

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

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740 LAYOFF AND REEMPLOYMENT

Education Code Sections

88080. (a) The commission shall prescribe and, amend, and interpret subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness. The rules shall not apply to bargaining unit members if the subject matter is within the scope of representation, as defined in Section 3543.2 of the Government Code, and is included in a negotiated agreement between the governing board and that unit. The rules shall be binding upon the governing board, but shall not restrict the authority of the governing board provided pursuant to other sections of this code.

(b) No rule or amendment which would affect classified employees who are represented by a certified or recognized exclusive bargaining representative shall be adopted by the commission until the exclusive bargaining representative and the community college employer of the classified employees who would be affected have been given reasonable notice of the proposal.

88081. (a) The rules shall provide for the procedures to be followed by the governing board as they pertain to the classified service regarding applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, performance evaluations, public advertisement of examinations, rejection of unfit applicants without competition, and any other matters necessary to carry out the provisions and purposes of this article.

(b) With respect to those matters set forth in subdivision (a) which are a subject of negotiation under the provisions of Section 3543.2 of the Government Code, such rules as apply to each bargaining unit shall be in accordance with the negotiated agreement, if any, between the exclusive representative for that unit and the public school employer.

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88117. (a) A person laid off because of lack of work or lack of funds shall be eligible for reemployment for a period of 39 months as follows:

- (1) The person's reemployment shall take preference over new applicants.
- (2) The persons shall have the right to participate in promotional examinations within the district during the period of 39 months.
- (3) If the person is reemployed in a new position and fails to complete the probationary period in the new position, he or she shall be returned to the reemployment list for the remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the date of reemployment.

(b) An employee who takes a voluntary demotion or a voluntary reduction in assigned time in lieu of layoff or to remain in his or her present position rather than be reclassified or 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 up to 24 months, provided that the same tests of fitness under which the employee qualified for appointment to the class still apply. The personnel commission shall make the determination of the specific period of eligibility for reemployment on a class-by-class basis.

(c) An employee who takes a voluntary demotion or a voluntary reduction in assigned time in lieu of layoff shall be, at the option of the employee, returned to a position in his or her former class or to a position with increased assigned time as vacancies become available, and without limitation of time, but if there is a valid reemployment list the employee shall be ranked on that list in accordance with his or her proper seniority.

88127. Classified employees shall be subject to layoff for lack of work or lack of funds. Whenever a classified employee is laid off, the order of layoff within the class shall be determined by length of service. The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. Reemployment shall be in the reverse order of layoff.

For purposes of this section, for service commencing or continuing after July 1, 1971, "length of service" means all hours in paid status, whether during the school year, a holiday, recess, or any period that a school is in session or closed, but does not include any hours compensated solely on an overtime basis as provided for in Section 88027. Nothing in this section shall preclude the governing board of a community college district from entering into an agreement with the exclusive representative of the classified employees that defines "length of service" to mean the hire date.

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If a governing board enters into an agreement with the exclusive representative of classified employees that defines "length of service" to mean the hire date, the governing board may define "length of service" to mean the hire date for a classification of employee not represented by any exclusive bargaining unit.

Nothing in this section shall preclude the granting of "length of service" credit for time spent on unpaid illness leave, or unpaid industrial accident leave. In addition, for military leave of absence, "length of service" credit shall be granted pursuant to Section 88116.

"Hours in paid status" shall not be interpreted to mean any service performed prior to entering into a probationary or permanent status in the classified service of the district except service in restricted positions as provided in this chapter.

88005. (a) Nonacademic positions created by a governing board of a school district under the Manpower Development and Training Act of 1962, the Economic Opportunity Act of 1964, the Elementary and Secondary Education Act of 1965, or Section 11300 or Section 13650 of the Welfare and Institutions Code, any future federal or state legislative enactment, or any other special funding, and which are not a part of the regular school program shall, nevertheless, be a part of the classified service as established by Section 88003 or Section 88076 of this code.

Persons employed in such positions shall be classified employees and shall enjoy all the rights, burdens and benefits accorded other classified employees. Their selection and retention shall be made on the same basis as that of persons selected for positions that are a part of the regular school program.

(b) Notwithstanding the provisions of subdivision (a), if specially funded positions are restricted to employment of persons in low-income groups, from designated impoverished areas and other criteria which restricts the privilege of all citizens to compete for employment in such positions, all such positions shall, in addition to the regular class title, be classified as "restricted." Their selection and retention shall be made on the same basis as that of persons selected and retained in positions that are a part of the regular school program, except that persons employed in the following categories of restricted positions shall not be subject to the provisions of Section 88091 or 88092:

(1) The position of instructional aide, as defined in Section 88243.

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(2) Any other position involving personal contacts with students or parents that is established to assist school-staff personnel responsible for school-community relations; educational support services for such areas as counseling, library or health; or the correction or prevention of behavioral problems.

Persons employed in positions properly classified as “restricted” shall be classified employees for all purposes except:

- (A) They shall not be accorded employment permanency under Section 88013 or Section 88120 of the Education Code, whichever is applicable.
- (B) They shall not acquire seniority credits for the purposes of Sections 88117 and 88127 of the Education Code or, in a district not having the merit (civil service) system, for the purposes of layoff for lack of work or lack of funds as may be established by rule of the governing board.
- (C) The provisions of Sections 88106 and 88108 shall not apply to “restricted” employees.
- (D) They shall not be eligible for promotion into the regular classified service or, in districts that have adopted the merit system, shall not be subject to the provisions of Section 88061, until they have complied with the provisions of subdivision (c).

(c) At any time, after completion of six months of satisfactory service, a person serving in a “restricted” position shall be given the opportunity to take such qualifying examinations as are required for all other persons serving in the same class in the regular classified service. If the person satisfactorily completes the qualifying examination, regardless of final numerical listing on an eligibility list, he or she shall be accorded full rights, benefits and burdens of any other classified employee serving in the regular classified service. His or her service in the regular classified service shall be counted from the original date of employment in the “restricted” position and shall continue even though he or she continues to serve in a “restricted” position.

(d) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

(e) It is the intent of the Legislature in enacting this section to clearly set forth that positions normally a part of the classified service are included therein regardless of the source of income to sustain the positions and to effectively implement specially funded programs intended to provide job opportunities for untrained and impoverished persons but to do so in a manner that will not be disruptive nor detrimental to the normal employment procedures relating to classified school service.

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88015. Notwithstanding any other provision of law, any person who was subject to being, or was in fact, laid off for lack of work or lack of funds and who elected service retirement from the Public Employees' Retirement System shall be placed on an appropriate reemployment list. The district shall notify the Board of Administration of the Public Employees' Retirement System of the fact that retirement was due to layoff for lack of work or of funds. If the person is subsequently subject to reemployment and accepts, in writing, the appropriate vacant position, the district shall maintain the vacancy until the Board of Administration of the Public Employees' Retirement System has properly processed his or her request for reinstatement from retirement.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060).

88017. (a) (1) No later than March 15 and before a classified employee is given notice by the governing board of the community college district that the classified employee's services will not be required for the ensuing year, the governing board of the community college district and the employee shall be given written notice by the superintendent of the community college district or the superintendent's designee, or, in the case of a community college district that has no superintendent, by the clerk or secretary of the governing board of the community college district, that it has been recommended that the notice be given to the employee, and stating the reasons therefor.

(2) Until the classified employee has requested a hearing as provided in subdivision (b) or has waived their right to a hearing, the notice and the reasons therefor shall be confidential and shall not be divulged by any person, except as may be necessary in the performance of duties. However, the violation of this requirement of confidentiality, in and of itself, shall not in any manner be construed as affecting the validity of any hearing conducted pursuant to this section.

(b) A classified employee may request a hearing to determine if there is cause for not reemploying the employee for the ensuing year. A request for a hearing shall be in writing and shall be delivered to the person who sent the notice, on or before a date specified in subdivision (a), which shall not be less than seven days after the date on which the notice is served upon the employee. If an employee fails to request a hearing on or before the date specified, this failure to do so shall constitute waiver of the employee's right to a hearing. The notice

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provided for in subdivision (a) shall advise the employee of the provisions of this subdivision.

(c) If a hearing is requested by a classified employee under subdivision (b), the proceeding shall be conducted and a decision made in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the governing board of a community college district shall have all the powers granted to an agency in that chapter, except that all of the following shall apply:

(1) The respondent shall file their notice of defense, if any, within five days after service upon the respondent of the accusation and the respondent shall be notified of this five-day period for filing the accusation.

(2) The discovery authorized by Section 11507.6 of the Government Code shall be available only if a request is made for discovery within 15 days after service of the accusation, and the notice required by Section 11505 of the Government Code shall so indicate.

(3) The hearing shall be conducted by an administrative law judge who shall prepare a proposed decision, containing findings of fact and a determination as to whether the charges sustained by the evidence are related to the welfare of the colleges and the students thereof. The proposed decision shall be prepared for the governing board of the community college and shall contain a determination as to the sufficiency of the cause and a recommendation as to disposition. However, the governing board of the community college shall make the final determination as to the sufficiency of the cause and disposition. None of the findings, recommendations, or determinations contained in the proposed decision prepared by the administrative law judge shall be binding on the governing board of the community college or on any court in future litigation. Copies of the proposed decision shall be submitted to the governing board of the community college and to the classified employee on or before May 7 of the year in which the proceeding is commenced. All expenses of the hearing, including the cost of the administrative law judge, shall be paid by the governing board of the community college from community college district funds.

(d) (1) The determination of the governing board of a community college district to not reemploy a classified employee for the ensuing college year shall be for cause only. The determination of the governing board of the community college district as to the sufficiency of the cause pursuant to this section shall be conclusive, but the cause shall relate solely to the welfare of the colleges and the students thereof and provided that cause is a bona fide lack of funds or reduction

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in services. The decision made after the hearing shall be effective on May 15 of the year the proceeding is commenced.

(2) For purposes of this section, “cause” for layoff includes community college district compliance with the seniority requirements of this code, including Section 88127.

(e) Notice of termination to the classified employee by the governing board of the community college district that the employee’s service will not be required for the ensuing year shall be given no later than May 15.

(f) If the governing board of a community college district notifies a classified employee that the employee’s services will not be required for the ensuing year, the governing board of the community college district, within 10 days after receipt of the employee’s written request, shall provide the employee with a statement of its reasons for not reemploying the employee for the ensuing college year.

(g) Any notice or request under this section shall be deemed sufficient when it is delivered in person to the employee to whom it is directed, or when it is deposited in the United States registered mail, postage prepaid, and addressed to the last known address of the employee.

(h) (1) If the governing board of a community college district does not give notice provided for in subdivision (e) on or before May 15, a permanent employee shall be deemed reemployed for the ensuing college year, except that this section shall not be construed to interfere with the right of a district to release probationary employees who never become permanent without notice or hearing.

(2) For purposes of this subdivision, “permanent employee” includes an employee who was permanent at the time the notice or right to a hearing was required and an employee who became permanent after the date of the required notice.

(i) If, after request for hearing pursuant to subdivision (b), any continuance is granted pursuant to Section 11524 of the Government Code, the dates prescribed in subdivisions (c), (d), (e), and (h) that occur on or after the date of granting the continuance shall be extended for a period of time equal to the continuance.

(j) (1) A classified employee shall not be laid off if a short-term employee is retained to render a service that the classified employee is qualified to render.

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This subdivision does not create a layoff notice requirement for any individual hired as a short-term employee, as defined in Section 88003, for a period not exceeding 60 days.

(2) This subdivision does not apply to the retention of a short-term employee, as defined in Section 88003, who is hired for a period not exceeding 60 days after which the short-term service may not be extended or renewed.

(k) Notwithstanding the other requirements of this code respecting layoff of permanent classified employees, when classified positions must be eliminated as a result of the expiration of a specially funded program, the employees to be laid off shall be given written notice not less than 60 days prior to the effective date of their layoff informing them of their layoff date and their displacement rights, if any, and reemployment rights.

(l) If, after January 1, 2021, the Legislature provides academic employees with any additional rights to notice or hearing as to layoffs, then permanent classified employees and those who become permanent classified employees shall be afforded the same rights by the community college district.

(m) The governing board of a community college district may adopt, from time to time, rules and procedures not inconsistent with this section that may be necessary to effectuate this section.

(n) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

A. Definitions

Layoff means 1) separation from a permanent position because of lack of work or lack of funds, or because the position has been abolished or reclassified or 2) a change in a regular employee's position which results in an involuntary reduction in hours or basis or assignment to a lower job classification.

Reemployment means the return to duty of a former regular employee who has been laid off.

B. Computing Seniority

Seniority for the purpose of establishing retention lists shall be computed as follows:

1. Credit of service:

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- a. Prior to July 1, 1971, credit shall include regular assigned time in the class, or in a higher class. A higher class shall be defined as a class having a higher maximum salary rate. Credit for service in a higher class shall be granted only for the period of time during which the maximum salary was higher than that of the class of which seniority is being computed.
 - b. On or after July 1, 1971, credit shall include all hours of paid status in the class or in a higher class as defined in a. above, except for any hours paid on an overtime basis.
2. Credit for leave:
- a. Prior to July 1, 1971, time on informal leave and on the following leaves of absence shall be counted towards seniority: military leave, Red Cross leave, Merchant Marine leave, Peace Corps leave, illness leave, leave to accept work with the Los Angeles Community College District, leaves resulting from an industrial accident or industrial illness as provided in Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS, retraining and study leave, and leave prior to layoff as provided in Rule 741, LEAVE OF ABSENCE PRIOR TO LAYOFF. Time on leaves of absence for other purposes shall not be credited towards seniority for purposes of layoff.
 - b. On or after July 1, 1971, length of service credit shall be granted only for the following types of unpaid leave: military leave of absence, unpaid illness leave, unpaid leave of absence prior to layoff, or unpaid industrial accident leave.
 - c. On or after July 1, 1971, length of service credit shall be granted for leave to accept other work with the Los Angeles Community College District only to regular employees in the classified service who are assigned to positions requiring certification qualifications. Such credit will be limited to a period not to exceed 39 months. All seniority and permanency rights shall be secured to such employees for 39 months and their return shall be treated as if there had not been an interruption in their classified service.
3. Laid-off employees do not accumulate seniority credit while on reemployment lists.
4. Time served prior to a break in service shall not be counted toward seniority, except if an employee is reinstated, reemployed in regular status, or appointed to a regular position from an open or promotional eligibility list within 39 months after layoff while their name is on a reemployment list.
5. Employees employed in a “restricted” position as defined in Education Code 88005 shall not accumulate seniority credit unless, after completion of six months of satisfactory service, the

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employee successfully competes in a qualifying examination and ranks on the eligibility list. Seniority credit shall then be counted from the employee's date of hire in the "restricted" position.

6. The Human Resources Division shall refer to the Personnel Director problems involving reclassification actions which have not indicated seniority status. Appeals from the Director's findings may be made to the Personnel Commission. Problems of a policy-making or precedent-setting nature shall be referred to the Personnel Commission for determination.

When reclassification results either in the merger of two or more classes or the separation of a class into two or more classes, seniority rights of regular employees who are reclassified with their positions and whose former class or classes have been abolished, or separated shall be computed from the date of their earliest entrance into regular service in such classes. When an incumbent is not reclassified with their position but is reassigned to the reclassified position in accordance with Personnel Commission rules, the employee's seniority credit in the new class may, to the extent determined by the Personnel Commission, include their service in the position prior to the reclassification action. The Personnel Commission will base its decision on the amount of seniority credit to be granted based on factors including but not limited to:

- a. The date of any change of the class specification for the employee's former and/or new class.
 - b. The date of any change in the classification plan.
 - c. The date of any significant change in assigned duties and/or responsibilities as evidenced by a formal request for reclassification.
 - d. The date of introduction of any new forms, equipment, procedures, or other conditions affecting the position.
 - e. Any date which will serve to establish the approximate date the employee first started performing the duties and/or responsibilities which provided the basis for reclassification of their position.
7. When an employee changes from one class to another, except as outlined under the provisions of Paragraph A.6., above, they shall not be credited in the new class with seniority accumulated in the class from which they moved.
 8. When employees have equal seniority on a retention list for a class, the employee with the greatest amount of seniority credit in classes in the same occupational grouping shall be retained. If a tie remains, the employee with the greatest amount of paid service in regular status in the class of the retention list shall be retained. If a tie remains, the employee who scored highest in

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the non-interview portion of the examination for the class shall be retained. If a tie remains, the employee who filed his/her application earliest shall be retained.

C. Bumping Rights

Regular employees who are to be laid off or who are to suffer a non-voluntary reduction in assigned time may exercise bumping rights in any equal or lower class in which they hold seniority credit greater than that of an incumbent. The employee to be bumped shall be the one with the least seniority in the class.

Bumping rights are based solely on length of service which is defined in Education Code Section 88127 as hours in paid status. A regular employee who is to be laid off shall exercise bumping rights in those classes in which they has rendered paid service in regular status. The order of bumping shall be in descending salary order unless the employee voluntarily agrees to accept assignment to be in a lower class.

If a situation occurs in which an employee could bump into two or more classes at the same level the bumping shall first occur to the class in which the employee had the greatest amount of paid service.

D. Employee Rights and Privileges

1. An employee who is laid off and placed on a reemployment list shall have preference over a new candidate when vacancies are to be filled.
2. An employee who has been laid off from a class, or who is subject to layoff reclassification or change of location action, may accept a transfer, a voluntary demotion, or a voluntary reduction in status or assigned time in lieu of a layoff reclassification, change of location, or layoff from the District, and shall be granted the same rights as persons laid off. If at the end of the 39-month reemployment period the employee has not been reemployed in their former class, they may be considered for reinstatement to their former class within an additional period of up to 24 months subject to approval by the Personnel Commission, provided that the same tests of fitness under which the employee qualified for appointment to the class still apply.
3. An employee who is laid off and exercises their bumping rights to a lower class in which they had prior regular status or an employee who has taken a voluntary demotion or voluntary reduction in assigned time in lieu of layoff shall, at the option of the employee, have the right to return to any vacant position or a position with increased assigned time in their former class provided that there has been no break in regular service with the District. There is no limitation of time for an employee to exercise their option as described above. An extension of time beyond 39 months shall not be granted to any current or former employee who has a break in regular service from the initial date of the proposed layoff.

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4. An employee on a reemployment list may decline three offers of reemployment in their former class and status. After the third refusal, no additional offers need be made and the employee shall be considered unavailable until they indicate otherwise as provided in Rule 664, WITHHOLDING NAMES FROM ELIGIBILITY LISTS OR FROM CERTIFICATION.
5. Refusal of an offer of limited-term employment shall not affect the standing of any employee on a reemployment list as provided in Rule 664, WITHHOLDING NAMES FROM ELIGIBILITY LISTS OR FROM CERTIFICATION.
6. If an employee is on an eligibility list and is laid off, they shall retain their place on the eligibility list for the life of that list.
7. An employee on a reemployment list shall be eligible to compete in promotional examinations for which they qualify. If the first day of paid service following appointment from a promotional eligibility list is within 39 months after layoff, the employee shall be paid whichever is the lower rate based on:
 - a. The step of the schedule for the class of appointment which next exceeds the step or flat hourly rate attained in the highest class for which there is a reemployment list on which their name appears, or;
 - b. The fifth step of the class of appointment.

The provisions of this Paragraph shall not apply to an employee who, after having been laid off or demoted in lieu of layoff, has received an intervening regular appointment which would entitle them to a higher step than prescribed above.
8. If an employee is reemployed in a new position but does not successfully complete their probationary period in the new position, they shall be returned to the reemployment list for the remainder of the 39-month period. The remaining time period shall be calculated as the time remaining in the 39-month period as of the start date of reemployment.
9. The salary rights of employees on reemployment lists are described in Paragraph I. of Rule 582, ALLOCATION TO APPROPRIATE SALARY STEP.
10. Laid-off employees shall hold reemployment rights for a period not to exceed 39 months.

E. Certification from a Reemployment List

1. Persons shall be certified from reemployment lists in the order of seniority in the class, provided that the eligible is willing and able to report for duty on the effective date of the appointment or within 14 days after the offer of reemployment has been made, whichever is later. In cases of

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limited-term appointments, the eligible must be willing and able to report for duty on the effective date of the appointment or they will be considered unavailable for the appointment.

2. A name may be removed from a reemployment list only for the following causes:
 - a. Conviction of crime or crimes which would be sufficient to support dismissal of a permanent employee.
 - b. Conduct which would cause dismissal under the provisions of Section 88122 of the Education Code.
 - c. Making a false statement or omitting a statement as to any material fact on an application form or health history form.
 - d. Dismissal for cause from District employment subsequent to layoff.

Written notice of removal and reason therefore shall be provided to the employee. They shall be afforded and notified of appeal rights identical to those provided in Rule 600, REJECTION OF APPLICANTS, CANDIDATES, AND ELIGIBLES.

3. A person whose name appears on a reemployment list may be given a medical examination prior to certification. Subject to the conditions described below, they may be considered unable to report for duty and may be passed over in order of certification until they meet the prescribed standards.
 - a. The standards applied in the medical examination shall be no more stringent than those which would be applied to a continuing employee to determine fitness for duty.
 - b. No person shall be withheld from reemployment because of a health or medical condition which existed prior to layoff because of a normal progressive deterioration of such medical or physical condition. Such a person may be placed on illness leave or appropriate leave after reemployment, if necessary, provided that they are willing and able to report for duty as indicated in D.1., above. While on such leave they shall receive seniority credit for the purpose of retention in case of future layoff.
4. A person whose name appears on a reemployment list may be considered unable to report for duty and may be passed over in the order of certification if they cannot meet the legal requirements to perform the prescribed duties of the class of reemployment.

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F. Effect of Reclassification of Position upon Incumbent

If an incumbent cannot be placed following the reclassification of their position, they shall be laid off and given reemployment rights in the class from which reclassified.

G. Layoff of Probationary Promoted Employee

If placement of a demoted employee cannot be effected following the demotion of the probationer from a promotional position under provision of Rule 762, EMPLOYMENT AFTER DEMOTION OF PROBATIONER FROM PROMOTIONAL POSITION, the employee shall be laid off and shall be given reemployment rights in the class from which they were most recently promoted.

H. Notification of Layoff

All notices or requests under this paragraph shall be either delivered in person to the employee to be laid off or sent through registered mail, postage prepaid, and addressed to the last known address of the employee.

1. Classified Employees

- a. After approval of a Board of Trustees layoff resolution, permanent classified employees that are to be laid off in the ensuing fiscal year shall be given a preliminary written notice of layoff with the reasons for layoff and informed of their displacement rights, if any, reemployment rights, and hearing rights no later than March 15.
- b. The notice and reasons for layoff shall be confidential and shall not be divulged by any person, except as necessary in the performance of duties, until an employee has requested a hearing or has waived their right to a hearing.
- c. Within seven days of the notice of layoff being delivered to a permanent employee, the employee may request in writing for a hearing to determine if there is cause for not employing the employee for the ensuing year. An employee that does not request a hearing within the seven days shall waive their rights to a hearing.
- d. If a hearing is requested by a permanent employee within the statutory timeline, they shall file their notice of defense, if any, within five days after requesting a hearing. The employee has the right to receive discovery from the District.
- e. The hearing shall be conducted by an administrative law judge who shall prepare a proposed decision which shall contain a determination as to the sufficiency of the cause and a recommendation as to disposition. The proposed decision shall be submitted to the Board of Trustees and the employee on or before May 7. However,

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the Board of Trustees shall make the final determination as to the sufficiency of the cause and disposition. None of the findings, recommendations, or determinations contained in the proposed decision of the administrative law judge shall be binding on the Board of Trustees. All expenses of the hearing shall be paid by the District.

- f. The determination of the Board of Trustees to lay off a classified employee for the following fiscal year shall be for cause only. The cause shall relate solely to the welfare of the colleges and the students and for a bona fide lack of funds or reduction in services.
- g. After review of the administrative law judge's decision, the Board of Trustees shall adopt a final layoff resolution and a final notice of layoff shall be issued to the employee on or before May 14. If the final notice is not provided, the employee shall be deemed reemployed for the following fiscal year.

2. SFP Employees

Regular SFP employees that are to be laid off as a result of the expiration of their specially funded program shall be given a written notice of layoff and informed of their displacement rights, if any, and reemployment rights at least 60 days prior to the effective date of the layoff.

I. Limited-Term Employees

- 1. A permanent classified employee may not be laid off if a limited-term employee is retained to render a service that the classified employee is qualified to render.
- 2. Limited-term employees are not subject to a layoff notice requirement.