

CITY OF SALEM

**LAYOFF INFORMATION
HANDBOOK**

FOR

SPEU EMPLOYEES

Human Resources Department
January 2012

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INTRODUCTION

This handbook has been prepared for career employees who are represented by SPEU and are facing layoff. This handbook contains a summary of portions of the labor contract 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 employee, and labor organizations are found in the labor agreements, City Human Resources Rules, and/or the City Charter.

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

Constance L. Munnell
Human Resources Director

FREQUENTLY ASKED QUESTIONS

1. In case of a layoff, which employees are laid off first?

ANSWER: Layoffs will be made by classification within a department. Employees will be laid off in the inverse order of their seniority. (SPEU Contract, Article 10.D)

Seniority is based on the length of continuous service from the date of the employee's appointment in the affected classification (SPEU Contract, Article 10.A)

The seniority lists can be obtained from your supervisor, Department/Division Head or Human Resources (503-588-6162).

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: Where two (2) employees have the same appointment date, the employee who ranked higher on the eligibility list from which the employee was appointed shall be deemed to be the senior employee. (SPEU Contract , Article 10.A)

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 classification. A layoff eligible list will be prepared for each job classification in 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. (SPEU Contract, Article 10.G)

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 classification. Placement on the layoff eligible list is determined by the date of layoff with employees laid off last listed first. (SPEU Contract, Article 10.G)

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 you will be officially terminated from City employment if you do not report to work within 21 days of written notice of recall. (SPEU Contract, Article 10.J)

6. For how long is a layoff eligible list maintained?

ANSWER: One year. (SPEU Contract, Article 10.H)

It is very important that former employees advise the Human Resources Department of any change in address and telephone number during their absence in order to ensure prompt notice of recall.

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 initial probation to the City.

If you are on probation to the classification (promotional probation), you will be reduced in rank to the highest rank you had previously held in career status. If there are no vacant positions at that rank, the least senior employee will be “bumped” if you have more seniority in the classification than another employee. Seniority is based on the date of appointment to the lower rank. (SPEU Contract, Article 10.F)

8. I am in a classification where I’m the least senior and will likely be “bumped.” What happens to me?

ANSWER: If there is a lower ranking classification in which you previously passed probation, you would be placed in a vacant position or “bump” the least senior employee with less seniority than you. (SPEU Contract, Articles 10.E and 10.F)

If you are in the lower classification and have career status, the last hired probationary employee would be laid off. If you are the last hired probationary employee, then you will be laid off. (SPEU Contract, Article 10.E)

9. If I am laid off, do I qualify for unemployment insurance?

ANSWER: Probably. Read Page 8, Unemployment Insurance, of this handbook for details on how to apply or inquire at the Oregon State Employment Division in Salem.

10. 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 you were laid off. You can purchase health insurance by making arrangements to pay the monthly premium. Details are available on Page 6, City Insurance Benefits, of this handbook.

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

ANSWER: Yes, for all such accrued benefits except accrued SICK LEAVE.

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

ANSWER: No. Laid off employees will receive only the dollar value of their accumulated vacation, compensatory time, overtime and holiday time in their last paycheck, in accordance with question number 11.

13. If I worked with the City for a couple of years, then resigned for a couple of years and returned to the City, will my first employment period with the City count toward my total seniority?

ANSWER: No. Your continuous service date reflects the date of your most recent hire.

14. 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.

15. 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 you were at when laid off.

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

ANSWER: Yes. Your continuous service date will be adjusted only so it does not include the time you were on layoff. If necessary, your anniversary date and salary review date will also be adjusted.

17. 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 layoff, you will be credited with the accrued but unused sick leave balance recorded when you were laid off.

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 in the Career Service who are laid off and recalled will only have to complete the balance of their probationary time remaining when the layoff occurred.

19. I am in an unrepresented classification, and have advanced to my present classification through the ranks and will be subject to reduction in force. What happens to me?

ANSWER: If you have advanced from a lower represented classification and have more seniority than another employee in that rank, then you may “bump” the least senior person in that rank. (SPEU Contract, Article 10.F)

20. I was in a higher represented classification, but was reduced in rank due to layoff. How do I get my former classification back?

ANSWER: When a vacancy occurs in the higher classification within two years from layoff, employees on the layoff eligible list for that rank will be recalled to their former rank without examination. (SPEU Contract, Article 10.I)

CITY INSURANCE AND RETIREMENT BENEFITS

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/SPEU/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

Nationwide

VALIC

1-800-735-7202

503-364-5805

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 listed 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):
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 efforts 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.

SPEU CONTRACT PROVISIONS 2011 - 2014

The terms of this Contract apply to employees who have achieved career status and are employed in one of the classifications of Police Officer, Corporal, and Police Laboratory Technician. Employees on probation to the City have no layoff or recall rights.

ARTICLE 10 – LAYOFF

- A. For purposes of this Article 10, “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 employees have the same appointment date, the employee who ranked higher on the eligibility list from which the employee was appointed shall be deemed to be the senior employee.
- B. For all other purposes of this Contact, “seniority” means length of continuous service as an employee of the City, computed from the date of the employee’s original hire (“continuous service date”). Where two (2) or more employees in a classification(s) have the same continuous service date, seniority shall be determined by lot at the time of hire. All current employees at the time of ratification shall have their seniority determined pursuant to the existing seniority list.
- C. As used herein, “continuous service” includes all authorized paid leaves of absence and unpaid leaves of absence for less than fifteen (15) consecutive calendar days, but does not include any period between an employee’s layoff and recall nor any unpaid leave of absence of fifteen (15) or more consecutive calendar days. 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. In the event of an unpaid leave of absence for fifteen (15) or more consecutive calendar days except when such unpaid leave of absence is the result of an occupational disability or illness, or when the unpaid leave was as the result of parental or maternity leave, the employee’s continuous service date shall be adjusted to reflect a total length of continuous service which does not include time spent on unpaid leave status. Termination of employment (other than layoff of an 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.
- D. 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 as determined in Section A.
- E. Any employee in the unit who is to be laid off and who has advanced to the employee’s present classification from a lower classification in which the employee 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 Police Department budget. If one or more authorized positions exist in the lower classification but none is vacant, the employee laid off from the higher classification shall “bump” less senior employee in the lower classification.

- F. Any employee in an unrepresented classification who is demoted due to a reduction in force and who has advanced to his or her unrepresented classification from a lower classification in which the employee had successfully completed the probationary period, shall be given a position in such lower represented classification, provided that a position in that classification is authorized and funded in the Police Department budget. If no position in the lower represented classification is vacant, the unrepresented employee laid off from the unrepresented classification shall “bump” a less senior employee in the lower represented classification so long as the demoted employee has more seniority (computed from the date the employee was appointed to the lower represented classification into which the employee is being demoted) than the less senior employee in the lower represented classification.
- G. For a period of one (1) year following the date of layoff, or reduction in a position previously held, a laid off career status employee shall be classified as on layoff status, and the employee’s name maintained on a “layoff eligible list” by the City, as provided in this Contract. The order of the names on the layoff eligible list shall be in inverse order of the layoff.
- H. If on layoff status at the end of the one (1) year period, the laid off employee’s name shall be removed from the layoff eligible list and the employee shall be deemed terminated from City employment. The employee’s name shall be removed from the layoff eligible list at any time during the year under any one of the following conditions:
1. When the laid off employee notified the City in writing that the employee no longer wishes to continue on layoff status.
 2. An employee on layoff status shall promptly inform the City of any change of address and shall be deemed terminated if a City letter sent by certified mail (return receipt requested) to the last address recorded with the City is returned unclaimed.
 3. The employee is recalled.
 4. The employee does not respond to a recall as set forth in section J, below.
- I. An employee who, in the course of a layoff, is reduced to a classification previously held shall retain a position in such classification during satisfactory service and 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 any examination to return to the higher classification provided no more than two (2) years have passed since the layoff induced reduction in classification.
- J. Recall of employees to active employment within each job classification shall be made in order of their names on the layoff list, provided that an employee shall be deemed terminated and name removed from the list if the employee does not report for work within twenty-one (21) days of written notice of recall. No person shall be hired to fill any position within a job classification represented by the Union which has a layoff eligible list until the layoff eligible list is exhausted through the provisions of this Article.

COBRA INSURANCE RATES
SPEU Union Represented
January 1, 2012

2012 PPO RATES					
Number in Family	Vision and Dental Options	Medical Premium	Vision Premium	Dental Premium	Total Premium
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	\$250 Vision and Incentive Dental Plan	\$ 513.78	\$ 15.31	\$ 53.14	\$ 582.23
1 Person	\$250 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	\$250 Vision and Incentive Dental Plan	\$ 963.35	\$ 28.43	\$ 88.93	\$1,080.71
2 Persons	\$250 Vision and Traditional Dental Plan	\$ 963.35	\$ 28.43	\$ 94.35	\$1,086.13
3 or more Persons	Traditional Vision and Incentive Dental Plan	\$1,292.29	\$ 19.68	\$ 141.00	\$1,452.97
3 or more Persons	Traditional Vision and Traditional Dental Plan	\$1,292.29	\$ 19.68	\$ 149.67	\$1,461.64
3 or more Persons	\$250 Vision and Incentive Dental Plan	\$1,292.29	\$ 36.10	\$ 141.00	\$1,469.39
3 or more Persons	\$250 Vision and Traditional Dental Plan	\$1,292.29	\$ 36.10	\$ 149.67	\$1,478.06
2012 KAISER PERMANENTE RATES - PPO vision plan					
Number in Family	Vision and Dental Options	Medical Premium	Vision Premium	Dental Premium	Total Premium
1 Person	\$250 Vision and Incentive Dental Plan	\$ 472.84	\$ 11.67	\$ 53.14	\$ 537.65
1 Person	\$250 Vision and Traditional Dental Plan	\$ 472.84	\$ 11.67	\$ 55.31	\$ 539.82

2 Persons	\$250 Vision and Incentive Dental Plan	\$ 884.20	\$ 21.81	\$ 88.93	\$ 994.94
2 Persons	\$250 Vision and Traditional Dental Plan	\$ 884.20	\$ 21.81	\$ 94.35	\$ 1000.36
3 or more Persons	\$250 Vision and Incentive Dental Plan	\$1,205.72	\$ 29.76	\$ 141.00	\$1,376.48
3 or more Persons	\$250 Vision and Traditional Dental Plan	\$1,205.72	\$ 29.76	\$ 149.67	\$1,385.15