

*Bargaining Unit employees should review their appropriate Collective Bargaining Agreement (CBA) to determine if this policy applies to them. In case of a conflict between the applicable CBA and these policies, the provision in the CBA controls.*

Policy No.: 8-4

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Review Date: 09/24/2014

## **Layoff**

**OVERVIEW:** County action regarding layoff procedures is described by this policy.

**SCOPE:** This policy applies to all persons employed by the Board of County Commissioners.

### **PROVISIONS:**

1. At the recommendation of the Administrating Official and upon approval of the Board, all layoff procedures shall be coordinated and processed by the Human Resources Office.
2. Layoff is a period of enforced unemployment by the County due to specific circumstances, including but not limited to:
  - a. Budget constraints,
  - b. Changes in organizational structure,
  - c. Lack of work,
  - d. Elimination of a program/function/division,
  - e. Material changes in a job description, or
  - f. Any other reasons within the discretion of the Board.
3. A layoff shall not be implemented in conflict with any State or Federal grant regulation prohibiting the supplanting of employees.
  - a. County personnel employed with, and paid by, Federal or State grant funds will be laid off or terminated upon the elimination or cut back of such funds regardless of their length of service.
4. In the event a program/function/division is eliminated, all personnel assigned to, funded by or performing work for that program/function/division will be laid off or terminated regardless of their length of service, performance reviews, or abilities and qualifications to do the work.
  - a. If an employee is performing functions associated with programs/functions/divisions in addition to the one that is being eliminated, the employee's work hours will be reduced to reflect the elimination of the duties associated with that program/function/division. If funds are available in the other program/function/division to fully fund the employee, the employee's work hours will be restored to full time.

5. In the event of a general reduction in work force, employees in the same classification and department(s) affected shall be laid off in the following order:
  - a. Temporary employees,
  - b. Probationary employee, and
  - c. Permanent employees.
  
6. In the event of a general reduction in work force, employees in the same classification and department(s) with the highest values of the following factors, as determined by the department director shall be retained:
  - a. Performance review ratings,
  - b. Ability to do the work, and
  - c. Qualifications to do the work.
  
7. If these factors are relatively equal, the least senior employee, by initial hire date, in the same classification shall be laid off first.
  
8. Veterans' Preference shall be considered in accordance with Chapter 295, Florida Statutes and Chapter 55A-7, Florida Administrative Code.
  
9. A laid-off employee shall be paid for all accrued vacation leave sick leave and compensatory time in accordance with applicable policies.

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County Manager

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County Attorney