

Layoff and Reemployment Information for Classified Employees

Because the employees of Vista Unified School District are its most valuable resource, great care is taken in selecting them and every effort is made to retain them. Even so, there are times when layoffs and/or reductions are unavoidable. We have created this page to provide you with information and assist in answering any questions that you may have regarding this process.

DEFINITIONS

Classification: The official District title given to a position. Some sites use working titles like "Attendance Clerk" or "Counselor's Clerk" which are unofficial.

Layoff: Action taken by the Board of Education to separate an employee from a permanent or probationary position because of lack of work *or* lack of funds.

Reduction: Action taken by the Board of Education to shorten a position in hours or days worked.

Seniority: Length of service in current classification plus any equal or higher classifications. Used to determine order of layoff and bumping within each classification.

Reemployment list: Lists consisting of names of employees laid off or reduced in hours or days in each classification who are eligible for reemployment without reexamination in the classification from which they were laid off.

Bumping: Displacement of an employee by another employee with greater seniority within the classification.

FREQUENTLY ASKED QUESTIONS

What rights do I have during the layoff and reduction process?

The rights and procedures governing layoffs and reductions are outlined in the California Education Code, CSEA Contract Article 5, and the Personnel Commission Rules and Regulations of the Classified Service, Chapter 20. Most of these provisions are covered in the questions and answers below.

How much notice of layoff/reduction will I get?

You will receive at least a 60 calendar day written notice as required by the Education Code.

What happens if my position is reduced in hours or eliminated?

Official notification will come from the Classified Human Resources Office (Personnel Commission) in the form of a letter after the Board of Education takes action. Personnel Commission Staff will contact you before you receive your written notice to inform you of any bumping options.

What happens if I get bumped by someone?

You are extended the same rights that they had (60 calendar day written notice, the opportunity to exercise your bumping rights if any, and reemployment rights).

Can I bump into a classification that I've never held a position in?

No. You can only bump into a classification in which you have previously held permanent or probationary status.

Can I be told where I'd bump before I make that decision?

Yes. Along with the letter notifying you of layoff or reduction, you will be sent an acknowledgement form giving you your options. This form must be completed and returned to the Classified Human Resources Office within 10 calendar days.

If I elect to "bump", can I choose where to bump?

No. Bumping is determined by seniority.

If I worked as a substitute or limited-term employee in a classification, does this time count toward my seniority?

No, this time does not count. Only time served as a regular employee counts towards seniority in a classification.

My position was never listed on a Board agenda as being eliminated or reduced so why did I get a letter saying I'm being laid off?

The Board identifies specific positions to be eliminated or reduced but because of bumping many others may end up being affected. Those who are affected by employees exercising their bumping rights will not see their position on a Board agenda because their position was not the one being eliminated or reduced.

How long would my name remain on the reemployment list?

Persons laid off because of lack of work or lack of funds are eligible for reemployment for a period of 39 months and shall be reemployed in preference to new applicants. Employees who take voluntary demotions or reductions in assigned time in lieu of layoff or to remain in their present positions rather than be reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for reemployment for an additional period of 24 months.

If I am on a reemployment list and turn down an offer of employment, what happens to me?

If you are on the reemployment list, you may decline positions without affecting your status on the list providing you notify the Classified Human Resources Department Office in writing within ten (10) calendar days from the date of the notice.

If a new position is approved and I am on a reemployment list for that classification, what happens?

Persons who are laid off or reduced are placed on a reemployment list for the classification from which they were laid off or reduced, in order of their classification seniority which is in reverse order of layoff. The reemployment list for a classification supersedes any eligibility lists for that classification. The laid off or reduced employee with the most seniority is first offered the position, and if that person declines, the next most senior is offered the position and so on until someone accepts or the list is exhausted.

I am on a promotional eligibility list. What happens to my name on the promotional list if I am laid off from the School District?

Layoff does not remove your name from a promotional eligibility list. You may be offered a position during the life of the eligibility list. In addition, if you were in regular status at the time of layoff, you retain your eligibility to compete in other promotional examinations for 39 months.

What if I am on the reemployment list and considering a lower level position than the position I was laid off from?

Along with your written notice of layoff, you will be asked to complete an interest card so we may notify you when other positions become available. You are entitled to be reemployed into vacant positions that are of a lower or lateral (equal) level for which you are qualified before the District hires an outside candidate to fill the position. Qualification is determined by the Classified Human Resources Director.

Suppose I receive notice that I am going to be laid off in 60 days and then I receive a job offer from outside the District but they want me to start in 2 weeks, before my last day with the District. Should I resign from the District?

If you resign from the District before your last day of work, you will lose your rights to be placed on the reemployment list and 2 month extension of benefits.

I received notice I will be laid off in 60 days. I'm so upset I want to walk off the job. Is it okay to not come back to work?

If you walk off the job (abandon your position) before your last day of work with the District, you will lose your rights to be placed on the reemployment list, the 2 month extension of benefits, and most likely your right to collect unemployment.

If I have questions about unemployment insurance, who do I contact?

For information about unemployment, you can contact the California State Employment Development Department at 800-480-3287 or visit their website at www.edd.ca.gov.

If I am laid off, what happens to my health benefits? Am I eligible for COBRA?

If you are currently receiving benefits, the district will extend your benefits for 2 months after the effective date of layoff, then you would be eligible for COBRA. Please contact our Benefits Department at (760) 726-2170 x 92206 to answer specific benefits questions.

If I am laid off from the District, what happens to my accrued vacation and sick time?

All unused vacation time will be paid out. The pay dates will vary for each individual depending on their last day of work. Unused sick time will remain on the books and if you are hired back from a reemployment list, the sick time will be reinstated as if you never left. If you are hired by another school district, unused sick time may be transferable.

What happens to my retirement funds if I am laid off from the District?

You can contact CalPERS for available options at 888-225-7377 or visit their website at www.calpers.ca.gov.

CONTACT INFORMATION

If you have further questions about the layoff and/or reduction process or questions regarding your specific situation please contact:

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