



## HUMAN RESOURCE SERVICES

### Office of the Assistant Superintendent

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### Frequently Asked Questions 2012 Certificated Employee Layoffs Revised: March 1, 2012

**Question: How is my seniority within the district determined?**

**Answer:** *During a layoff, a certificated employee's seniority date is based on the first date of paid service as a probationary employee. In certain circumstances, up to one year of credit toward seniority may be obtained through substitute or temporary service. This credit is given when a certificated employee works 75% of the number of days in a school year, and is then elected to a probationary position in the very next school year. Service as a substitute in a vacant position may also establish an employee's seniority date.*

**Question: Where am I on the Seniority List and how can I find out this information?**

**Answer:** *A draft of the current Districtwide Seniority List is now available for your review through the District's portal. Simply log-on to the District's website and click on "myLBUSD" and then go to "Applications".*

**Question: When will we know the number of employees that will be laid off?**

**Answer:** *A Layoff Resolution was approved by the Board of Education on February 21, 2012. This resolution identifies the services to be eliminated and the number of affected teachers. Preliminary notices, which explain certain layoff procedures, will be distributed March 2 thru March 9. Final layoff notices will be issued prior to May 15.. These notices may be rescinded at any time.*

**Question: If I'm laid off, how long will my medical benefits last?**

**Answer:** *If you are laid off at the end of this school year, your District-paid benefits will continue through September 30, 2012.*

**Question: What are my chances of being rehired back into the District?**

**Answer:** *Many other certificated employees throughout California have been laid off and reemployed the following school year. Reemployment is in order of seniority. Individual names are listed in seniority order on a resolution that goes before the Board of Education in May 2012, prior to employees receiving final layoff notices. Permanent employees possess reemployment rights for a period of 39 months. For probationary employees, the period is 24 months.*

**Question: Can I "bump" a teacher at my site if I have more than one credential?**

**Answer:** *It is important to remember that the layoff process is districtwide. Bumping is handled differently than the Transfer process that is defined by the Collective Bargaining Agreement. Bumping can occur throughout all schools, K-12.*

**Question: What happens to the seniority of an employee who is laid off and rehired?**

**Answer:** *A layoff notice can be rescinded at any time. If a certificated employee is reinstated, they retain their seniority and are treated as if they were never laid off. If an employee is given a final layoff notice in May, they are placed on the 39 month reemployment list (permanent employees) or 24 month reemployment list (probationary employees) until they are fully reinstated. In certain situations, the*

*District may be able to offer a laid off employee a position which does not constitute full reemployment. For example, an employee may be offered an assignment with fewer hours per week than their prior assignment, or offered a temporary/special contract. Until full reinstatement is achieved, an employee stays on the 39 or 24 month reemployment list to be rehired at a later date under a regular contract even though they accept the lower hour or temporary/special contract assignment.*

**Question:** When an employee is laid off, can unused sick leave be paid out?

**Answer:** *No. However, if you are hired by another school district within one year, your sick days are transferable. Your new school district's Payroll Department will have a form for this purpose. If you go to another agency that is not a school district, your sick leave will remain "on the books" in STRS until retirement or until you request a refund for the sick leave you have accumulated.*

**Question:** If unused sick leave is left in the laid off employee's "balance," will it be recouped if the employee is rehired in the district later?

**Answer:** *Yes.*

**Question:** Will teachers who have been laid off automatically become substitute teachers?

**Answer:** *Yes. Permanent teachers who have been laid off have priority rights to substitute teach over regular subs. Substitute teaching positions will be made available to those laid off teachers in seniority order.*

**Question:** If I resigned from the District several years ago, what happens to my seniority?

**Answer:** *If a permanent certificated employee separates from the District and is rehired into a vacancy within 39 months, they retain their permanent status; however, their seniority starts over again. If the only service upon rehire during the 39 months is as a substitute or temporary/special contract teacher, this is not considered a reinstatement and the employee would not receive the benefits of permanent status at that time.*

**Question:** If a laid off employee is rehired later, does he/she get salary credit for years served?

**Answer:** *Yes. The District offers up to 16 years of salary credit.*