

CPPW makes the following **update to our counterproposal** on Reductions in Workforce and Layoffs on March 20, 2025. CPPW reserves the right to modify or adjust as negotiations continue so long as no TA has been reached.

NOTE: Much of the language here is drawn from the PROTEC and the DCTU contracts.

ARTICLE ____
REDUCTIONS IN WORKFORCE AND LAYOFFS

Section 1, Prior to reductions in workforce.

- (a) In the event that City economic indicators demonstrate the need for layoffs within the bargaining unit, the City shall notify the Union and set up a meeting between the City, appropriate manager, and the Union to discuss the economic impacts and alternatives to layoffs.

- (b) Additionally, the Union has the right to meet with appropriate manager to discuss the financial situation. Upon receipt of the Union's meeting request, the contacted manager has two business weeks to set up and conduct the meeting.

- (c) The City and the Union mutually agree to put forth a good faith effort to arrive at alternatives to layoff and to try to come to agreement on alternatives.
Alternatives to layoffs that may be considered for cost savings may include but are not limited to:
 - i. Accept a vacancy outside home bureau;
 - ii. Temporary reduction in schedules;
 - iii. Participation in State or Federal programs, like Workshare;
 - iv. Extended temporary leave with benefits;
 - v. Furloughs;
 - vi. Severance incentives;
 - vii. Healthcare incentives for early retirement;
 - viii. Early retirement incentives through employer PERS contributions; and
 - ix. Retraining programs.

Section 2, Layoff & Seniority.

- (a) In the event of a layoff for any reason, employees shall be laid off in the inverse order of their seniority in the classification in which the work force is being reduced subject to the stipulations in the remainder of this Section.

(b) Classification seniority for purposes of layoff and recall shall be determined as the length of continuous service, from the date of regular appointment to the classification. Continuous service shall be broken, and accrued seniority canceled, by resignation, dismissal, or retirement. However, seniority shall continue to accrue during any leave of absence granted under the provisions of this agreement.

(c) In the event of a reclassification resulting in regular appointment in the new classification, seniority for the incumbent unless otherwise established, shall be retroactive to the date the written request for reclassification and all required supporting documentation were filed with the Director of the Bureau of Human Resources.

(d) Seniority in a consolidated job classification shall be equal to the total permanent service in all job classes included in the consolidated classification.

(e) A tie in classification seniority shall be broken and greatest seniority determined first by the highest score on the eligible list from which appointment was made; if a tie remains, then, the greatest length of service with the City; if a tie remains, then, the date and time of receipt of the application by the Bureau of Human Resources; if a tie remains, then, by whatever job-related method approved by the Human Resources Director.

Section 3, Seniority Rights.

(a) When an employee is laid off due to a reduction in the work force that employee shall be permitted to exercise seniority rights to replace other employees in the sequence described below, providing such employee has greater seniority than the employee who is being replaced, and further providing the employee is qualified to perform the work of the employee being replaced Any disagreement as to the qualifications of employees in regard to this Article may be taken up through the grievance procedure.

(b) All employees who are reassigned based on enacting seniority rights will be given 14 business days' notice before the transition takes effect.

(c) A part-time employees shall have seniority rights as described in this Article except that a part-time employee shall not displace a full-time employee.

(d) For the purpose of seniority rights current CPPW represented classifications will be divided into two categories: general & specific. These two categories will have unique processes for engaging seniority rights.

- i. Specific Classifications: Environmental Regulatory Coordinators, Financial Analyst series, Multimedia Specialists, Business Technology Representatives.
- ii. General Classifications: Administrative Specialist series, Analyst series, Coordinator series.
 - a. For the purpose of seniority rights, Coordinator I(E) and Coordinator I(NE) will be treated as the same classification.
- iii. Any additional classifications subsequently represented by the Union will be placed in one of the above categories by mutual agreement of the City and the Union.

Section 4: Seniority Rights Process.

If more than one employee is to be laid off, seniority rights processing will begin with the employee with greatest seniority.

For the purpose of this Section, offices organizationally structured under the City Administrator but not in a service area, shall be treated as individual bureaus. For any bureaus not in a service area, seniority protection process will disregard the steps referencing service areas below.

a. Specific Classifications Seniority Rights Process

Specific classifications will enact seniority rights based only on classification.

1. The employee is placed in a vacancy in the same classification first within the employee's assigned bureau, if none, then within the assigned Service Area, if none, then City-wide.
2. If no vacancy in the same classification exists City-wide, the employee displaces the least senior employee in the same classification in the employee's bureau.
3. If no employee with less seniority in the same classification exists in the bureau, the employee displaces the least senior employee in the same classification in the Service Area.

4. If no employee with less seniority in the same classification exists in the Service Area, the employee displaces the least senior employee in the same classification City-wide.
5. If no employee with less seniority in the same classification exists City-wide and the employee previously held status in another classification, then steps 1 – 4 are repeated for that classification.
6. If the employee exhausts all options in steps 1-6 then they are laid off.

b. General Classifications Seniority Rights Process

General Classifications will enact seniority rights based utilizing HR's job family structure.

All position categories are nested as such: Classification --> Job Family --> Job Subfamily. This process works to find an appropriate position for laid off employees by beginning with the most specific position category, job subfamily. Then job family, and finally, classification.

If any employee is placed in a position in the same job subfamily, no preliminary qualification assessment is required. The employee will be assumed to be qualified for the vacancy or the position. All other placements may require a qualifications assessment at HR's discretion.

1. Job Subfamily

- (a) The employee is placed in a vacancy in the same job subfamily first within the employee's assigned bureau, if none, then within the assigned Service Area, if none, then City-wide.
- (b) If no vacancy in the same job subfamily exists City-wide, the employee displaces the least senior employee in the same job subfamily in the employee's bureau.
- (c) If no employee with less seniority in the same job subfamily exists in the bureau, the employee displaces the least senior employee in the same job subfamily in the employee's service area.
- (d) If no employee with less seniority in the same job subfamily exists in the service area, the employee displaces the least senior employee in the same job subfamily city-wide.

2. Job Family

- (a) If no employee with less seniority in the same job subfamily exists city-wide,

is placed in a vacancy in the same job family first within the employee's assigned bureau, if none, then within the assigned Service Area, if none, then City-wide.

- (b) If no vacancy in the same job family exists City-wide, the employee displaces the least senior employee in the same job family in the employee's bureau.
- (c) If no employee with less seniority in the same job family exists in the bureau, the employee displaces the least senior employee in the same job family in the employee's service area.
- (d) If no employee with less seniority in the same job family exists in the service area, the employee displaces the least senior employee in the same job family city-wide.

3. Classification

- (a) If no employee with less seniority in the same job family exists city-wide, is placed in a vacancy in the same classification first within the employee's assigned bureau, if none, then within the assigned Service Area, if none, then City-wide.
- (b) If no vacancy in the same classification exists City-wide, the employee displaces the least senior employee in the same classification in the employee's bureau.
- (c) If no employee with less seniority in the same classification exists in the bureau, the employee displaces the least senior employee in the same classification in the employee's service area.
- (d) If no employee with less seniority in the same classification exists in the service area, the employee displaces the least senior employee in the same classification city-wide.
- (e) If no employee with less seniority in the same classification exists City-wide and the employee previously held status in another classification, then steps 1a – 3d are repeated for that classification (and the correlating job family and subfamily).
- (f) If the employee exhausts all options in steps 1a-3e then they are laid off.

Section 4, Layoff Due to New Technology.

- (a) In the event of adoption of a new technology which, because of a lack of qualifications of employees, may result in the layoff of employees or in the creation of a new job classification, the employer shall first implement retraining programs and other methods which might exist to reduce the impact on employees before layoffs are considered.
- (b) The City must demonstrate to the Union a reasonable inability or lack of capacity to retrain, relocate, or reassign employees before initiating layoffs.

Section 5, Layoff Resources.

- (a) If an employee either opts out of enacting their seniority rights or has no seniority rights available to them and is laid off, they may request the following assistance from their Bureau's Human Resources Business Partner within seven (7) calendar days of receipt of final notice of layoff.
- (b) The Bureau of Human Resources will provide the following assistance to place the employee in any vacancy for which the employee possesses the required qualifications:
 - 1. Assess the employee's qualifications.
 - 2. Review the employee's resume and provide feedback. Assist the employee to revise their resume if requested.
 - 3. Provide the employee with information on the recruitment process.
 - 4. Inform the employee of appropriate vacancies.
 - 5. Allow the employee to participate in limited recruitments.
 - 6. Provide the name and qualifications of the employee to hiring managers for consideration when filling vacancies.
 - 7. Hiring bureaus will be required to interview qualified candidates and give them priority consideration when filling vacancies.
- (c) This assistance, if requested, will be provided until the employee is recalled under the provisions of this Article or for a period of twelve (12) months from the date of the final notice of layoff whichever occurs first. This assistance does not guarantee that the employee will be placed in a City position.
- (d) If the employee obtains a permanent position with the assistance described above, their name will be removed from the layoff list for recall to their former position.

Section 6, Recall and Benefits Upon Layoff/Recall.

- (a) Recall shall be administered by the City in accordance with Human Resources

Administrative Rule 7.06. The City agrees that changes to this rule are required to be bargained with the Union.

- (b) Leave accruals upon recall shall be administered in accordance with Human Resources Administrative Rule 7.06.
- (c) Sick Leave accruals for laid off employees will remain in a bank for 2 years after official layoff notice and fully reinstated upon obtaining a position (regular, part time, or temporary) with the City.
- (d) Upon final allocation of leaves, employee will be paid for all vacation leave, deferred holidays, personal days, and comp time accruals.