

BUMPING RIGHTS**SECTION 7.02****Effective Date: October 15, 2015****Approved By: Governing Board** **PURPOSE:**

To develop a seniority plan for the agency which will provide increased job security for the staff including fair and equitable "bumping rights" while at the same time protecting the agency's ability to provide cost effective services to its clients.

POLICY:

It is the policy of the Governing Board that a seniority plan be established in accordance with the above stated purpose. The seniority plan will be based on the following principles and requirements:

1. Within each job position seniority shall be the determining factor in designating layoffs.
2. Seniority shall be calculated on an "hours worked" basis for total agency service without regard to employment interruptions.
3. Employees designated for permanent layoff shall have "bumping rights" on the following basis:
 - a. Employees shall have the right to bump persons with less seniority on an agency wide basis.
 - b. "Bumping rights" shall extend only to positions in the same salary level or below the salary level of the position being terminated.
 - c. The employee must meet all of the job qualification requirements listed in the job description of the position to be bumped.
 - d. The employee must be in good standing in their present position. This means that their overall rating on their last evaluation must be at least "adequate".
 - e. "Bumping rights" for employees designated to be laid-off must be exercised within 30 days of the receipt of the notice of termination.
 - f. Employees who have bumped to a new position will be placed on the regular 180-day probation under the terms and conditions described in the instructional policy, except that there will be no increase in salary at completion of probation.

4. Employees on instructional status whose positions are being terminated shall have "bumping rights" in accordance with this policy.
5. Employees who began educational leave without pay after May 1, 1992 shall have "bumping rights" in accordance with this policy if their old position has been eliminated during their educational leave.
6. All employees whose positions are being terminated shall have "bumping rights"; however, no employee may bump into the following positions:
 - Executive Director
 - Assistant Executive Director for Finance
 - Assistant Executive Director for Operations
 - General Counsel
 - Human Resources Director
 - Valley View Health Centers Director
 - Early Childhood Director
 - Employment and Training Director
 - Senior/Transit Director
 - Social Services Director
 - Energy/Maintenance/Housekeeping Director
 - Administrative Secretary
7. Any employee who is bumping down to a position within a lower salary level shall receive a 6.25% reduction in pay for each salary level dropped. At the end of the 180-day instructional period there shall be no salary level increase.
8. Employees on temporary layoff (4 months) or on a temporary layoff which is a planned part of a regular work program shall have no "bumping rights". Only when a permanent layoff is designated (that is, when a regular planned temporary layoff or a temporary layoff exceeds four (4) months, shall the employee have "bumping rights."
9. The Head Start Policy Advisory Council must approve or disapprove any employee action proposing to bump into the Head Start program.
10. Only employees on permanent full-time or permanent part-time status shall have "bumping rights" (i.e., temporary employees shall not be eligible to exercise bumping rights.)
11. Permanent full-time and permanent part-time employees whose hours are reduced by 20% or more for a period of four (4) months shall have "bumping rights" in accordance with this policy.

12. Exceptions to this policy may be authorized on the following basis only:
 - a. Only the Governing Board may authorize exceptions to this policy.
 - b. The Governing Board may authorize exceptions to this policy when it deems that the exception is essential to the successful completion of a contract obligation or a work program.
 - c. Exceptions to this policy will be authorized in unusual circumstances only and when it would clearly damage the agency not to do so.