King County

CAREER SERVICE WORKFORCE MANAGEMENT MANUAL

An Executive Branch Guide for Planning and Implementing the Layoff and the Priority Placement Process

DEPARTMENT OF HUMAN RESOURCES

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DEFINITIONS AND SUMMARY OF LAYOFF PROCESSES

The Workforce Management Manual (WFMM) 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: "**Workforce Management Manual" (WFMM) supersedes and replaces the "Workforce Management Manual" dated April 2018. The WFMM will be updated as needed by the Department of Human Resources (DHR).

B. **Organizations Affected**: The WFMM applies to all executive branch career service employees. Where the WFMM conflicts with any applicable provision set forth in a collective bargaining agreement (CBA), the CBA provision shall prevail.

C. **Effect of Workforce Management Manual:** The effect of the provisions of the WFMM confers no new privilege, right of appeal, right of position, transfer, demotion, promotion, recall nor reinstatement for any individual. The WFMM 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 WFMM are subject to change and may be modified, suspended or revoked without notice in whole or in part. The WFMM 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: means 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 provided for in 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. … 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 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.).

Conditional Release: Strategy used by DHR to allow departments to proceed with their recruitment and selection process rather than holding the position for potential layoff referrals. If given a conditional release by DHR, the Department is **required** to contact DHR, in writing, requesting a final position release prior to making a job offer.

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

Furlough day: means a day for which an employee shall perform no work and shall receive no pay due to an emergency budget crisis necessitating emergency budget furloughs. KCC 3.12.010 (FF).

Furloughed employee: means 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: An informal meeting to assist the employee, whose position is subject to a RIF, and the hiring authority in determining if the employee is a potential/appropriate "match" for a vacant, available position.

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 continued employment. This means that prior to the deprivation of employment (*e.g*., layoff) or deprivation of compensation under employment (*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).

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

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

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 his or her former classification, in a similar classification for which he or she is 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. 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 as 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 a laid off employee who is eligible for priority placement consideration is qualified for a specific position. This is sometimes to referred to as an appeal. The "second review" request is made by the priority placement candidate after the hiring department made 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
I. Mitigating strategies 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, 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.).	**I. Mitigating strategies:** 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, consult with DHR and OLR on potential alternatives and mitigating strategies to laying off employees (e.g., VSP, volunteer layoffs, furloughs, etc.). Consult with OLR negotiator to determine if discussing mitigating strategies with the union is required by the CBA.
II. Identify positions to be cut: Department determines potential/necessary position reductions by classification per department, division or section. 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. Where two or more employees within a classification are of equal merit, county seniority shall determine the order of layoff.	**II. Identify positions to be cut:** Department determines potential/necessary position reductions; meet with OLR negotiator to review application of CBA language. Obtain/update current union seniority lists for classifications in which layoffs are anticipated. Identify the individuals who will be laid off using applicable CBA provisions (e.g., position occupied by the least senior employee in a classification). Work with OLR negotiator to identify potential bumping issues within and/or across work units/agencies.
III. Review and approval: 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). Provide final list of positions/employees subject to layoff to Chief People Officer and Performance Strategy and Budget (PSB) Director for review and approval to proceed.	**III. Review and approval:** Provide initial list of positions/employees subject to layoff to DHR Director and OLR Director for review and approval. Provide final list of positions/employees subject to layoff to Chief People Officer and Performance Strategy and Budget (PSB) Director for review and approval to proceed.
IV. Issuing layoff notice: Seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.	**IV. Issuing layoff notice:** Seek direction from DHR/OLR (who will coordinate with the Chief People Officer) on the timing of layoff notices.

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. 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.	OLR negotiator will inform affected labor unions about its members who are subject to layoff as a courtesy and/or as required by their CBA. Employees shall be given advance notice of being laid off 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. Provide proposed layoff notice that includes notice of bumping rights pursuant to CBA (if applicable) and *Loudermill* meeting opportunity. If employee exercises right to bump, the employee being bumped receives a proposed layoff notice also. 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.
V. Loudermill meeting and final decision Hold *Loudermill* meeting, if requested; make final layoff decision; provide employee with post-*Loudermill* notice decision.	**V. Loudermill meeting and final decision** In consultation with OLR negotiator, hold *Loudermill* meeting, if requested; make final layoff decision; provide employee with post-*Loudermill* decision.
VI. Coordinate with DHR Provide RIF list to DHR for county-wide tracking purposes at time notices are issued, and updates as changes occur. Copy DHR on all RIF letters. Employees with layoff notices, or already laid off, will apply to open positions that have the same or lower pay range and for which they feel qualified. DHR will work with the agency to ensure employees are given priority consideration for 2 years from layoff notification and coordinate employee appeals. DHR may run vacancy reports in NEOGOV to identify previously advertised positions but not yet filled as possible placement opportunities for employees. DHR may also refer priority placement candidates to hiring departments at anytime during the recruitment process or place a conditional hold on a recruitment process pending a referral.	**VI. Coordinate with DHR** 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. Copy DHR and OLR on all RIF letters. Departments, in consultation with OLR, will administer CBA recall provisions when vacancies occur in their respective agency. Unless otherwise specified in a CBA, employees with layoff notices, or already laid off, will apply to open positions that have the same or lower pay range and for which they feel qualified. DHR will work with the agency to ensure employees are given priority consideration for 2 years from layoff notification and coordinate employee appeals. DHR may run vacancy reports in NEOGOV to identify previously advertised positions but not yet filled as possible placement opportunities for employees. DHR may also refer priority placement candidates to hiring departments at anytime during the recruitment process or place a conditional hold on a recruitment process pending a referral.

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 who have received a layoff notice are given priority consideration prior to, and/or independent of, others in the candidate pool and extend a job offer if the employee meets the required qualifications and it is reasonably believed the employee can effectively perform the job duties within the established probationary period. The general process is as follows:

    a. Employees who receive a layoff notice or have since been laid off are responsible for regularly reviewing the county's job page, applying directly to positions for which they feel qualified, and notifying DHR when they apply for a position.

    b. Once DHR is notified by an employee that they applied for a position, DHR will notify the department that the employee is a layoff for the purpose of priority placement.

    c. 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 WFMM).

Summary of When Disability Services and DHR Must Review a Vacancy Before Being Filled:

Type of Vacancy to be Filled	Is a Disability Services' Job Reassignment Program Review Required?	Does DHR Need to Review for Priority Placement of Laid Off Employees?
Career Service Exempt	Only when job is not posted on the county's job page	No
Career Service	Only when job is not posted on the county's job page	Only when job is not posted on the county's job page
Term-Limited Temporary	Only when job is not posted on the county's job page	Only when job is not posted on the county's job page
Short-Term Temporary	No	No; however, DHR reserves the right to request review.
Contract Worker	At the agency's request	No
Special Duty	No	Only when the assignment is offered as a TLT that is expected to last six months or greater and it is not being posted on the county's job page, and is not in conflict with a CBA

PART II. PLANNING FOR THE LAYOFF PROCESS

Once agencies have determined that 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. Layoff 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);

9. Utilize the county's Voluntary Separation Program.

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 initial layoff notice may not be the ones 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. The County's Equity and Social Justice (ESJ) principals 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. Labor Union/CBA if represented
   k. OLR binder number
   l. Labor negotiator
   m. PeopleSoft union code
   n. Current FTE level (e.g., 1.0 FTE, .75, etc)
   o. Salary range, step and salary table (if on a unique salary table)
   p. Merit over the top (if applicable)
   q. Additional pertinent information (e.g., is employee eligible for merit increase on January 1, is employee on military or family medical leave, etc.)
   r. Anticipated layoff date (last day of work)
   s. 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 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 "*Proposed Layoff Notification"* 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):
      i. information about the employee's Loudermill rights and a *Loudermill Meeting Option Form*,
      ii. information about the County's Career Support Services and Priority Placement Programs and a *Reduction in Force Elections Form*,
      iii. 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
      iv. 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. Copies of the letters are sent to DHR.

   e. DHR will orient employees to the Priority Placement Program and related services. This may be done individually, in groups, or on-line.

   f. The Department shall offer a *Loudermill* meeting to give the employee an opportunity to meet with the management decision-makers to better understand how management determined that their position would be subject to potential layoff and to offer additional information to be considered prior to a final decision being made.[1] The appropriate management decision maker(s) 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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[1] The offer of a *Loudermill* meeting is required in order to provide an employee subject to layoff an opportunity to respond to the layoff decision. *Levine v. City of Alameda*, Nos. 06-15480 and 06-15481, D.C. No. CV-04-01780-CRB (9th Cir. May 13, 2008). The *Loudermill* opportunity applies to all career service employees, whether or not they are represented by a labor organization.

g. 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 DHR.

   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 – *Final Layoff Notification* 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 "*Proposed Layoff Notification"* letter (see Appendix D for sample letter). A layoff packet should accompany the letter that contains at a minimum (see Appendix G):
      i. a copy of layoff/reduction in force provisions from the employee's collective bargaining agreement (if the employee is represented),
      ii. information about the employee's Loudermill rights and a *Loudermill Meeting Option Form*,
      iii. information about the County's Career Support Services and Priority Placement Programs and a *Reduction in Force Elections Form*,
      iv. 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
      v. 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. Copies of the letters must be provided to the respective unions and DHR.

   c. DHR will orient employees to services including the priority placement program. This may be done individually, in groups, or on-line. DHR may also run NEOGOV reports to identify possible job vacancies that were previously posted but not yet filled and may make priority placement referrals for employees.

   e. The Department shall offer a *Loudermill* meeting to give the represented employee an opportunity to meet with the management decision-makers to better understand how management determined that their position would be subject to potential layoff and to offer additional information to be considered prior to a final decision being made. The appropriate management decision maker(s) 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, OLR and DHR.

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 – *Final Layoff Notification* for Career Service Employees, issued *Post Loudermill*).

3. **Career service exempt employees.**

a. 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 completed less than six months of their probationary period upon their initial hire with the County are exempt from Career Service)
   - Provisional
   - Term-limited temporary
   - Short-term temporary
   - Student interns, work study students, veteran fellows

b. If career service <u>exempt</u> 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):
   i. a copy of layoff/reduction in force provisions from the employee's collective bargaining agreement (if the employee is represented),
   ii. information about the County's Career Support Services and Priority Placement Programs and a *Reduction in Force Elections Form*,
   iii. 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: <u>Employee Layoff Resources</u>), and
   iv. information about the Making Life Easier program (MLE) and Employee Assistance Program (EAP).

c. 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.

d. 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. DEPARTMENT LAYOFF COORDINATOR RESPONSIBILITIES

1. Ensures layoff notification packets are 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.

2. Distributes copies of the layoff letters to the appropriate parties, including DHR, OLR and the unions representing the employees.

3. Email each employee's proposed, final, and if applicable, rescinded layoff notification letters and completed *Reduction in Force Election Form* to DHR with the employee's name in the subject line (DO NOT batch or include multiple employees' documents into one email or PDF file).

4. Place copies of layoff documents in the employee's personnel file.

5. Compile final layoff list

   a. Once bumping is completed for represented employees, *Loudermill* meetings with the affected employees have occurred and volunteers 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
      - Department of Human Resources Director
      - DHR

   b. The layoff list should contain the following information:
      - Department
      - Division
      - Section
      - Work Location
      - Classification
      - Position Number
      - Employee Name
      - Race
      - Gender
      - 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

6. 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)."

1. This does not include represented employees unless their respective collective bargaining provision provides for it or where their union representative and the Labor Negotiator, in consultation with department management, reach an agreement to allow it.

3. 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.

4. 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.

5. 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

6. Employees who volunteer to be laid off will be eligible for priority placement services if they meet the program's eligibility requirements.

7. 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 WFMM 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. The employee must elect to accept the reduced hours or leave County employment by indicating such on the Reduction in Force Election Form.

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. Finance and Business Operations 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 WFMM 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;[2]
   c. The position from which the employee was laid off was a regular career service or civil service budgeted position;[3]
   d. The employee received a final reduction in force notification without the ability to bump into another position pursuant to a collective bargaining agreement or similar agreement.

B. INITIATING PRIORITY PLACEMENT SERVICES

1. In order to receive priority placement services:

   a. The employee receives a "*Proposed Notification of Layoff*" (Appendix D), final "Layoff Notice" (Appendix F), and "*Reduction in Force Election Form"* (see Appendix G).

   b. The Department Layoff Coordinator **immediately** forwards a copy of the layoff notification letters to DHR.

   c. Upon receipt of the employee's proposed layoff letter, 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.

   d. The employee completes and sends to their Department Layoff Coordinator the signed "*Reduction in Force Election Form"* within 10 business days of receiving his or her layoff letter.

   e. The Department Layoff Coordinator **immediately** forwards a copy of the completed and signed "*Reduction in Force Election Form"* to DHR. The election form allows the employee to choose to be "enrolled" into the priority placement program.

   f. Department Layoff Coordinators can request to schedule orientations and workshops at their worksites. 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

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[2] 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.
[3] 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.

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.

g. Although employees who separated from County employment are considered external candidates in recruitment processes, if their separation was due to being laid off, they are still provided priority placement consideration when applying for jobs and for which DHR has determined they are eligible.

h. Once an employee receives a written 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. Employees may also concurrently exercise their rights using the priority placement services for any position in which they are eligible and qualify.

   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.

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, for two years from the employee's layoff date.

   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 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 five business days or the minimum amount of days required by policy or CBAs.

   a. 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.

   b. When the position will not be posted, or if the department will hire from an existing candidate list, the hiring department must first notify DHR about the need to fill the position. DHR will determine if there are eligible candidates on the layoff list who potentially meet the required qualifications as identified in the job posting. If none are identified, the hiring department may proceed with filling their position. Should a candidate be identified, the department to conduct a qualifications assessment with that individual.

2. Program participants should apply directly to the agency for posted positions for which they feel qualified AND email DHR to determine if they are eligible for priority placement considerations for that position. If an applicant informs the hiring agency they were laid off and the agency has not been contacted by DHR about this applicant, recruiters must check with DHR to determine if the applicant is eligible for priority placement consideration.

3. Once notified by the employee, DHR determines the participant's eligibility for priority placement and notifies the participant of their eligibility. 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.).

Priority placement process will not result in a promotion.

4. Once the participant is deemed eligible, DHR notifies the hiring department that the applicant is a priority placement candidate and must be given priority consideration for the vacancy. **DHR is only determining eligibility for priority placement consideration at this point; DHR is not assessing applicants' qualifications when they apply directly to the agency**.

5. **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 involve a large number of staff, or the filling of multiple vacancies, and 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 first prior to extending a job offer to another applicant.

6. 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.**

7. 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.

8. 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.

9. DHR may place a conditional 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.

10. DHR may provide the candidate with pre-interview consultation and coaching. DHR 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 DHR or the hiring department.

2. DHR facilitates the meeting and attendees generally include a DHR representative, the program participant, department human resource staff and the hiring manager. The department hiring manager or HR representative provides information about the job, department, culture, etc. The program participant shares 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 email DHR following the meeting indicating the reason/s for the determination. This will be shared with the participant. If the participant still feels qualified for the position, they may apply in order to go through a formal selection process.

5. 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.

F. DEPARTMENT DETERMINES CANDIDATE IS QUALIFIED

1. If the department finds the candidate meets required qualifications, it should still conduct and document reference checks and an employee file review.

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 provided to the individual and sends an electronic copy of the letter to DHR. 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 also attend the County's New Employee Orientation (NEO) within seven business days of starting work. NEO is held every Monday morning.

G. DEPARTMENT DETERMINES CANDIDATE IS NOT QUALIFIED

1. If the hiring department determines the candidate is "not qualified" during the selection process, the hiring department notifies DHR and the candidate concurrently, documents its determination and justification and maintains it in the recruitment file. The department hiring authority should contact DHR to discuss their findings and justification prior to writing up the documentation.

    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. 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. DHR notifies the candidate that **they may request a "second review" of the selection process should the individual have concerns with the assessment.**

3. DHR will either release the position or inform the department of a second review request. When a second review is being requested departments may continue with their selection process BUT NOT extend an offer.

4. Should a priority placement candidate request a "second review," DHR will notify the hiring department to send copies of 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 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

5. 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.

6. 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 ELIGIBLITY LIST

A recalled or placed employee will be removed from the priority placement list when:

1. The employee's two-year 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 his or her layoff date.

7. The employee did not inform DHR of his or her change of address and/or contact information or fails to respond to contact attempts by DHR.

L. PRIORITY PLACEMENT PROCESS - ROLES AND RESPONSIBILITES

1. Responsibilities of the **employee** being laid off:
   a. Complete a Reduction in Force Election Form and return to Department Layoff Coordinator
   b. Initiate contact with DHR for services
   c. If requested, provide DHR with a current copy of their resume
   d. Review the county's job postings on a regular basis and apply directly for county jobs for which they feel qualified during the posting period
   e. Notify DHR of the positions to which they are applying
   f. May contact DHR for assistance with application materials
   g. May contact DHR for assistance in preparing for the interview
   h. 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
   i. Respond to DHR phone calls and emails within 1 business day
   j. May contact DHR for support during the probationary period as needed

2. Responsibilities of the **hiring department**:
   a. Contact DHR when a position will not be posted on the county's job page
   b. Make a good faith effort to fully evaluate priority placement candidates' qualifications during each step of the selection process to include asking follow-up questions during the formal interview process
   c. Evaluate priority placement candidates prior to the remaining applicant pool, except in cases where union bargaining agreements indicate differently or a hardship on the department would occur
   d. 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
   e. Notify both the priority placement candidate and DHR when the candidate is determined to be "not qualified"
   f. Document and maintain all records

g. 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.

h. Seek technical guidance from DHR at any point in the selection process and if questions or concerns arise during the probationary period

i. 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 on-site program orientations and workshops

d. Contact hiring department to inform them an applicant is a program participant and eligible for priority placement

e. Identify vacant county positions and potential priority placement opportunities for new employees entering the program

f. Conditionally hold vacant positions as necessary, until referral of priority placement candidate is made

g. Maintain a list of employees who receive layoff notices, determine priority placement eligibility to specific positions, and generate reports

h. Provide technical assistance and guidance to hiring departments and program participants

i. Notify the priority placement candidate of the "second review" process should the candidate have concerns with the department's assessment

j. Conduct "second reviews" of selection processes as requested by priority placement candidates

k. Provide support to hiring department and employee during the probationary period as needed

l. 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 only 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 should 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. All phone and email communications with the candidate are documented and kept in the recruitment file

10. If a County employee is providing a verbal reference for someone, they should document it in writing for their own records

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 the that 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 B: RIF ASSESSMENT FORM - NON-REPRESENTED EMPLOYEES

See WFMM Appendix A: Reduction in Force Assessment Process for Non-Represented Career Service should be read as a guide when completing this form.

King County

Layoff Group Designation Date:	
Department/Division/Budget Section:	
Employee Name (Last, First):	
PeopleSoft Employee ID:	

Section 1 - Employee Knowledge, Skills and Abilities (KSAs) Assessment:				
List Knowledge, Skills and Abilities below:	**Weighted Value per KSA** [Assign 3 (max), 2 or 1]	**Employee KSA Score** [even values only = 10 (max), 8,6,4,2,or 0]	**Subtotals**	**TOTALS**
	0	0	0	
	0	0	0	
	0	0	0	
	0	0	0	
	0	0	0	
	0	0	0	
	0	0	0	
	0	0	0	
				0 **Total KSA score**

Section 2 - Performance Appraisal (PA) Ratings: Performance Appraisal ratings for the last two years	**Total PA Score**	**Number of Reviews per rating**	**PA Score Assigned per Rating**	**Subtotals**		
	Outstanding/High Performance or Above Standard/Exceeds Expectations (+10)	0	10	0		
	Satisfactory/Meets Expectations (+5)	0	5	0		
	Non-Satisfactory/Needs Improvement or below (+0)	0	0	0		
					0	**Total PA score (cannot exceed 20)**

Section 3 - Disciplinary Action Score: (Deductions in score)					
Disciplinary Action(s)	**Number of Occurences**	**Score Discount (Enter score)**	**Subtotals**		
Written Reprimand (-2 points)	0	-2	-		
Reduction in rank or pay (-4 points)	0	-4	-		
Suspension of three days or less (-6 points)	0	-6	-		
Suspension of four or five days (-8 points)	0	-8	-		
Suspension over five days (-10 points)	0	-10	-		
				-	**Total Disciplinary Action Score Deduction** (Negative total, if applicable)

If there have been no documented attendance issues, enter N/A in this section.					
Attendance Issue(s)	**Attendance Issue Occurrences**	**Score Discount (Enter score)**	**Subtotals**		
Meal and break periods beyond authorized (-2 points)	0	-2	-		
Excessive tardiness (-4 points)	0	-4	-		
Excessive unscheduled absences (-6 points)	0	-6	-		
Absences without approved leave (-6 points)	0	-6	-		
				-	**Total Attendance Issue Score Deduction** (Negative total, if applicable)

Section 5 - TOTAL ASSESSMENT SCORE	**0**

Enter employee service date. Length of service will serve as a tie-breaker in RIF assessments in instances		
Employee Adjusted Service Date:		
RIF/Layoff Group Designation Date:		
Total Service Length (IN MONTHS) (RIF/Layoff Group Designation date - Employee Service Date):	0.00	**Total Length of Service in Complete Months**

Section 7 - Additional Comments (e.g., documented commendations or areas of other concern):

Review and Signatures (signing below indicates that the signee has reviewed and approved of the details and score of

Review Group Assessors:	Name printed	Signature and Date
	Name printed	Signature and Date
	Name printed	Signature and Date
Employee Supervisor/Manager:	Name printed	Signature and Date
Division HR Service Delivery Manager (or designee) :	Name printed	Signature and Date
Division or Dept. Director (or designee):	Name printed	Signature and Date

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, age
- Labor Union:
- 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 EMPOYEE (*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

Dear <**Employee Name**>:

This letter is to give you notice that the Department of <**specify**> is proposing to eliminate your position of <**classification**>, 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 Career Support Services and Priority Placement Programs designed to help employees facing a layoff, including a *Reduction in Force Elections Form* (**action required**),
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).

If you have questions about any aspect of the layoff process, please contact <**Name**>, our department Layoff Coordinator. <**If employee is represented, add: As a represented an employee, I also encourage you to contact your Union representative if you have questions about your contractual rights**.>

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, 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at 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 Layoff

Dear <**Employee Name**>:

This letter is to give you notice that the Department of <**specify**> will be eliminating your position of <**classification**>, 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 an exempt employee, you are not covered by the provisions of the County's career service system. You may be eligible for some 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 be aware 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, including a *Reduction in Force Elections Form* (**action required**),
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).

If you have questions about any aspect of the layoff process, please contact <**Name**>, our agency Layoff Coordinator. <**If employee is represented, add: As a represented an employee, I also**

encourage you to contact your Union representative if you have questions about your contractual rights.>

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, 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at 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 CAREEER 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: Layoff Notice

Dear <**Employee Name**>

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

This is in follow-up to the <**date**> proposed layoff 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 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 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>**.

We appreciated the opportunity to meet and discuss the proposed layoff with you. Unfortunately, the additional information you shared does not change the circumstances for eliminating your position or warrant rescinding the proposed layoff 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 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 employee is represented, add: As a represented an employee, I also encourage you to contact your Union representative if you have questions about your contractual rights**.>

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, 1-888-874-7290) and the Employee Assistance Program (206-263-8733 or by email at 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 about the County's Career Support Services and Priority Placement Programs designed to help employees facing a layoff, including a *Reduction in Force Elections Form* (included below)

4. A list of 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 Career Support Services and Priority Placement Programs

Assistance for Employees Facing Layoff

Career Support Services (www.kingcounty.gov/CSS):

Career Support Services (CSS) provides information sessions and workshops on a variety of career related topics including sessions specifically for King County employees facing a layoff. Topics focus on County resources/services (including the Priority Placement Program), Washington State resources and services, creating effective application materials, interviewing skills, etc.

Priority Placement Program (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 lay off 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 layoff 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 written 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.

✓ *NEXT STEP – ACTION REQUIRED:*

To enroll in the programs, **complete the attached *Reduction In Force Elections Form* Within 10 business days,** and send it to your Department Layoff Coordinator.

Reduction in Force Elections Form

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

Employee Instructions:	***Department Layoff Coordinator Instructions:***
4. Fill out information below and check appropriate boxes. 5. Sign and date the bottom of this form. 6. Make a copy for your own records. 7. **Within 10 business days,** send a copy of this Election Form to your Department Layoff Coordinator.	1. Review the submitted form for completion. 2. Sign and date the bottom of this form. 3. **Immediately email a scanned copy of the form** to CareerSupportServices@kingcounty.gov
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.

☐	There are ***no bumping options***.
☐	I choose to ***exercise my bumping rights*** as provided in my collective bargaining agreement. I understand that I will be notified later of specific bumping options.
☐	I choose to ***NOT exercise my bumping rights*** as provided in my collective bargaining agreement.

CAREER SUPPORT SERVICES (CSS)/PRIORITY PLACEMENT PROGRAM ENROLLMENT

Please mark only one of these options.

☐	I choose to ***enroll*** in the Career Support Services and Priority Placement Programs BECAUSE (select from the options below): ☐ My position is being eliminated as identified in my notice of layoff. ☐ My hours are being reduced as identified in my notice of layoff. ☐ I am interested in placement back to a comparable position ONLY IF I do not have bumping options or my bumping option results in placement into a lower position or temporary position.
☐	I choose to ***NOT to enroll*** in the Career Support Services and Priority Placement Programs at this time. I understand that I remain eligible to enroll in the these for up to two years after the date of my layoff.
☐	I choose to ***resign*** from my position effective on this date: _____, which is *prior to* my effective date of layoff. I understand that if I resign, ***I will NOT be eligible*** to enroll in these programs.
☐	I choose to ***retire*** effective on this date _____. I understand that if I retire, ***I will NOT be eligible*** to enroll in these programs.

Employee Signature	***Date***	***Dept. Layoff Coordinator Signature***	***Date***

King County Career Support Services/Priority Placement Program
www.kingcounty.gov/CSS

Version: July 8, 2020

Resources for Employees Who Are Laid Off

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.

Additional information can be obtained from King County Career Support Services or by attending one of their information sessions:

- **www.kingcounty.gov/CSS**
- CareerSupportServices@kingcounty.gov
- 206-477-4460

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. 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 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 1-855-829-9243 or go to https://esd.wa.gov/.

Department of Human Resources
EMPLOYEE LAYOFF RESOURCES

King County

King County Resources

Affordable Health Care
King County Community Health Access Program (CHAP)
www.kingcounty.gov/chap
CHAP@kingcounty.gov
1-800-756-5437

Balanced You
www.kingcounty.gov/BalancedYou
www.KCBalancedYou.com
BalancedYou@kingcounty.gov
206-263-9626

Benefits, Payroll and Retirement
www.kingcounty.gov/leaving-employment
KC.Benefits@kingcounty.gov
206-684-1556

Benefits and Retirement Navigator
Carmen Johnson
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
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
HRDEAP@kingcounty.gov
206-263-8733

King County Jobs
www.kingcounty.gov/jobs

King County Job Interest Alerts
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
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

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

Department of Human Resources
EMPLOYEE LAYOFF RESOURCES

King County

Washington State Resources

Washington Career Bridge
www.careerbridge.wa.gov

Washington State Retirement System (PERS)
www.drs.wa.gov
1-800-547-6657

Washington State Unemployment Benefits
www.esd.wa.gov/uibenefits

WorkSource WA
www.worksourcewa.com

Career Development and Job Search Related Resources

CareerOneStop
Provides comprehensive career exploration, training and job search resources, toolkits and links to local service providers.
www.careeronestop.org

LinkedIn
Manage your professional identity, build and engage a professional network, and access knowledge, insights, training, and opportunities.
www.linkedin.com

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

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

WorkSource Seattle-King County
Provides job leads, job search workshops, retraining, self-employment help, and direct access to employers.
www.worksourceskc.org/job-seeker

Other Additional Resources

Alternative Health Care Sites
www.obamacareusa.org
www.hca.wa.gov/apple-health

InterConnection
Seattle nonprofit organization focused on computer use and recycling that offers discounted products.
www.interconnection.org

King County Library System
Library card required to access.
www.kcls.org/resources/job-and-career

Microsoft Office Software Training
Free online MS Office training.
www.office.microsoft.com/en-us/support/training

Seattle Public Library System
Library card required to access.
www.spl.org/online-resources/online-learning

Typing Test
Free online typing tests and tutorials.
www.typingtest.com

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 (Username: King County)
- 1-888-874-7290

Employee Assistance Program:

- www.kingcounty.gov/EAP
- HRDEAP@kingcounty.gov
- 206-263-8733