

# FAQS ON LAYOFFS AND RIF NOTICES

## 1. What is a Reduction in Force (RIF)?

A RIF is often referred to as a “layoff.” According to the California Education Code, a school district has the right to reduce the number of employees in its workforce in the case of (a) a decline in enrollment, (b) discontinuation of a particular kind of district service (PKS), or (c) budget act/revenue reductions. A RIF happens on a district-wide level taking into account all district employees, rather than on a site level.

## 2. What should I do if I receive a layoff notice?

If you receive a layoff notice, make sure you come to one of the information meetings listed below (see bottom of page). Both probationary and permanent employees should complete a RIF data form (available on the SDEA website) and fax the form to (619) 282-7659 or bring it to the SDEA office before or during the informational meetings (see below). **Permanent employees must also complete the Request for Hearing (in your layoff notice packet from the district) and return them to the SDUSD HR office immediately (on or before March 22).**

Everyone who received a layoff notice is highly encouraged to attend one of the meetings below. One-on-one appointments with SDEA staff to discuss your specific issue may be scheduled at the end of the meeting. Make sure to bring your completed RIF data form to your appointment along with any other documentation you have pertaining to your employment with the District: contracts, credentialing information, etc.

## LAYOFF INFORMATION MEETINGS

- **Wednesday, March 15<sup>th</sup> at 5:30PM – PERMANENT EMPLOYEES ONLY**
- **Thursday, March 16<sup>th</sup> at 4:30PM – PROBATIONARY EMPLOYEES ONLY**
- **Friday, March 17<sup>th</sup> at 4:30PM – PERMANENT EMPLOYEES ONLY**
- **Saturday, March 18<sup>th</sup> at 10AM and 12PM**
  - 10AM – Probationary Employees Only
  - 12PM – Both Permanent and Probationary Employees

**Location:** SDEA Auditorium – 10393 San Diego Mission Road

## 3. I’ve received a layoff notice. Now what?

If you received a layoff notice, it doesn’t necessarily mean that you will be laid-off. If you are a permanent employee, the District must still issue a final layoff notice prior to May 15 in order to actually lay you off (there is no such requirement for probationary employees). Remember that in past years we’ve successfully organized to have most, and in some years all, notices

rescinded. Regularly check your email (and spam box) and check-in with your site AR to find out how to get involved in our organizing to fight these destructive layoffs.

**4. I'm a permanent employee and received a layoff notice. How do I appeal the notice?**

State law gives permanent members who are subject to layoff a right to a hearing to appeal the district's decision. SDEA has scheduled a class action hearing on behalf of all permanent members who received layoff notices. **The hearing is set for April 10-13 at Madison High School;** make sure to block out these dates and to be on the lookout for more information on the hearing. The goal of this hearing will be to force the revocation of as many layoffs notices as possible.

**5. I'm a probationary employee and received a layoff notice. How do I appeal the notice?**

Although state law doesn't give probationary members who have received a layoff notice a right to a hearing, Article 19 of our SDEA union contract gives probationary employees the right to grieve violations of the contractual rights in Article 19, as well as rights to reemployment within 39 months. SDEA will be filing a class-action grievance on behalf of all probationary members who have received a layoff notice. The goal of this grievance will be to force the revocation of as many layoff notices as possible. **Dates for the grievance meeting have not been set, but will be communicated to all affected members.**

**6. How do I know if my seniority date is correct for the purposes of possible layoffs?**

Seniority rules are complicated. SDUSD often has inaccurate seniority dates. If you receive a layoff notice, the accuracy of your seniority date will be investigated through the grievance and hearing processes. An error in your seniority date could lead to your notice being rescinded. **If you believe your seniority date is incorrect make sure to come to one of the informational meetings. SDEA staff strongly advise against correcting your seniority date with the district.**

**7. If I did not receive a notice, does that mean I will have a job next year?**

The statutory deadline for the District to notify permanent employees of a possible layoff is March 15; the deadline for the District to notify probationary employees of a possible layoff is April 15. If you were on the list of educators the District voted to notice, you should have received a layoff notice via certified mail, or from your administrator. However, if the District does not have your most current address on file, it is possible that a layoff notice was mailed out to you and you did not receive it. Once SDEA receives the layoff list; you can contact the SDEA office if you believe you may be on the list but did not receive a notice. Once SDEA receives the full RIF list from SDUSD it will be posted on the SDEA website.

**8. What is the difference between layoffs and "excessing"?**

Layoffs ("Reductions in Force") occur when the District reduces its overall number of employees across the District. Layoffs are different from excessing because excessing happens on a site level as a result of projected decline in enrollment at that specific site. Excessing occurs when a school or site reduces its number of site employees. Being "excessed" means that you are still a District employee and still have a job, but that your assignment will likely be moved to another site or school. If you are excessed, you should look for position openings during the May "Post

and Bid.” If you are excessed from your site, you have priority consideration in the “Post and Bid’ process. See your site AR if you have questions regarding excessing.

**9. In the event of layoffs, are SDUSD employees eligible for unemployment insurance?**

In most cases, yes. However, there are other eligibility requirements that you can read about on the Employment Development Department’s website (<http://www.edd.ca.gov>).

**10. In the event of layoffs, what happens to my health insurance coverage?**

Due to language in the SDEA contract, laid-off employees will have continued coverage for up to three months after the effective date of the layoff. Employees must meet the eligibility requirements in Section 9.9 of the union contract.

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