job-seeker](http://www.worksourceskc.org/job-seeker)

**LiveCareer**  
Provides comprehensive job search resources, services, and up-to-date advice from career experts. Site includes many resume and cover letter examples and templates.  
[www.livecareer.com](http://www.livecareer.com)

### Other Additional Resources

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**Alternative Health Care Sites**  
[www.obamacareusa.org](http://www.obamacareusa.org)  
[www.hca.wa.gov/apple-health](http://www.hca.wa.gov/apple-health)

**Microsoft Office Software Training**  
Free online MS Office training.  
[www.office.microsoft.com/en-us/support/training](http://www.office.microsoft.com/en-us/support/training)

**InterConnection**  
Seattle nonprofit organization focused on computer use and recycling that offers discounted products.  
[www.interconnection.org](http://www.interconnection.org)

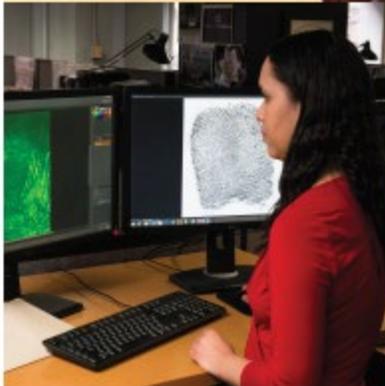
**Seattle Public Library System**  
Library card required to access.  
[www.spl.org/online-resources/online-learning](http://www.spl.org/online-resources/online-learning)

**King County Library System**  
Library card required to access.  
[www.kcls.org/resources/job-and-career](http://www.kcls.org/resources/job-and-career)

**Typing Test**  
Free online typing tests and tutorials.  
[www.typingtest.com](http://www.typingtest.com)

# Find the right career for you

Career Support Services for King County employees



Experienced human resource professionals offering King County employees:

- **Resume building**
- **Career coaching**
- **Online resources**
- **Career interest testing**
- **Interview preparation**
- **Career exploration tools**
- **Job search tips and strategies**
- **Career development workshops**

**To learn more or to schedule an appointment  
visit [www.kingcounty.gov/CSS](http://www.kingcounty.gov/CSS)**

## Career Support Services

Central Building, 810 Third Ave, 8th Floor | [CareerSupportServices@kingcounty.gov](mailto:CareerSupportServices@kingcounty.gov)



# PRIORITY PLACEMENT PROGRAM

## Process and Participation

### PARTICIPANTS

#### Career Service Employees

- + Who have received a notification of layoff
- + Who are seeking non-promotional career service or temporary positions
- + Who apply for qualifying positions within two years of the effective date of the layoff
- + Who submit all necessary application materials for vacant positions they would like to pursue
- + Who have not yet been restored to their pre-layoff range, level and FTE status

### EMPLOYERS

#### Participating Departments

- DAJD - Adult & Juvenile Detention
- DCHS - Community & Human Services
- DHR - Human Resources
- DJA - Judicial Administration
- DLS - Local Services
- DNRP - Natural Resources & Parks
- DPD - Public Defense
- DPH - Public Health
- DOA - Assessments
- Elections
- DES - Executive Services
- KCIT - Information Technology
- Metro Transit
- Executive Office

#### Non-Participating Departments

- District Court
- POA - Prosecuting Atty's Office
- KCSO - Sheriff's Office
- KCSC - Superior Court
- Council

#### Guidelines

Eligible career service employees who receive a proposed layoff notice are given priority placement consideration to qualifying positions at participating departments.

The Priority Placement Program provides an avenue to allow individuals who are impacted by layoff to be given consideration for vacancies of the **same (or lower) status and pay range**.

- Using the program, individuals can decide to pursue **temporary** as well as **career service positions**.
- Eligible employees can use the program immediately upon receipt of a layoff letter and until **two years** from the **effective date of the layoff** or until the date they are **restored** to pre-layoff status whichever comes first.
- If a temporary job offer is accepted at the same or lower pay range, the program participant remains an active program participant and is eligible for Priority Placement referral to either comparable or lower level career service positions.
- Eligible participants will be given priority placement consideration for positions that have the same or lower pay range and are the same or lower FTE level as the position from which they were laid off (e.g., 1.0 FTE, 8 FTE, .5FTE, etc.).
- If a lower level career service job offer is accepted, the employee remains an active program participant; and is eligible for Priority Placement referral to comparable level career service positions.
- Participating departments will assess the qualifications of Priority Placement eligible employees and will extend a job offer if the position is vacant and the participant has the required skills, abilities and qualifications.
- While individuals are welcome to pursue any open positions, the Priority Placement Program guidelines exclude promotional opportunities.

#### Participation

Employees may pursue multiple activities concurrently to secure continued employment including:

- + Applying directly for vacant King County positions through the [King County Careers website](#) (or)
- + Pursuing positions that have been closed to applications here: [Priority Placement Careers site](#)

If the above the link is not accessible, type in the following URL/address manually:  
[www.governmentjobs.com/careers/kingcounty/transferjobs](http://www.governmentjobs.com/careers/kingcounty/transferjobs)

- + Participants may also proceed with Loudermill meetings, participate in a bumping process, and or engage in other efforts and activities.

#### Resources

See the [Priority Placement Program](#) site for links and to sign up for informational sessions regarding benefits, Employee Assistance Programs and other resources to support your efforts.

If the above the link is not accessible, type in the following URL/address manually:  
[www.kingcounty.gov/priorityplacement](http://www.kingcounty.gov/priorityplacement)

Career Support Services will be available to provide assistance and support, as well as tools to aid in your job search efforts: [Career Support Services](#) or by email at [careersupportservices@kingcounty.gov](mailto:careersupportservices@kingcounty.gov)

To contact HR staff by email please send your request to [PriorityPlacement@kingcounty.gov](mailto:PriorityPlacement@kingcounty.gov)

**This program does not supersede any Collective Bargaining Agreement requirements for represented employees.**