



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

APPLICABILITY  
**DEPARTMENT WIDE**

Non-represented Only

REVISION DATE  
10/13/14

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NUMBER  
**DOC 810.810**

**POLICY**

TITLE  
**LAYOFF – WASHINGTON GENERAL SERVICE**

**REVIEW/REVISION HISTORY:**

Effective: 7/1/83 DOC 819.005  
 Revised: 10/1/85  
 Revised: 1/1/97  
 Revised: 7/1/05 DOC 810.810  
 Revised: 3/10/08  
 Revised: 9/8/10  
 Revised: 8/26/11  
 Revised: 6/21/13  
 Revised: 10/13/14

**SUMMARY OF REVISION/REVIEW:**


III.A. - Added rule reference  
 III.A.5. - Adjusted agency Director who may change a job classification  
 III.A.6.a.4) - Removed unnecessary language  
 Added III.A.7.a.7) identifying additional skills and abilities criteria  
 Added V.E. that employees may be removed from layoff lists as identified in rule  
 VIII.A.2. - Adjusted timeframe for returning ranking sheets  
 IX.A. - Adjusted administering agency

**APPROVED:**

Signature on file

\_\_\_\_\_  
**BERNARD WARNER**, Secretary  
 Department of Corrections

9/4/14  
 \_\_\_\_\_  
 Date Signed

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**REFERENCES:**


DOC 100.100 is hereby incorporated into this policy; [WAC 357-19-305](#); [WAC 357-31-370](#); [WAC 357-46](#)

**POLICY:**

- I. The Department will maintain a sufficient workforce to carry out its mission. In the event of the need to lay off employees, the Department will make efforts to achieve reductions through attrition and curtailment of hiring to avoid layoffs within Washington General Service (WGS) positions.

**DIRECTIVE:**

- I. General Requirements
  - A. If unable to avoid layoffs, the appropriate Appointing Authority will determine which positions, by job class and location, will be abolished and the effective date of such action. Determinations will be based on a position(s) to be abolished and not based on named employees to be separated.
    1. Employees will be notified of the need for a layoff before implementation of a layoff action.
    2. The Department will assist each employee with employment opportunities during the layoff process.
  - B. Employees may be subject to a layoff, without prejudice, for any of, but not limited to, the following reasons:
    1. Lack of funds.
    2. Lack of work, which may include:
      - a. Ineligibility to continue in a position that was reallocated.
      - b. Termination of a project.
      - c. Fewer positions available than the number of employees entitled to such positions.
    3. Organizational change.
  - C. Non-permanent employees will be separated from employment before probationary employees. A permanent employee will not be separated from state service through a layoff action without being offered positions s/he has the skills and abilities to perform within his/her current job classification within the layoff unit currently held by non-permanent and probationary employees.

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- D. When a majority of the positions in a unit are being eliminated due to lack of funds and/or work or organizational change, affected permanent employees will be offered options per WAC 357-46-035 and this policy.
- E. An employee may volunteer for a layoff action, take voluntary leave without pay, or reduce his/her hours of work in order to reduce the need for a layoff. Appointing Authorities need to consider staffing requirements when determining who will be granted voluntary leave without pay and/or reduction in hours.
  - 1. Employees who volunteer to be laid off may request to participate in the General Government Transition Pool Program and/or have their names placed on the Department’s internal layoff list for the job classifications in which they have held permanent status.
- F. The Department may conduct temporary layoffs or a reduction of work hours due to an unanticipated loss of funding, revenue shortfall, lack of work, shortage of material or equipment, or other unexpected or unusual reasons. The length of temporary layoffs or reduction of work hours is based on the requirements of this policy.
  - 1. An employee’s work hours may be reduced to no less than 20 hours per week or the employee may be temporarily laid off for up to 90 calendar days.
  - 2. Employees whose work hours are reduced or who are temporarily laid off will not be provided options to other positions as provided for in this policy for permanent layoff actions.

II. Seniority

- A. Seniority is the basis for granting layoff options subject to the employee possessing the required skills and abilities for the position. The seniority date is the employee’s most recent date of hire into state service, as adjusted for qualified military service per WAC 357-46-060, and any period of leave without pay which exceeds 15 consecutive calendar days, except when the leave is taken for:
  - 1. Military leave as provided in WAC 357-31-370,
  - 2. Compensable work-related injury or illness leave,
  - 3. Government service not to exceed 2 years and one month,
  - 4. Educational leave, contingent upon successful completion of the coursework, and/or
  - 5. Reducing the effects of layoff.



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- B. Ties in seniority dates of 2 or more employees will be broken in the following order:
  - 1. Measuring the employees' last continuous time within their current classification.
  - 2. If the tie still exists, measuring the employees' last continuous time in the Department.
  - 3. If the tie still exists, lots are drawn.
- C. Human Resources employees will be responsible for computing seniority.
  - 1. A part-time employee's seniority will be computed based on actual non-overtime hours worked and/or in paid status, including paid leave, and adjusted in relation to a full-time equivalent month. Time spent in leave without pay status is not credited unless the leave without pay is taken for reasons listed above.

III. Options

- A. The permanent employee involved in a layoff action has rights to another position as provided for by this policy and WAC 357-46-035. If a formal option exists within the appropriate layoff unit, it will be provided to the employee being laid off. When an option has been determined, no further options will be identified.
  - 1. A formal option is determined in the following order:
    - a. A funded vacant position within the employee's current job classification.
    - b. A funded filled position within the employee's current job classification held by the least senior employee.
    - c. A funded vacant position or a position held by the least senior employee, within a job classification in which the employee has held permanent status that is at the same salary range.
    - d. A funded vacant position or a position held by the least senior employee within a lower job classification in a series in which the employee has held permanent status, in descending salary order.
  - 2. An option will be determined in descending order of salary range and one progressively lower level at a time. A vacant position will be offered before a filled position.

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3. An employee who has previously held permanent status in more than one classification at the same salary range will be offered the position occupied by the least senior employee if no vacant position exists.
4. A full-time employee will be offered a full-time position before a part-time position. An employee who was previously full-time and accepted a part-time position due to a layoff action or to lessen the impact of a layoff action will be considered a full-time employee for determining his/her option.
5. In cases where a job classification no longer exists or was changed due to Washington Personnel Resources Board or Office of Financial Management Director's action, Human Resources will determine if the position the employee held in the abolished/changed classification equates to an existing class.
6. The employee must have the required skills and abilities of the position that is being offered as an option in order to accept the option.
  - a. Skills and abilities are documented criteria found in the following:
    - 1) License/certification requirements,
    - 2) Federal and state requirements, if any,
    - 3) Position descriptions,
    - 4) Bona fide occupational qualifications,
    - 5) Recruitment announcements,
    - 6) Classification specifications, or
    - 7) Additional documented competencies or requirements not reflected in the position description.
- B. An informal option may be identified when no formal option is available and the employee must be separated from employment, and/or the employee desires to explore alternatives to the formal option. Employees may be offered funded vacant positions, provided they meet the skills and abilities required of the position and the position is at the same or lower salary range as the position in which the employee currently holds permanent status.
  1. An employee who accepts an informal option to a permanent appointment in lieu of the formal option will lose the right to the formal option, but will retain the right to be placed on the applicable layoff list.
  2. An employee who accepts an informal option to a non-permanent appointment has the layoff rights of the permanent position s/he left. The

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employee does not have to wait until the end of the non-permanent appointment to exercise an option for a permanent appointment.

#### IV. Notification


- A. Employees with permanent status will be given at least 15 calendar days' written notice before the effective date of the layoff action. Employees will be given 5 calendar days to accept or decline, in writing, any option provided to them. The 5 day response period will run concurrent with the 15 calendar days' notification period. The day notification is given constitutes the first day of notice.
- B. When a layoff action is implemented without providing 15 calendar days' notice, the employee will be paid his/her salary for the days that s/he would have worked had full notification been given. The employee will be given 5 calendar days to accept or decline, in writing, any option provided him/her.
- C. Employees with permanent status will be given at least 7 calendar days' written notice before the effective date of a temporary layoff.

#### V. Layoff Lists

- A. The Department will use an internal layoff list for each job classification.
- B. Employees with permanent status who are laid off may have their name placed on the internal layoff list for the job classification from which they were laid off or bumped. In addition, employees may request to have their name placed on the internal layoff list for other job classifications in which they have held permanent status.
- C. An employee will remain on the internal layoff list for 2 years from the effective date of the layoff action.
- D. An employee may be removed from an internal layoff list if s/he is certified from the list and waives consideration for a position 3 times.
- E. An employee may be removed from layoff lists for other reasons per WAC 357-46-135.

#### VI. Layoff Units

- A. The county in which an employee's permanent workstation is located will be the first layoff unit used for determining an option(s).

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- B. If no formal option is available within the county layoff unit, the layoff unit expands to the County Group as identified in County Group Layoff Units (Attachment 1).
- C. If no formal option is available within the County Group Layoff Unit, the statewide layoff unit will be used.
- D. A project established under WAC 357-19-305 is a layoff unit separate and exclusive from other defined layoff units or projects. Project employees have layoff rights only within the project. Formal options will be determined using the same procedures described in the Options section of this policy.

VII. Project Employment


- A. A permanent status employee who left a regular classified position to accept an appointment to a project position without a break in service has layoff rights to a position within the job classification s/he held immediately before accepting project employment.
- B. Project employees who are separated from state service due to a layoff action and who have not held permanent status in classified service may request to have their names placed into the General Government Transition Pool Program.

VIII. Multiple Position Layoff Action

- A. The following alternative process may be used when a multiple position layoff is necessary. Each employee will be:
  1. Provided with a ranking sheet of available options,
  2. Advised to rank the options by indicating his/her order of preference and return the ranking sheet within 5 calendar days, and
  3. Notified what option is granted based on seniority and preferences, provided the employee has the skills and abilities for the position.

IX. General Government Transition Pool Program

- A. Employees who are notified that they are at risk of being laid off may request their name be placed into the General Government Transition Pool Program administered by the Department of Enterprise Services.

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X. Salary Adjustments

- A. Employees appointed to a position as a result of a layoff action will have their salary determined as follows:
1. An employee who accepts a layoff option to a different position with the same salary range will retain the same base salary.
  2. An employee who voluntarily bumps to another position with a lower salary range will be paid an amount equal to his/her current salary, provided it is within the salary range of the new position.
    - a. In those cases where the employee's current salary exceeds the maximum amount of the salary range for the new position, the employee will be compensated at the maximum salary of the new salary range.
  3. Employees who are appointed from an internal or statewide layoff list to a position with:
    - a. The same salary range as the position from which they were laid off will be paid the same compensation as when laid off, plus any cost of living adjustments that occurred during the time they were laid off.
    - b. A lower salary range than the position from which they were laid off will be paid an amount equal to the salary they were receiving at the time they were laid off, provided it is within the salary range of the new position.
      - 1) In those cases where the employee's prior salary exceeds the maximum amount of the salary range for the new position, the employee will be compensated at the maximum salary of the new salary range.

XI. Moving Expenses

- A. When an employee selects a formal or informal option to a permanent appointment that causes an unreasonable commute of an additional 35 miles or more and chooses to move, the Department will pay moving expenses. Household moving expenses will be paid per Office of Financial Management regulations.



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**DEFINITIONS:**

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

**ATTACHMENTS:**

[County Group Layoff Units \(Attachment 1\)](#)

**DOC FORMS:**

None