

**CITY OF SALEM**

**LAYOFF INFORMATION  
HANDBOOK**

**FOR**

**CIVIL SERVICE EMPLOYEES  
(IAFF)**

Human Resources Department  
January 2012

# TABLE OF CONTENTS

INTRODUCTION.....	1
FREQUENTLY ASKED QUESTIONS.....	2
CITY INSURANCE BENEFITS AND RETIREMENT.....	5
A. HEALTH BENEFITS.....	5
B. RETIREMENT.....	5
C. DEFERRED COMPENSATION.....	6
D. EMPLOYEE ASSISTANCE PROGRAM.....	6
UNEMPLOYMENT INSURANCE.....	7
IAFF LOCAL 314 CONTRACT PROVISIONS 2011 - 2013.....	8
CITY OF SALEM CHARTER.....	11
CITY OF SALEM CIVIL SERVICE RULES.....	12
COBRA INSURANCE RATES.....	15

## **INTRODUCTION**

This handbook is prepared for supervisors and employees facing layoff who are represented by IAFF. It contains a summary of portions of the labor contract, the Civil Service Rules, and the City Charter that deal with layoff. It also includes information about your insurance benefits, retirement plan membership, and filing for unemployment benefits. Answers to frequently asked questions about layoff are also given in this handbook.

This information is intended only as a general guide. Detailed layoff provisions governing rights of employees and the responsibilities of the City, the employees, and labor organizations are found in the labor contract, City Charter, and Civil Service Rules.

Any questions you have regarding your layoff should be directed to your supervisor or the Human Resources Department (503-588-6162).

Constance L. Munnell  
Human Resources Director

## FREQUENTLY ASKED QUESTIONS

### **1. In case of layoff, which employees are laid off first:**

ANSWER: Layoffs will be made by classification within a department. For classifications covered by IAFF Local #314, employees will be laid off in the inverse order of their seniority, subject to Articles 16.1, 16.2 and 16.3 of the collective bargaining contract. The Fire Chief, Division Chiefs and members of the Human Resources Department have information pertaining to your seniority.

### **2. I started my employment on the same day as another employee in the same classification in my department. Who will be laid off first?**

ANSWER: The order of layoff in a classification is determined by length of continuous service in the classification. If two employees have the same appointment date, the employee with higher ranking on the eligibility list will be considered the most senior. (IAFF Contract, Article 16.1A)

### **3. What is a “layoff eligible list?”**

ANSWER: A layoff eligible list is a list of all career status employees properly laid off from one job classification. A layoff eligible list will be prepared for each job classification from which an employee is laid off. The layoff eligible list determines the order in which employees are recalled to a vacancy in the job classification. (IAFF Contract, Article 16.6)

### **4. How do I get my name on a layoff eligible list?**

ANSWER: The names of all career status employees who are laid off will automatically be placed on the layoff eligible lists for their job classifications. Placement on the layoff eligible list is determined by date of layoff with employees having the most seniority listed first.

It is very important that former employees inform the Human Resources Department of any change in address and telephone number during their absence in order to ensure prompt notice of recall. (IAFF Contract, Article 16.6)

### **5. If I am recalled to a position in the same job classification, must I accept it?**

ANSWER: No, however your name will be removed from the layoff eligible list and your employment with the City will be officially terminated if you do not report for work within fourteen (14) calendar days of written notice of recall. (IAFF Contract, Section 16.7)

### **6. For how long is a layoff eligible list established?**

ANSWER: Two years. (IAFF Contract, Section 16.6)

### **7. If I am a probationary employee, will my name be placed on a layoff eligible list?**

ANSWER: Your name will not be placed on a layoff eligible list if you are on probation to the City. (City Charter, 36.5.C)

### **8. If I am laid off, do I qualify for unemployment insurance:**

ANSWER: Probably. Please read page 7 for details on unemployment insurance and how to contact the Oregon Employment Department.

**9. If I am laid off, when will my medical and dental benefits cease?**

ANSWER: Your City-paid health benefits will terminate on the last day of the month in which you were laid off. You can purchase health benefits in accordance with COBRA regulations. Details about COBRA insurance benefits are available on page 5 of this handbook. The rate sheet for continued coverage is on Page 15.

**10. If I am laid off, do I receive payment for my accrued but unused compensatory time, holiday time, vacation time and overtime?**

ANSWER: Yes. You will be paid for all such accrued benefits, except accrued SICK LEAVE.

**11. Does the City provide any type of severance pay to laid off employees?**

ANSWER: No. Employees laid off will receive in their last paycheck only the dollar value of their accumulated vacation, compensatory time, overtime, and holiday time (if applicable).

**12. If I worked with the City for a couple years, then resigned for a couple years and then returned to work for the City, will my first employment period with the City count towards my total seniority?**

ANSWER: No. Your continuous service date reflects the date of your most recent hire. (IAFF Contract, Article 16.2)

**13. If I know I am going to be laid off, but I resign to take another job before that layoff occurs, am I eligible to be put on the layoff list?**

ANSWER: No. However, if you resign in good standing, you may request to be put on a re-employment eligible list. You must make the request within one year from the effective date of their resignation. The Fire Chief must approve the request. (Civil Service Rules, Rule II.1.B)

**14. If I am laid off and rehired in the same job classification, what will my salary be?**

ANSWER: You will be rehired at the same step as when laid off.

**15. Do I get my seniority back if I am rehired after a layoff?**

ANSWER: Yes, but your continuous service date will be adjusted because it will not include the period between an employee's layoff and recall. (IAFF Contract, Section 16.2)

**16. If I am recalled to work with the City after a layoff, do I get my accumulated sick leave back?**

ANSWER: Yes, upon recall from a layoff, you will be credited with the accrued but unused sick leave balance recorded when you were laid off.

**17. Are layoff eligible lists established for each classification?**

ANSWER: Yes. The Salem Charter requires the Civil Service Commission to establish lists for laid off or demoted employees when the layoff or demotion is due to a reduction in force. (Civil Service Rules, Rule II.1.A and Rule V.3)

**18.If I am a promotional probationary employee (on probation to the classification), and I am laid off and recalled, do I have to start my promotional probationary period over again?**

ANSWER: No. Career status employees who are laid off and recalled will only have to complete the balance of their promotional probationary time remaining when the layoff occurred. (Civil Service Rules, Rule III.3.B)

## CITY INSURANCE BENEFITS AND RETIREMENT

### A. HEALTH BENEFITS

In compliance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provisions, you are entitled to continue health benefit coverage for yourself and/or your enrolled dependents.

The City will continue your coverage until the end of the month in which you were laid off if you are currently enrolled in the City of Salem's health benefit program. You have the option to continue this coverage for a period of up to 18 months.

You must complete the enrollment form and return it to the City of Salem within 60 days of the end of your City provided group coverage if you elect to continue your health benefits. Your COBRA benefits will commence on the first day after your active group health benefits ends, provided you have submitted the enrollment form and premium payments in a timely manner.

Future premiums are due on the first of each month thereafter and should be mailed on or before the due date. Failure to pay premiums by the premium due dates may terminate your participation in the City's health insurance plans.

A complete COBRA packet will be given to you at your exit interview or mailed to you if you choose not to participate in an exit interview.

For current monthly premium rates for health benefits, or if you have any questions regarding the information outlined above, please refer to the attached rate sheet or contact the Human Resources Benefits Division at 503-588-6162, ext. 7244, or the Internet:

<http://www.cityofsalem.net/Departments/HumanResources/Benefits/IAFF/Pages/default.aspx>

### B. RETIREMENT - Oregon Public Employees Retirement System (PERS) or Oregon Public Service Retirement Plan (OPSRP)

Your PERS or OPSRP membership will be affected by layoff. When an employee is laid off from City service, the City notifies PERS of the change in status.

You must contact PERS for the available options, since participation with other jurisdictions who provide PERS coverage would affect the options available to you. Please contact:

PERS in Salem

Public Employees Retirement System  
800 Summer Street NE, Suite 200  
Salem, Oregon 97301  
503-378-3730  
<http://www.pershealth.com>

PERS in Tigard

Public Employees Retirement System  
PO Box 23700  
Tigard, Oregon 97281-3700  
503-598-7377, or  
Toll-free: 888-320-PERS (7377)

You may continue to remain in PERS or OPSRP as a vested member if you have made contributions in any part of five (5) calendar years: or were at least age 50

while working. Even as a vested member, however, you may elect a refund of your employee contribution plus interest.

If you were not vested in PERS or OPSRP as outlined above, then at any time you may withdraw your employee contribution with interest earned from PERS. You may also leave the monies in PERS, where they will continue to earn interest for not longer than five years.

Refunds are not automatic whether vested or not. You must contact PERS to obtain a request form for cash withdrawal.

**C. DEFERRED COMPENSATION**

You are eligible to withdraw your deferred compensation funds at any time following your termination from City employment. You will be taxed on any funds that you choose to withdraw. You may also leave your funds in the deferred plan that you are enrolled in or transfer such funds to an IRA or other eligible plan.

We recommend that you contact your deferred compensation representative for details explaining your options in full.

ICMA  
1-800- 735-7202

Nationwide  
503-364-5805

VALIC  
503-585-1301

**D. EMPLOYEE ASSISTANCE PROGRAM**

The City will continue your coverage until the end of the month in which you are laid off.

## UNEMPLOYMENT INSURANCE

Unemployment insurance provides benefits to workers who are unemployed through no fault of their own. The Oregon State Employment Service issues unemployment insurance payments and helps people find jobs. The City pays the costs of the unemployment insurance to provide you with a regular income when you are out of work through no fault of your own.

### **Filing Your Claim**

As soon as you are unemployed, contact the Oregon Employment Department at a phone number below, and say you would like to register for work and file a claim for unemployment insurance. A claims taker will discuss your rights and responsibilities with you.

**Metro UI Center**  
PO Box 14135  
Salem, OR 97309-5068

Toll free Phone: 877-877-1781  
Phone: 503-451-2400  
Toll Free Fax: 866-345-1878

You may also visit the Oregon Employment Department. The address in Salem is 605 Cottage Street NE. When going to the Employment Division, you need to have with you:

1. Your Social Security Number.
2. Name and address of the City (as your last employer), which is:  
**City of Salem, 555 Liberty Street SE, Salem, Oregon 97301**
3. Names and addresses of all of your employers during the last 24 months.

### **Who May Claim Benefits**

In order to receive benefits you must be:

1. Able to work -- You must have the physical ability to do the type of work you are seeking under conditions normal for workers in that occupation.
2. Available for work -- You must be ready and willing to accept work which is suitable for you.
3. Actively seeking work --Your search for work must be made in a manner that will result in your return to work at the earliest possible date. Registration for work with the Oregon Employment Department is not, in itself, sufficient to satisfy this requirement.

You must make all reasonable effort to find work or you cannot be paid benefits. Each week when you claim benefits, you will be asked to certify that you have sought work. At regular intervals, you will be interviewed to verify how many employers you have contacted. The conditions that affect your eligibility will be explained to you by a claims taker when you file a claim for unemployment. Benefits are normally paid up to 26 weeks, providing you meet eligibility requirements.

We encourage you to file your unemployment claim immediately upon layoff. The sooner you file your claim, the sooner you will be eligible to begin receiving benefit checks.

## IAFF LOCAL 314 CONTRACT PROVISIONS 2011 - 2013

### ARTICLE 16. SENIORITY, LAYOFF AND RECALL, PROMOTIONS AND VACANCIES

#### 16.1 Definitions

A. For purposes of determining the order of reduction in force "seniority" means length of continuous service within the classification covered by this contract and immediately affected by a reduction in force. Such continuous service shall be computed from the date of the employee's appointment in the affected classification. Where two (2) employees have the same appointment date, the employee who ranked higher on the eligibility list from which they were appointed shall be deemed to be the senior employee.

B. For all other purposes of this contract, "seniority" means length of continuous service as an employee of the Salem Fire Department, computed from the date of the employee's original hire ("continuous service date"). Where two (2) employees have the same continuous service date, the employee who ranked higher on the hiring eligibility list shall be deemed to be the senior employee.

#### 16.2 Continuous Service

As used herein, "continuous service" includes all authorized leaves of absence, but does not include any period between an employee's layoff and recall. In the event of layoff and recall, the employee's continuous service date shall be adjusted to reflect a total length of continuous service which does not include time spent on layoff status. Termination of employment (other than layoff of a career employee) shall void the employee's continuous service date, and if the employee should subsequently be hired again by the City, the most recent date of hire shall be the continuous service date for all purposes of this contract.

#### 16.3 Order of Layoff

In the event of reduction in work force within the bargaining unit, layoffs within each affected classification shall be made in inverse order of seniority. For purposes of this section only, the classifications of Firefighter-EMT-B and Firefighter-Medic shall be considered as a single affected classification, and the order of reduction shall be determined pursuant to sections 16.1 and 16.5 from among the combined total of employees in both classifications.

Layoff shall occur as described above, except that the City may retain sixty-nine (69) of the most senior medics for the staffing of the department paramedic program. In the event that an engine company and/or ALS ambulance is eliminated, the sixty-nine (69) will be reduced by three (3) Firefighter-Medics for each engine company and/or six (6) for each ALS ambulance eliminated. Similarly, if the City establishes additional engine companies and/or ALS ambulance services, the number of medics retained will increase by three (3) for each additional engine company and increase by six (6) for each additional ambulance service.

#### **16.4 Probationary Employee**

No career service employee shall be laid off in a classification while there are probationary employees still employed in that classification. As used in this section, "probationary employee" means an employee who has not achieved career status in the affected classification.

#### **16.5 Bumping**

Any employee in the unit who is to be laid off and who has advanced to his present classification from a lower classification in which he had successfully completed the probationary period shall be given a position in such lower classification, provided that a position in that classification is authorized and funded in the Fire Department budget. If one (1) or more authorized positions exist in the lower classification but none is vacant, the employee laid off from the higher classification shall "bump" the least senior employee in the lower classification.

#### **16.6 Layoff List**

For a period of two (2) years following the date of layoff or reduction to a lower classification, an employee shall be classified as on layoff status and his name shall be maintained on a "layoff eligible list" for the classification from which he was laid off. The order of the names on the layoff eligible list shall be in inverse order of their layoff (the last employee laid off shall be placed at the top of the list). At the end of two (2) years, or sooner if the employee notifies the City in writing that the employee no longer wishes to continue on layoff status, the employee's name shall be removed from the layoff eligible list, unless an extension is granted by the City, and he shall be deemed terminated. An employee on layoff status shall promptly inform the City of any change of address and shall be deemed terminated if a letter sent by certified mail (return receipt requested) to his last address recorded with the City is returned unclaimed.

#### **16.7 Recall of Employee**

Recall of employees to active employment within each job classification shall be made in order of their names on the layoff eligible list. An employee shall be deemed terminated and his name removed from the list if he does not report for work within fourteen (14) calendar days of written notice of recall.

#### **16.8 Other**

All positions in classifications in this unit shall be filled only in accordance with the provisions of this Article as long as employees remain on layoff eligible lists for those classifications. No bargaining unit positions, including temporary out-of-class assignments, shall be assigned to part-time workers or retirees unless the City first makes all reasonable efforts to fill such assignments with the bargaining unit members and is unable to do so.

#### **16.9 Promotions/Vacancies**

The promotional process shall be governed by the City's Civil Service System contained in the City Charter and the Civil Service Rules and the parties agree to the following additional criteria:

- A. The parties recognize the importance of a fair and impartial promotional system.
- B. The City will provide the Union with thirty (30) days written notice prior to holding open vacated positions in the classification of Fire Apparatus Operator/Engineer and Captain.
- C. A vacated position in the Fire Apparatus Operator/Engineer and Captain classifications cannot be held open for more than ninety (90) days by which time the City will either fill, eliminate, or reclassify the position.
- D. If a Fire Apparatus Operator/Engineer or Captain position is held open, then during the ninety (90) day period, the highest employee on the current promotional list for the affected classification will be assigned WOC for the duration of the open vacancy.
- E. The ninety (90) day period will not be used to bridge promotional lists.

## CITY OF SALEM CHARTER

### Chapter VI - Human Resources

#### Section 36. Eligible Lists

(1) Eligible lists of all persons whose general average standing upon examinations is not less than a minimum passing grade shall be maintained and prepared by the Chief Examiner. Such persons shall take rank upon the register, as candidates, in the order of their relative standing as determined by examinations. Candidates of equal standing shall take rank upon the register according to the order in which their applications were filed.

(2) Entrance eligible lists shall be kept in effect for 12 months and may be extended for an additional six months at a time to a maximum of 24 months with the approval of the Appointing Authority and Chief Examiner, from the effective date thereof. In the event entrance lists are augmented or open continuous examinations are held, each candidate shall remain on the appropriate eligible list for a period of 12 months.

(3) Promotion eligible lists shall be kept in effect for 24 months unless exhausted or depleted. No promotion eligible list shall be augmented.

(4) The Commission, if it deems advisable for the good of the service, may cancel an eligible list.

(5) The various eligible lists provided for by this act shall contain the following persons:

(a) Entrance eligible lists shall contain those qualified candidates who are seeking entrance into the Fire Service.

(b) Promotion eligible lists shall contain those qualified candidates who are presently in the Fire Service and are seeking advancement.

(c) Layoff eligible lists shall contain those persons who have held career status and have been laid off or demoted from positions because of a reduction in force. The order of the names of such persons shall be in inverse order of their layoff.

(d) Re-employment eligible lists shall contain the names of employees who have resigned from the Fire Service in good standing provided they have requested re-employment within one year after the effective date of their resignation, the Appointing Authority approves re-employment, the employee meets the minimum requirements for the position including the appropriate certifications, and has previously held that position after the completion of probation.

## CITY OF SALEM CIVIL SERVICE RULES

### RULE II – ELIGIBILITY LISTS AND CERTIFICATION

#### Section 1. Order of Names on a Re-Employment Eligibility List

##### A. Reduction in Force

The names of employees who are terminated from employment due to a reduction in force will automatically be placed on the re-employment eligibility list and shall precede those employees who have voluntarily resigned. (Refer to Civil Service Rule V)

##### B. Voluntary Resignations

Re-employment eligible lists shall contain the names of employees who have resigned from the Fire Service in good standing provided they have requested re-employment within one year after the effective date of their resignation and provided the Appointing Authority (Fire Chief) approves the request. In the event more than one name appears on the re-employment eligibility list, the individual who requested re-employment earliest shall be first. Request for placement on the re-employment eligibility list may be initiated through a written request submitted to the Appointing Authority. The Appointing Authority shall submit approved names to the Chief Examiner to be placed on the list.

##### C. Removal

The names placed on the re-employment eligibility list shall be removed at the end of twenty-four months unless an extension is approved for an additional six months by the Appointing Authority, for a maximum of 30 months.

### RULE III - PROBATIONARY PERIOD

#### Section 1. Entry Positions

The probationary period for candidates appointed to entry positions shall be twelve (12) months.

#### Section 2. Re-Employment or Promotion

The probationary period for persons promoted or re-employed from other than a layoff eligibility list shall be six (6) months. The promotional probationary period, other than those employees rehired from the layoff eligible list, may be extended an additional period of time not to exceed three (3) months by the Appointing Authority.

#### Section 3. Re-Employment from Layoff

A. Career employees re-employed from a layoff list shall not serve an additional probationary period if one has already been completed for the classification to which they are re-employed.

- B. Career employees re-employed from a layoff list shall serve any remaining portion of a promotional probationary period not completed prior to layoff, prior to achieving permanent appointment in the promotional classification.

## **RULE V - REDUCTION IN FORCE**

### **Section 1. Reason for Reduction in Force**

An appointing authority may lay off an employee because of abolition of position, shortage of funds, or lack of work.

### **Section 2. Order of Reduction in Force**

Layoff procedures are subject to the provisions of the appropriate labor contract.

- A. If there is a reduction in work force, layoffs within each affected classification shall be made in inverse order of continuous service in the affected classification within the department where the reduction is occurring. Seniority shall be determined by date of appointment to the affected classification. Where two or more employees in a classification have the same appointment date, the employee who received the higher overall score on the Civil Service examination for that classification shall be deemed the senior employee. Where the examination scores are the same, seniority shall be determined by lot before the Chief Examiner.
- B. An employee who is laid off, and who has advanced to the present classification from a lower Civil Service classification in which they have achieved career status, shall be given a position in such lower classification if one is authorized and funded in the respective department budget. If such reduction is to an unrepresented classification, the employee shall be deemed senior to all other employees in the lower classification for purposes of determining seniority for subsequent reduction in force. If such reduction is to a represented classification, the employee shall be accorded the rights of represented employees in any future reduction in force, as provided in the appropriate labor contract.
- C. An employee who, in the course of a layoff, is reduced to a classification previously held shall return to a position in the classification affected by the layoff before any other individual is hired into that classification; the employee shall not be required to take promotional examinations to return to the higher classification.
- D. An employee who has attained career status within a higher classification voluntarily demotes to a lower classification shall receive credit toward seniority. Seniority for an employee who voluntarily demotes shall be credited for all time served, both in the lower classification prior to promotion and all time served in the higher classification from which the employee demotes, provided that all service was continuous.

### **Section 3. Probationary Employees**

The names of probationary employees who are terminated from employment due to a reduction in force will automatically be placed on the re-employment eligibility list based on the order of reduction outlined in Section 2, and shall precede those employees who have voluntarily resigned. An employee, in the course of a layoff, whose name is placed on the re-employment eligibility list shall return to a position in the classification affected by layoff before any other individual who voluntarily left the service is re-employed. Probationary employees who do not wish to have their names placed on the re-employment list may submit a written request to the Chief Examiner.

## COBRA INSURANCE RATES

IAFF Represented

January 1, 2012

<b>2011 PPO RATES with \$500 vision plan</b>					
<b>Number in Family</b>	<b>Vision and Dental Options</b>	<b>Medical Premium</b>	<b>Vision Premium</b>	<b>Dental Premium</b>	<b>Total Premium</b>
1 Person	Traditional Vision and Incentive Dental Plan	\$ 513.78	\$ 7.66	\$ 53.14	\$ 574.58
1 Person	Traditional Vision and Traditional Dental Plan	\$ 513.78	\$ 7.66	\$ 55.31	\$ 576.75
1 Person	\$500 Vision and Incentive Dental Plan	\$ 513.78	\$ 15.31	\$ 53.14	\$ 582.23
1 Person	\$500 Vision and Traditional Dental Plan	\$ 513.78	\$ 15.31	\$ 55.31	\$ 584.40
2 Persons	Traditional Vision and Incentive Dental Plan	\$ 963.35	\$ 14.22	\$ 88.93	\$ 1,066.50
2 Persons	Traditional Vision and Traditional Dental Plan	\$ 963.35	\$ 14.22	\$ 94.35	\$ 1,071.92
2 Persons	\$500 Vision and Incentive Dental Plan	\$ 963.35	\$ 28.43	\$ 88.93	\$ 1,080.71
2 Persons	\$500 Vision and Traditional Dental Plan	\$ 963.35	\$ 28.43	\$ 94.35	\$ 1,086.13
3+	Traditional Vision and Incentive Dental Plan	\$1,292.29	\$ 19.68	\$ 141.00	\$1,452.97
3+	Traditional Vision and Traditional Dental Plan	\$1,292.29	\$ 19.68	\$ 149.67	\$1,461.64
3+	\$500 Vision and Incentive Dental Plan	\$1,292.29	\$ 36.10	\$ 141.00	\$1,469.39
3+	\$500 Vision and Traditional Dental Plan	\$1,292.29	\$ 36.10	\$ 149.67	\$1,478.06
<b>2012 KAISER PERMANENTE RATES - Kaiser \$500 vision plan</b>					
<b>Number in Family</b>	<b>Vision and Dental Options</b>	<b>Medical Premium</b>	<b>Vision Premium</b>	<b>Dental Premium</b>	<b>Total Premium</b>
1 Person	\$500 Vision and Incentive Dental Plan	\$ 472.84	\$ 11.67	\$ 53.14	\$ 537.65
1 Person	\$500 Vision and Traditional Dental Plan	\$ 472.84	\$ 11.67	\$ 55.31	\$ 539.82
2 Persons	\$500 Vision and Incentive Dental Plan	\$ 884.20	\$ 21.81	\$ 88.93	\$ 994.94
2 Persons	\$500 Vision and Traditional Dental Plan	\$ 884.20	\$ 21.81	\$ 94.35	\$ 1000.36
3+	\$500 Vision and Incentive Dental Plan	\$1,205.72	\$ 29.76	\$ 141.00	\$1,376.48
3+	\$500 Vision and Traditional Dental Plan	\$1,205.72	\$ 29.76	\$ 149.67	\$1,385.15