

CPPW RE-OPENER PROPOSAL 3-19-26

**ARTICLE 22 – 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. Notice shall be given to the Union no later than thirty (30) days' notice before the effective date of the proposed layoff, unless exigent circumstances exist necessitating a shorter notice period. Nothing in this provision is intended to limit any rights under the PECBA.

i. The Notice will include the following items:

- A report of the economic indicators;
- A span of control analysis for the impacted service areas;
- A list of services the City will no longer offer or provide to the community as a result of the layoff;
- The impact on other employees in the bargaining unit – for example, whether they will be required to take on new or additional duties;
- Whether the work being replaced will be performed by Artificial Intelligence (“AI”) or other technology; and
- Whether the work being replaced will be reassigned to other employees not in the bargaining unit or will be contracted out.

a-b. Additionally, the Union has the right to meet with representatives from the City, including the appropriate manager, to discuss the financial situation. Upon receipt of the Union's meeting request, the City has two business weeks to set up and conduct the meeting.

b-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; and
- vii. Retraining programs.

**Section 2. Notice.**

- a. The employee shall be notified that they will be laid off no later than fourteen (14) days before the layoff is scheduled to occur unless the layoff is the result of bumping ~~or unless exigent circumstances exist necessitating a shorter notice period~~. If the layoff is the result of bumping, the employee shall be

notified that they will be laid off no later than seven (7) days before the layoff is scheduled to occur unless exigent circumstances exist necessitating a shorter notice period.

- b. The employee must notify the City whether they wish to exercise their seniority rights no later than two (2) business days after being notified of the layoff.

**Section 3. 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 in the classification based on the current job entry date. 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. A tie in classification seniority shall be broken and greatest seniority determined first by 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 4. Seniority Rights.**

- a. When a full-time employee is laid off due to a reduction in the work force that employee shall be permitted to exercise seniority rights to bump

other employees in the sequence described below, providing such employee has greater seniority than the employee who is being bumped, and further providing the employee is qualified to perform the work of the employee being bumped. Any disagreement as to the qualifications of employees in regard to this Article may be taken up through an appeal to the Human Resources Director. Provided however, during any bumping process the qualifications of the position will not be changed or added to in order to exclude an employee who would otherwise be able to exercise their seniority rights.

- b. All employees who are reassigned based on their exercise of seniority rights will be given at least ~~one-five (1)(5)~~ business day's notice before the transition takes effect.
- c. 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 will follow the Seniority Rights Process outlined in Section 5.~~

~~i. Specific Classifications: Environmental Regulatory Coordinators, Multimedia Specialists, Business Technology Representatives.~~

~~ii. General Classifications: Administrative Specialist series, Analyst series, Coordinator series, and Financial Analyst series.~~

- For the purpose of seniority rights, Coordinator I(E) and Coordinator I(NE) will be treated as the same classification.

~~###ii.~~ Any additional classifications subsequently represented by the Union will ~~be placed in one of the above categories~~ have the same rights as outlined in Section 5, unless —by mutual agreement of the City and the Union a different process is determined.

**Section 5. Seniority Rights Process.** If more than one employee is to be laid off within the same classification and Bureau, seniority rights processing will begin with the employee with greatest seniority who has been identified for layoff.

**Commented [K01]:** Move to Section 5?

i. The exercise of bumping rights under this Section is subject to a qualifications assessment at HR's discretion.

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-b~~ Specific Classifications Seniority Rights Process

- i. The employee is placed in a vacancy in the same classification first within the employee's assigned Bureau or Office or equivalent, if none, then within the assigned Service Area, if none, then City-wide.
- ii. If no vacancy in the same classification exists City-wide, the employee may bump the least senior employee in the same classification in the employee's Bureau or Office or equivalent, if the employee is qualified to do the work.
- iii. If no employee with less seniority in the same classification exists in the Bureau or Office or equivalent, the employee may bump the least senior employee in the same classification in the Service Area, unless no Service Area exists, then move to City-wide.
- ~~iv.~~ If no employee with less seniority in the same classification exists in the Service Area, the employee may bump the least senior employee in the same classification City-wide.
- v. If no employee with less seniority in the same classification exists in the Bureau or Service Area that the employee could bump, and the employee previously held status in a different classification, the employee may move into a vacant position in that previously held classification as described in the process described in (a)(i) in the employee's current Bureau or Service Area, if the employee is qualified for the position.
  - ~~iv.~~
- ~~v.~~ vi. If the employee exhausts all options in steps 1-~~5~~4 then they are laid off.

c. Upon layoff, employee will be paid for all vacation leave, deferred holidays, and comp time accruals.

b. General Classifications Seniority Rights Process

Employees in General Classifications may exercise their seniority rights based on bumping within the employee's Bureau or Service Area and subject to a qualifications assessment.

i. Once the City has identified a position for layoff in a general classification, the employee in the affected position may move into a vacant position within the same classification in the same Bureau.

**Commented [K02]:** Removed this whole section as we are moving away from limits based on bureaus and service areas.

- ~~ii.—If no vacancies exist in the Bureau, then the employee may move into a vacant position in the same classification in the same Service Area if the bumping employee is qualified to perform the work.~~
- ~~iii.—If no vacant position is available, the employee may bump a less senior employee in the same classification and the same Bureau if the bumping employee is qualified to perform the work. If no such vacant position exists in the Bureau, then the employee may bump a less senior employee in the same classification in the same Service Area if the bumping employee is qualified to do the work. The exercise of bumping rights under this Section is subject to a qualifications assessment at HR's discretion as described in Section 4, Seniority Rights.~~
- ~~iv.—If no employee with less seniority in the same classification exists in the Bureau or Service Area that the employee could bump, and the employee previously held status in a different classification, the employee may move into a vacant position in that previously held classification in the employee's current Bureau or Service Area, if the employee is qualified for the position.~~

**Section 6. Layoff Due to New Technology.** 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 meet with the Union, ~~at its request, to discuss and shall offer~~ training opportunities and other methods which might ~~exist to~~ reduce the impact on employees. Nothing in this provision is intended to limit the bargaining or contractual rights under the PECBA or any other provision of this Article.

The City shall maintain transparency regarding the implementation of any artificial intelligence ~~or other~~ technology that has the intended purpose of eliminating a position(s) covered by this contract. In the event that the City implements A.I. technology that results in the elimination of a position(s) covered by this contract, the provision of this Article will apply.

**Section 7. 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:
  - i. Assess the employee's qualifications.
  - ii. Review the employee's resume and provide feedback. Assist the employee to revise their resume if requested.
  - iii. Provide the employee with information on the recruitment process.
  - iv. Allow the employee to participate in limited recruitments.
  - v. Provide the name and qualifications of the employee to hiring managers for consideration when filling vacancies.
  - vi. 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 one year ~~120 days~~ 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 8. 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. Seniority will be reinstated upon recall as if there had been no break in service.

~~Upon layoff, employee will be paid for all vacation leave, deferred holidays, and comp time accruals.~~