

City of St. Louis Department of Personnel Administrative Regulation NO. 107

LAYOFF POLICIES AND PROCEDURES

Effective: June 24, 2007

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The City of St. Louis Civil Service Act recognizes that the need may arise to reduce the City's work force by layoff. Employees in the City Service can be laid off due to lack of work or lack of funds. The purpose of this document is to define the procedures which will be used to determine which employees will be affected by the layoff.

I. When it has been determined that a layoff is necessary, the following procedures will be followed to identify those employees to be affected by the layoff.

A. Layoffs shall be made within the department composed of all employees under the jurisdiction of that appointing authority.

B. The appointing authority shall determine the class title(s) and number of positions in each class to be affected by the layoff.

C. The appointing authority shall notify the Director of Personnel of the class title(s) selected for reduction and the number of positions to be eliminated in each class. This notification shall be in the form of a letter from the appointing authority to the Director of Personnel.

D. The Department of Personnel will establish a layoff list for each designated class of position. This list will be composed of those employees to be affected by the layoff in the order set forth by this regulation. However, any employee serving in an emergency appointment in a class selected for layoff shall be removed from the payroll prior to executing any layoffs.

E. Layoffs in a given class of position in the department will be determined by the Department of Personnel using

the following order: Employees in category one (1) are laid off first, continuing down through category ten (10) until reaching the specified number of employees who must be laid off.

No.1 Employees serving in a provisional or transient appointment in inverse order of employment.

No.2 Employees serving in a limited-term appointment in inverse order of employment.

No.3 Employees serving in a career-seasonal appointment in inverse order of employment as described below.

No.4 Employees serving in a probationary working test period in inverse order of employment.

Probationary employees who have been promoted from a position in which they achieved permanent status will be returned to their former position.

No.5 Employees who are designated as Trainees (and whose last Service Rating was "Unsatisfactory," "Unacceptable/Unsatisfactory," "Unsuccessful," "Needs Improvement," "Meets Expectations," or "Adequate," respectively) in inverse order of employment.

No.6 Employees who are designated as Trainees (and whose last Service Rating was "Satisfactory," "Exceeds Expectations," "Successful," "Proficient," or better in inverse order of employment).

No.7 Permanent and Term employees whose last Service Rating was "Unsatisfactory," "Unacceptable/Unsatisfactory," or

"Unsuccessful" in inverse order of employment.

No.8 Permanent and Term employees whose last Service Rating was "Needs Improvement" in inverse order of employment.

No.9 Permanent and Term employees whose last Service Rating was "Adequate" or "Meets Expectations" in inverse order of employment.

No.10 Permanent and Term employees whose last Service Rating was "Satisfactory," "Exceeds Expectations," "Successful," "Proficient," or better in inverse order of employment.

Employees who have been granted waivers of residence in accordance with Section 2 of Article VIII of the City Charter shall be laid off in the order provided by items numbered two (2) through ten (10) above, except that within each of those categories employees with residency waivers shall be laid off prior to employees who meet the City's residence requirements. Nonresident employees, subject to assuming residence within 120 days of the completion of initial working test period shall be considered residents in establishing the order of layoff.

F. When the Director of Personnel notifies the appointing authority of the order of layoff, the Director will also advise the appointing authority of the proper wording which must be placed on each employee's separation form (Employee Status Form PD/Compt-1). The Director of Personnel shall also indicate to the appointing authority that employees must be compensated for all accrued vacation and compensatory time at the time of separation from the City Service.

G. In determining the order of layoff for a class of position affected by the layoff, the Department of Personnel will consider the employee's last official Service Rating which

was received by the Department of Personnel effective prior to the receipt of the request for the layoff list. The effective date is the date that is indicated as the "rating period" on the Employee Service Rating form.

The layoff list established by the Director of Personnel and communicated to the appointing authority shall be effective for three (3) months from the date issued by the Director of Personnel.

If the department processing the layoffs has not notified the affected employees and the Department of Personnel with the necessary documentation within this three (3) month period, the Director of Personnel may issue an updated layoff list, at the request of the appointing authority, which recognizes any Service Ratings received during the three (3) month period. During a period of layoff, the Director of Personnel may refuse to accept Interim Service Ratings.

H. The appointing authority shall advise the affected employee, with as much notice as possible of the employee's impending layoff. This notice to the employee shall, in all cases, be at least one normal work week prior to the employee's last day on payroll.

The appointing authority may want to release the affected employee from the work site prior to the employee's last day on payroll. In the event this occurs, the appointing authority will pay the employee until the last day on payroll and the employee will not be required to use any of his/her accrued time.

I. In determining an employee's length of service, the Department of Personnel will consider the period of employment from the date of appointment or reemployment following a break in service of more than one (1) year. Any break in service of one (1) year or less or reemployment from a layoff within two (2) years will not be counted as a break in service when determining an employee's length of service.

J. In establishing the order of layoff, all positions in the classified service shall be considered, regardless of their source of funding.

K. After the Director of Personnel has notified the appointing authority of the order of layoff for each affected class of position within the unit, any employee in an affected class may volunteer to be laid off. The appointing authority shall immediately notify the Director of Personnel of any voluntary employee layoff request. Any voluntary employee layoff shall be treated as a layoff with all due employee rights as provided by the Civil Service Rules and the City's compensation ordinance.

L. An appointing authority may request that the Director of Personnel exclude from the layoff list occupants of special or unique management or professional position(s) (M or P pay schedule) within the layoff class. The appointing authority must submit detailed reasons why it is essential that the exclusion(s) be allowed, such as why this individual has better qualifications/ experience, knowledge and skills than the remaining individual(s) in the class of position for layoff. This exclusion will only be approved where the lack of interchangeability of employees is clearly evident and the consequences of refusing such a request would cause a significant negative impact on services provided by the layoff unit.

II. The following procedures will be followed by the Department of Personnel for employees affected by the layoff.

A. The employee's name will be placed on the reemployment from layoff list for the specific class of position from which he or she was laid off, providing that the employee has a Service Rating of "Adequate," "Satisfactory," "Exceeds Expectations," "Successful," "Meets Expectations" or better. Employees will be certified from the reemployment from layoff list for the position from which they were laid off if it is reestablished within two (2) years under their former appointing authority. Eligibles will be certified off the eligible list in inverse order of layoff.

B. Employees with permanent status who voluntarily demote to a class of position in a lower pay grade, or who are re-hired in a class of position in a lower pay grade, will have their names kept on the reemployment list for the class of position from which they were originally laid off for a period of two (2) years from the effective date of layoff.

If you have any questions concerning this regulation please contact the Personnel Services Section of the Department of Personnel at 622-3251.

DEPARTMENT OF PERSONNEL

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Director