



Chapter: Personnel
Subject: 03-13 – Layoff Plan
Effective: May 14, 2024
Supersedes: Temporary Human Resources Policy, dated January 1, 2019
Distribution: Department Members

PURPOSE: This Order establishes department policy to protect the rights and interests of employees and management when making staff reductions. This Order, in accordance with Michigan Civil Service Commission (MCSC) Rules, establishes standards and procedures to be followed when implementing staff reductions.

When a reduction in employment force is necessary, it is the responsibility of management to determine where services will be reduced or eliminated and to schedule employee layoffs accordingly.

In compliance with MCSC Rules, the Michigan State Police has adopted the following Order regarding the application of layoff. This Order is being adopted for the sole purpose of implementing staff reductions, as governed in MCSC Rules 2-4 and 2-5.

Provisions of this Order do not apply to MSPTA members. Such members shall apply employee preference outlined in the applicable collective bargaining agreement.

03-13-1 DEFINITIONS

- A. Divisions or Districts: Organizational entities which have responsibility for a major portion of a bureau or office mission and reports directly to the director, deputy director, or major. Sections reporting directly to a bureau director, or equivalent, shall be considered as divisions for layoff purposes.
- B. Full-time employee: An employee whose normal work schedule requires 80 hours in a bi-weekly pay period.
- C. Less than full-time employee: An employee whose normal work schedule requires less than 80 hours in a bi-weekly pay period.
- D. Limited-term employee: An employee that has a fixed ending date at the time of appointment.
- E. Seniority: Is defined as "total continuous service," as described in MCSC Rule 2-5.5(c)

03-13-2 AUTHORITY

- A. The Michigan Constitution of 1963, Article 11, Section 5, states in part: The Commission shall make rules and regulations covering all personnel transactions and regulate all conditions of employment in the classified service.

- B. The MCSC Rule 2-4 (Layoffs) and Rule 2-5 (Employment Preference) specifies the conditions and method by which reduction-in-force actions will occur (application of employment preference). Further, the Rule 2-4.1 delineates the Michigan State Police has the right to layoff members of the department for reasons of administrative efficiency, including, but not limited to; lack of work, lack of adequate funding, change in departmental mission, or reorganizing the workforce.

03-13-3 EMPLOYMENT PREFERENCE OPTIONS FOR PERMANENT FULL-TIME EMPLOYEES SERVING IN DIVISIONS OR DISTRICTS

- A. When the position of a permanent full-time employee is abolished, or the employee is displaced through employee preference, the affected employee shall have the following alternatives in the order listed:
- (1) The employee must displace the least senior permanent full-time position in a classification or classification series in which the employee is currently serving within the division or district, whichever is applicable.
 - (2) If (1) is unavailable, the employee may displace the least senior permanent full-time position in a classification or classification series in which the employee is serving within the department/agency.
 - (3) If (2) is unavailable or undesirable, the employee must displace the least senior position in a classification or classification series in which the employee has previously attained status at the current or lower level, in their division or district (whichever is applicable), which will minimize loss of pay. (Demotion, MCSC Rule 3-3)
 - (4) If (3) is unavailable or undesirable, the employee may displace the least senior position in a classification or classification series in which the employee has previously attained status at the current or lower level within the department or agency, which will minimize loss of pay. (Demotion, MCSC Rule 3-3)
 - (5) As an option in lieu of any of the above steps, an employee may elect to be placed on layoff.
 - (6) After exercising employment preference as above and no alternatives are available, the affected employee will be placed on layoff.
- B. Where a position requires court testimony as an expert witness as an element of the position, the employee must possess the education, experience, and training to be recognized by the court as an expert witness in the specialty area of the position in order to bump into the position.

03-13-4 EMPLOYMENT PREFERENCE OPTIONS FOR PERMANENT LESS THAN FULL-TIME EMPLOYEES

- A. When the positions of a permanent less than full-time employee is abolished, or such employee is displaced through employment preference, the affected employee may apply employment preference rights, as defined in items 03-13-3 A. (1) through (6) by substituting "less than full-time" for "full-time" through all sections. In any event, less than full-time employees and full-time employees are considered to be two separate categories of employment and, as such, employment preference cannot be exercised between the two categories.

03-13-5 EMPLOYMENT PREFERENCE OPTIONS FOR LIMITED TERM EMPLOYEES

- A. When the position of a limited term employee is abolished, the affected employee may apply employment preference rights to positions as defined in items 03-13-3 A. (1) through (6) in which they have achieved status in an indefinite appointment. Limited-term employees shall

be laid off prior to any permanent full-time or permanent less than full-time employees in the same classification or classification series throughout the department.

DIRECTOR

Annual Review Responsibility: Human Resources Division

Accreditation Standards: N/A