



# **LAYOFF PROCEDURES MANUAL**

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## DEFINITIONS

**BUMPING** shall mean the act of exercising classified service rights based upon seniority rank ordering in a classification.

**CIVIL SERVICE** shall mean full-time classified positions in the county merit system that are not exempt.

**CLASS** shall mean a position, or group of positions, having similar duties and responsibilities, requiring similar qualifications, which can be properly designated by one title indicative of the nature of work and which carry the same salary range.

**CLASSIFICATION SERIES** *see Job Series.*

**CONTINUOUS SERVICE** shall mean all creditable pay periods of service as a full-time career service employee between the date of hire and the date of separation.

**CREDITABLE PAY PERIOD** shall mean a pay period during which an employee is in pay status for more than half the number of hours in the employee's regular bi-weekly work schedule. Employees assigned to an 80-hour schedule must be in pay status 40.25 hours to earn a pay period; employees assigned to a 96-hour schedule must be in pay status 48.25 hours to earn a pay period.

**CUT-OFF DATE** shall mean the last pay period ending date utilized for the computation of retention scores. Seniority is calculated up to the time of the cut-off date.

**DEMOTION** shall mean the assignment of an employee to a position in the county service having a lower maximum salary than the position from which the assignment is made.

**DEPARTMENT** shall mean a major operating division of the county government.

**ELIGIBLE** shall mean a person listed on an active recall list who has rights under these rules to be recalled into a previously held classification.

**EMPLOYEE** shall mean an officer or other employee occupying a position who is paid a salary or wage for services rendered.

**EXEMPT SERVICE** shall mean those positions specifically exempt by Section 2-41 of the County Code which are not subject to civil service rules. No probationary period is served.

**EXEMPTION FROM BUMPING** shall be assigned to a position within a job classification requiring highly specialized and critical knowledge, skills or abilities.

**JOB SERIES** shall mean a series of jobs with increasing levels of expertise, responsibility, and minimum qualifications in the same career ladder. The minimum qualifications for these classifications are comparable in education and have increasing years of work experience as employees progress through the series (i.e. Engineer 1, Engineer 2, Engineer 3, Engineer 4).

LATERAL SERVICE shall mean the transfer of service from one classification to the same classification (exempt) or to a different classified classification at the same maximum salary level.

LAYOFF shall mean an action taken by the County Mayor or a Department Director to eliminate occupied positions due to a shortage of work or funds, the abolishment of a position, or because of material changes of duties or organization.

LAYOFF LIST *see Retention List.*

LEAVE-OF-ABSENCE shall mean time in out of pay status that is not included in length of service towards longevity, except for time on an approved military leave-of-absence.

NON CREDITABLE SERVICE shall mean exempt service prior to an employee's entrance into classified service; service in extraordinary appointments (part-time, temporary, trainee, etc.) or any other employee status where seniority is not creditable.

ORIGINAL APPOINTMENT shall mean appointment to a position in the county service of an employee who is not a present employee and who is not being reinstated from a layoff list.

PART-TIME shall mean a non full-time position in which an employee works fewer than 40 hours per week.

PAY PERIOD shall mean the County's fourteen (14) calendar-day payroll period.

PERMANENT APPOINTMENT shall mean the appointment of a probational employee to a permanent position in the classified service.

PIPELINE ASSISTANCE shall mean a program to assist employees in searching for new employment opportunities within Miami-Dade County. This program does not guarantee job placement or preservation of compensation or benefits.

PIPELINE PLACEMENT shall mean the placement of an employee facing layoff into a classification after receiving assistance through the Pipeline Assistance Program and completing the competitive recruitment process.

POSITION shall mean a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the full-time or part-time services of an employee.

PROBATIONARY shall refer to the status utilized when an employee is hired into a full-time civil service position.

PROFICIENCY shall mean the ability to satisfactorily perform the essential functions of a new position with reasonable on-the-job training not to exceed the time period specified in the respective Collective Bargaining Agreement.

PROMOTION shall mean the assignment of an employee to a position in the county service having a higher maximum salary than the position from which the assignment is made.

RECLASSIFICATION shall mean changes in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modifying of existing assignments.

RECALL shall mean an employee reinstated from a recall list into a previously held classification for which permanent status was attained or for which classified service rights were attained in a classification series.

RECALL LIST shall mean an active list of employees eligible for recall to a classification organized in retention score order in a specific classification.

REHIRE shall mean an employee previously employed by the County who has subsequently been hired back into active service with the County.

RETENTION LIST shall mean the rank ordering of employees by retention score in a specific job classification.

RETENTION SCORE shall mean a discrete point value score carried out to two decimal places, derived from all applicable seniority credit.

SEASONAL shall mean a non-career service position for only certain periods of the year (i.e. summer help) on a recurring basis.

SENIORITY shall refer to creditable time worked by an employee in a classification.

SUBSTITUTE shall mean a full-time appointment replacing a full-time employee who is unable to be on the job.

TEMPORARY shall mean a provisional or short-term position (non-career service).

TIEBREAKER shall refer to the method used to determine the rank order for retention scores that are the same (tied).

TRAINEE shall mean a full-time employee who has not met all the qualifications of a specific job classification.

TRAINEE PERIOD shall mean time in which an employee is being trained in a specific job classification.

TRANSFER shall mean the assignment of an employee from one position to another position in another department.

VACANCY shall mean a position existing, or newly created, which is not occupied, and for the filling of which a valid Job Opening/approval memo has been received by the Human Resources Director.

VETERAN shall mean a person under Florida Statutes, Chapter 295, who has served in the military during war-time with an honorable discharge or a veteran with a service-connected disability.

**VETERAN'S PREFERENCE** shall mean a preference in employment and retention of either 5% for war-time veterans or 10% for qualified disabled veterans.

## MIAMI-DADE COUNTY LAYOFF PROCEDURES

The County Mayor or a Department Director may lay off any employee in the County Service whenever such action becomes necessary by reason of shortage of work or funds, the abolition of a position, or because of changes in the organization.

### I. LAYOFF OVERVIEW

Whenever layoff actions occur, permanent status employees (see **Appendix A for Employee Status Codes**) in the classified service shall be given retention preference over probationary, emergency, substitute, or temporary employees occupying a regular budgeted County position in the same job classification. In order to exercise bumping rights to a previously held classification, the employee must have satisfied the probationary requirement in each position held (based upon the probationary period requirement in effect at the time the employee served in the classification). This provision shall not apply to lower level positions in a classification series. If an employee earns permanent status in a higher classification in a series, then he/she shall have bumping rights to the lower level classifications in the series.

A retention score is the sum of an employee's creditable seniority points in a job classification. Seniority points for creditable seniority in higher job classifications are added to seniority points in lateral or lower job classifications after the probation requirement has been satisfied in the lower classification.

Seniority credit is calculated at a rate of 0.02308 points<sup>1</sup> per pay period of creditable service (see **Appendix B for pay periods**). All time in non-pay status is subtracted from creditable time. With the exception of military leave-of-absence, when there is a break in service, (termination, resignation, etc.), all prior seniority credit is lost. Employees who enlist in the Armed Forces, are re-deployed (on military leave-of-absence), or are re-employed will receive seniority credit for their prior service, as well as for the period of their military service.

### II. PREPARATION PROCEDURES FOR LAYOFF

1. Upon determining the necessity of a layoff action, and after submitting the departmental Table of Organization (T.O.) to the Office of Management and Budget, the department shall designate the appropriate positions to be affected.

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<sup>11</sup>Seniority for promotional examinations and layoff retention scores will be calculated on the basis of .02308 per pay period of creditable service, to be consistent with the former methodology of  $.05 \times 12 \text{ months} = .6$ . This value, .02308, has been derived by dividing the total number of points eligible to be earned per year, .6, by 26 pay periods.

2. The department must then submit written notification to the Human Resources Director of the impending action and the last day on which the affected positions can be maintained. Written notification must also be sent to the Office of Management and Budget. This information must be received by the Human Resources Director no later than sixty-six (66) calendar days prior to the employee layoff date.
3. Upon receiving the list of positions to be affected, Human Resources shall determine the countywide classifications for retention score calculation purposes.
4. Human Resources shall then calculate retention scores for those affected employees and place these employees by order of their scores into vacant positions within their present classifications or job class series within their department.
5. In the event that no vacancies exist in the affected classifications within the affected department, Human Resources shall then calculate the retention scores Countywide for other departments with the same classification and institute bumping and layoff procedures.
6. Human Resources shall issue layoff letters for employees affected by the layoff action. These letters shall either place the employee in an appropriate department and position, or inform the employee that he/she is being laid off. The layoff letters shall be given to Departmental Personnel Representatives for hand delivery to affected employees within one (1) working day of their receipt by the department. Letters shall be sent simultaneously to both the department that is losing the employee and the department that is receiving him/her. For bargaining unit employees, Human Resources shall send copies of the layoff letters to the applicable union at the same time layoff letters are given to the employees. No employee shall be subject to layoff action until that employee has received an official letter.
7. The Human Resources Director shall have authority to place laid off employees into vacant positions existing on any departmental Table of Organization.
8. While a department director has the option of abolishing a vacant position rather than accepting a laid off employee into the position, the action shall be closely monitored in the interest of protecting the employment rights of individual employees. Any positions affected by layoff actions and frozen by a department during these actions shall be removed from the departmental Table of Organization for the remainder of the current fiscal year. A department wishing to retain a vacancy as a frozen position on the Table of Organization must request a formal position freeze from the Office of



Management and Budget. This position will then appear under the frozen column on the Table of Organization. To reinstate the frozen position during that fiscal period, the position must receive approval by the Office of Management and Budget and the County Mayor.

**A. CUT-OFF DATE**

Human Resources shall determine a cut-off-date for the computation of retention scores. The cut-off date is the last "pay period ending date" preceding the layoff request. Probationary employees attaining permanent status after the cut-off date shall receive credit for seniority up to the time of the cut-off-date.

**B. CALCULATION OF RETENTION SCORE**

A retention score for a specific job classification shall be a discrete point value score, carried out to two (2) decimal places, derived from all applicable seniority credit. Seniority points shall be calculated on the basis of 0.02308 points (see *footnote, page 1*) for each pay period of creditable service (see **Appendix B** for *pay periods*).

**1. CREDITABLE SENIORITY**

Creditable service for retention seniority points shall be determined as follows:

- a) All permanent status time.
- b) All time credited toward satisfying the required probationary period for the class.
- c) All time spent on military leave-of-absence without pay; also, Federal Law requires that seniority credit be given to an employee who volunteers for military service during peacetime (not eligible for MLOA), provided the employee is re-employed by the County within the time frame specified by Title 38, United States Code, CHAPTER 43 - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA).
- d) Employees who are recalled to a County job classification from which they were laid off shall receive seniority credit for their continuous service prior to the layoff, but not for the period of the layoff (counted as a leave-of-absence). Former employees who have been laid off and subsequently rehired in a different job classification (one to which they have no recall rights) will not be eligible to receive seniority credit for their service prior to layoff even though they may be on layoff recall lists.

If however, they are recalled from a recall list, even after reemployment in a different class, they will receive seniority credit for the service time prior to layoff.

- e) Employees who leave the classified service to take a promotion or lateral transfer (same level) into the exempt service will continue to earn seniority credit to be applied to the job classification occupied by the employee when he/she entered the exempt service.
- f) Seniority credit retention points earned in a higher job classification within a promotional line (classification series) will be credited to the lower job classification(s) within the series, whether the employee has served in the job classification or not, provided the employee has satisfied the required probation period in the higher classification and attained permanent status.
- g) An employee's seniority in a job classification to which he/she was reclassified shall be determined as follows:
  - (1) Where the reclassification resulted from a recent change in duties and the employee is required to serve a new probationary period, seniority in the new classification shall start as of the effective date of the reclassification.
  - (2) Where the reclassification resulted from a longstanding misclassification and there was no change in status (e.g., reclassified with permanent status) seniority credit shall be computed from the effective date of the employee's appointment to the former job classification or the effective date determined by the Human Resources' Compensation Section.
  - (3) A simple title change for the purpose of more accurately describing the job classification (Court Clerk 1 to Court Records Specialist 1) or for the purpose of eliminating a gender designation (Engineering Draftsman 1 to Engineering Drafter 1) does not affect seniority in the class; i.e., seniority credit is earned for continuous employment in a job classification regardless of title changes for the classification.
- h) For those job classifications affected by ordinance, seniority credit will be determined according to the provisions of the ordinance. Ordinances affecting County job classifications include mergers of agencies into the County service (fire departments, water departments, courts, etc.) and

the inclusion of formerly exempt job classifications into the classified service. The two exempt study ordinances that are likely to have the greatest effect on retention scoring are *Ordinance No. 77-86* and *Ordinance No. 84-63*.

*Ordinance No. 77-86* specified a seniority date for exempt employees merged in the classified service of 10-1-77 (probation and permanent status).

Employees merged under *Ordinance No. 84-63* were M.D.T.A. employees and the seniority date was set at 10-1-83 (probation and permanent status).

- i) Seniority earned in a higher or lateral job classification in the classified service is also credited to lower or lateral job classifications in the classified service in which the employee served and attained permanent status, even when the higher or lateral classification is not in the same or a related promotional line (classification series).
- j) Exempt service time prior to an employee's entrance into the classified service is not creditable service for seniority; exempt service time after an employee has served in the classified service (probationary or permanent) is creditable service for seniority, provided there is no break in service and the exempt classification is at the same or higher level as the classified service time.
- k) Employees who are promoted to a classification in a promotional line (classification series) who have attained permanent status in the higher classification in the promotional line shall have creditable seniority time credited to lower classifications in the series with bumping rights.
- l) An employee, who is promoted to a higher or lateral classification (classified or exempt) while serving a probationary period will not be permanent in the lower or lateral class and shall not have bumping rights to the lower or lateral class.

## 2. NON-CREDITABLE SENIORITY

Non-Creditable seniority service shall be determined as follows:

- a) Service during extraordinary appointments (temporary, part-time, etc.) where the time is not applied to satisfying the probationary period.
- b) Employment in the exempt service prior to establishing classified service rights.

- c) Service in any other employee status where seniority is not creditable.

### 3. VETERAN'S PREFERENCE

A copy of the DD214, Certificate of Discharge, or Statement of Eligibility from the armed force(s) with war-time dates of service and an "honorable" discharge must be submitted to determine if Veteran's Preference points shall be applied to an eligible employee's retention score. In addition to the DD214, Certificate of Discharge, or Statement of Eligibility, employees claiming preference as a disabled veteran must provide a recent letter (within one year) from the Veterans' Administration stating the percentage of their service-connected disability (**see Appendix C for War-Time Veteran Dates**).

In accordance with the State of Florida, Department of Veterans' Affairs, qualified war-time era veterans are given preference in employment and retention of either 5% or 10%. This preference extends to veterans that may be affected by layoff actions. It is the joint responsibility of the employee and the department to ensure that qualified veterans have the appropriate required documentation in the employee's Human Resources personnel folder.

## III. RETENTION AND RECALL LIST ESTABLISHMENTS BY JOB CLASSIFICATION

### A. RETENTION LIST ESTABLISHMENT

The layoff order of employees with permanent status in a job classification will be determined by the retention score for each employee in the affected job classification; the employee with the lowest retention score will be laid off first. The rank ordering of employees by retention score in a specific job classification constitutes a retention list for that job classification.

Permanent employees are placed on appropriate retention lists in rank order by their retention scores in the affected classification, in the department experiencing the layoff. Names of employees on leave(s)-of-absence shall be included when an applicable retention list is being compiled. The permanent employee with the lowest retention score in the affected classification in the department is laid off first.

This laid-off employee is then ranked with all other employees serving in the same classification Countywide; the permanent Countywide employee with the lowest retention score is laid off first. Layoffs are done first at the department level (*lowest score in the classification in the affected department is laid off first*), and then on a Countywide basis (*lowest score in the classification in the County is laid off first*).

**B. RECALL LIST ESTABLISHMENT**

The names of employees laid off or demoted due to a layoff shall be placed on a recall list in order of retention score for a maximum period of two (2) years. Recall lists shall have priority over all other lists in the filling of vacancies. A list of one can constitute a recall list. Employees who are separated from County Service for more than one (1) day will be required to successfully complete Miami-Dade County's criminal background check and pre-employment physical requirements before returning to work. Employees having bumping rights within a class series shall be placed on recall lists for all those classifications in which the employee had bumping rights but was unable to bump due to a low retention score. For example: An Administrative Officer 3 (who served only in that class) with a retention score of 3.60 is laid off and is unable to bump due to the low score. He/she will be placed on the following recall lists:

<b>CLASSIFICATION</b>	<b>SCORE</b>
Administrative Officer 3	3.60
Administrative Officer 2	3.60
Administrative Officer 1	3.60

The employee shall be eligible for recall in any of these classifications. When recalled in a higher class in the series, her/his name will be removed from the lower class recall list. Recall in a lower class does not affect recall eligibility in the higher class.

<b>CLASSIFICATION</b>	<b>SCORE</b>	
Administrative Officer 3	3.60	Recalled
<del>Administrative Officer 2</del>	<del>3.60</del>	
<del>Administrative Officer 1</del>	<del>3.60</del>	

Should an employee decline a recall into a higher classification, her/his name will not be removed from the recall list for lower classifications in the series.

<b>CLASSIFICATION</b>	<b>SCORE</b>	
Administrative Officer 3	3.60	
<del>Administrative Officer 2</del>	<del>3.60</del>	Declines Recall
Administrative Officer 1	3.60	

(Appointments from a recall list shall be made with permanent status, even for those classes in the class series in which the employee may have never served).

#### **IV. BUMPING PROCEDURES**

Permanent employees faced with a layoff, who have satisfied probation requirements in job classifications held, shall have "bumping rights" to be applied as follows:

1. If budgeted vacancies exist in the job classification in which a permanent employee is being laid off, the employee will be placed in the appropriate vacancy with permanent status. Vacancies with approved job openings will be used first. The Human Resources Director reserves the right to determine which vacancy will be used when multiple vacancies exist.
2. If no vacancies exist in the affected classification, the laid-off employee will "bump" the employee with the lowest retention score in the class at the department level first, then Countywide.
3. If a laid off permanent employee is unable to bump in his/her current classification, the employee may exercise bumping rights to:
  - a) A lower level position in his/her class series whether the employee served in the classification or not.
  - b) Any other lateral or lower job classification not in the employee's class series where he/she has satisfied the probation requirement and attained permanent status. The combining of creditable seniority from a higher or lateral classification to a lateral or lower job classification **will not** satisfy the probationary requirement for the lateral or lower classification.
4. Where a layoff action involves probationary employees who have never become permanent in other job classifications, the probationary employee will be laid off according to his/her seniority-based retention score -- the employee with the lowest score will be laid off first. If the probationary employee attains permanent status after the cut-off date and prior to the issuance of a layoff action letter, the name of the laid off employee shall be placed on the recall list in order of the retention score for a maximum period of two (2) years.
5. When an employee is placed in a position through a layoff action and the employee has earned rights to the position (either through previous permanent status in the class or because the class is part of the employee's job series) he/she goes into the position with permanent status.

#### **V. EXEMPTION FROM BUMPING**

When there is a position within a job classification requiring highly specialized and critical knowledge, skills or abilities that are possessed by the incumbent employee whose removal from the position would constitute a significant disruption of County business, the affected department may request an exemption from bumping (or layoff)

for the employee. Such requests will be reviewed and acted upon by Human Resources. Positions with employees who have not attained permanent status in a classification shall not be granted an exemption from bumping.

Effective demonstration in support of requests that qualify for exemption will be the responsibility of the requesting department. The criteria, which have been established for the review, include one or more of the following:

1. Specific positions requiring a certain degree of highly specialized and critical knowledge, skills, and abilities. These positions may also justify reclassification action to a specialized and unique job classification, as the position is determined to no longer conform within the specifications of the present general job classification. These positions would possess unique recruitment requirements.
2. Specific positions that require specialized technical/professional licensure or certification or language; e.g., Professional Engineer, Journeyman Plumber, Master Electrician, Commercial Driver's License, English/Creole, English/Portuguese, etc.
3. Industry-recognized specialized sub-categories within a general job classification; e.g., Engineer: Electrical, Structural, Civil, Mechanical, etc.
4. Designated positions wherein the concerned department can effectively demonstrate the specific reasons that an employee of the same job classification could not learn, through on-the-job training, the essential elements of the position within the customary probationary period for the classification.
5. Those positions treated as unique Aviation Department positions, which are exempt from Miami-Dade County bumping procedures as specified in the Collective Bargaining Agreement between Miami-Dade County and American Federation of State, County and Municipal Employees, A.F.L.-C.I.O. Aviation Employees, Local 1542.

## **VI. ABILITY TO PERFORM DUTIES**

No employee shall replace another employee with a lower retention score unless there is reasonable assurance that the employee with the higher score is capable of satisfactorily performing the duties of the position through a reasonable amount of on-the-job-training.

In accordance with the Collective Bargaining Agreements between Miami-Dade County and the following:

- AFSCME Local 121, local 199 & local 3292: Article 24
- AFSCME Local 1542: Article 27
- GSAF Local 100 Supervisory & Professional: Article 17

The County may require that employees bumping into a department as a result of a layoff-related action satisfactorily demonstrate their proficiency to perform the essential functions of the new position within a reasonable time period not to exceed thirteen (13) or twenty-six (26) pay periods, as specified in the respective Collective Bargaining Agreements, and as determined by the concerned Department Director and approved by Human Resources.

Employees failing to satisfactorily demonstrate their proficiency will be allowed to continue to exercise their classified service rights in accordance with provisions of this manual.

## **VII. ADEQUATE NOTICE**

Human Resources shall make every effort to notify employees in writing as to their impending layoff as far in advance as possible. Classified Service employees shall be given a minimum of *21-calendar day's prior notice*. Verbal notification to employees by the department director or his/her designee will be acceptable, as long as written notification is provided within 24 hours.

## **VIII. PIPELINE ASSISTANCE**

The Pipeline Assistance Program is a discretionary program designed to assist laid off employees in search of new employment opportunities within Miami-Dade County, and is subject to activation and deactivation as specified and authorized by the Mayor of Miami-Dade County. The Pipeline Assistance Program does not guarantee job placement or preservation of compensation or benefits.

Human Resources will assist employees who have been impacted by a layoff action and who have no classified service rights or are unable to exercise their classified service rights. In addition, Pipeline Assistance will be provided to exempt employees who have been removed from their positions for reasons that are not related to performance.

## **IX. PROCEDURES/MECHANICS FOR RETENTION SCORING**

### **A. GENERAL INSTRUCTIONS FOR RETENTION SCORE PREPARERS AND PROOFERS**

The importance of accuracy in calculating retention scores cannot be overstated. A slip of the pen resulting in an error of 0.01 points may cause an employee to be laid off wrongfully, cause a loss of confidence in County administration, and could conceivably result in court actions costing County taxpayers substantial sums of money. Retention score sheets used in layoff actions are public documents and are therefore open to scrutiny by all concerned citizens. Consequently, they should be prepared, not only with total accuracy, but with sufficient legibility and clarity as to be readily understood by anyone reviewing the form. The following general instructions apply to both retention score sheets (Form A) and combining sheets (Form B).

1. All applicable items on the form should be filled out completely. All calculations should be carried out to two (2) decimal places.



2. Special care should be taken in recording leave(s) of absence from the employee folder. The PCD or APA showing an employee's leave may state the leave in one of several different ways, such as:

- Lost three (3) pay periods
- 3/16/80 - 5/12/80 - lost ten (10) days during this period
- Lost one (1) pay period - 14 days
- Two (2) day suspension - 3/10/79 – 3/11/79
- Maternity LOA - 4/5/82 - 10/5/82

The procedures to be followed are these:

- a) Special care should be exercised when reviewing PCD's or APA's that reflect lost pay periods.
  - b) Special care should be taken in recording leave(s)-of-absence:C. For example, the PCD or APA granting the leave may show six (6) months. In most cases, however, the employee may return to work before the end of the six months. It is important to check the PCD or APA restoring the employee to work -- this will give the actual amount of leave used.
3. A separate retention score computation sheet should be completed for *each* job classification occupied by the employee in which he/she earned creditable seniority points.

#### B. RETENTION SCORE COMPUTATION SHEET (FORM A)

**Form A (see *Appendix D, Exhibit 1*)** is the basic computation sheet used for calculating retention scores. A separate sheet is used for each job classification occupied by the employee that involves creditable service time. Thirty-three (33) essential entries are identified on the form as listed below:

1. Last name, first name and middle initial of employee
2. Employee's identification number
3. Veterans' Preference: It is the joint responsibility of the employee and the department to ensure that qualified veterans have the appropriate documentation required in the Human Resources centralized employee file.
4. Enter the original hire date and/or rehire date for the *current* period of continuous employment - use the *original* PCD for the effective date. Re-employment sets a *new* hire date - restoral from layoff shows the *original* hire date prior to the layoff action.

5. Show employment status at the time of hire. **Note of Caution:** Employees who are on recall lists and are re-employed in a *different* job classification anytime during the two-year effective period of the recall list are treated as new hires. If recalled from a layoff recall list, the employee will receive seniority credit for prior service.
6. Human Resources shall determine a cut-off date for the computation of retention scores. The cut-off date is the last "pay period ending date" preceding the layoff request. Probationary employees attaining permanent status after the cut-off date shall receive credit for seniority up to the time of the cut-off date.
7. The full job title for which the retention score is being computed.
8. Job code number for the Job title.
9. Enter the department name in which the employee served in the classification. The 3-digit business unit code should be entered in the blank next to the department name.
10. Insert the date of entry into the job classification; take the effective date from the Personnel Change Document (PCD) in conjunction with supporting documents, where applicable, *first* placing the employee in the classification.
11. Insert the last date the employee actually occupied the class.
12. Total pay periods in the current classification (includes creditable and non-creditable time).
13. Final employment status achieved in the class (use AA, AB, AC, etc. – see **Appendix A** for status codes).
14. The Date in which employment status was achieved uses effective date from Personnel Change Document (PCD) or Advice of Personnel Action (APA) form actually granting the status.
15. The Exemption from Bumping in the current classification is computer generated and automatically inserted onto the form based upon Human Resources, Compensation Section's review and approval, if applicable.
16. Indicate whether the employee has achieved permanent status in the job classification being considered. Check yes only when (#13) shows AA, and check the L/O Purpose Only box when the employee has retained rights to a

classification in a promotional line (classification series) for layoff purposes only.

17. Show title and status of other classes where seniority is being credited to the classification being considered. This time should not be included within the dates shown in (#10) and (#11). For example, if an employee takes a promotion into the exempt service from the classification being considered, the classification title, the status, the time period in class and the pay period of creditable seniority from the exempt service are shown in this section.
18. Show the total amount of creditable seniority time (in pay periods) from time served in other classes. This time should not be included within the dates shown in (#10) and (#11).
19. Total pay periods of time in the job classification plus additional pay periods of creditable time in other classifications, if applicable.
20. Total leave(s)-of-absence and non-creditable time to be subtracted from total pay periods (#19). To earn a pay period, an employee must have been paid for a minimum of 40.25 creditable hours within a pay period.
21. Net pay periods of creditable time to be multiplied by 0.02308 (see *footnote, page 1*) to give seniority points for the classification.
22. Seniority points (0.02308 x net pay periods).
23. The following procedure is used in giving retention preference to all qualified veterans:

After the necessary retention scores are calculated for a job classification affected by a layoff, additional points will be added to any qualified veteran's seniority points (5% or 10%, based upon the applicable preference) of the highest retention score calculated in the classification to arrive at the TOTAL retention score. NOTE: The number of employees calculated per classification may vary based upon the total number of position eliminations Countywide.

**EXAMPLE OF VETERAN'S PREFERENCE:**

Office Support Specialist 2	Retention Score
<i>Martinez, J</i>	<i>3.95</i>
<i>*Ledon, G</i>	<i>4.65 + .47 = 5.12</i>
<i>Brown, T</i>	<i>4.70</i>
<i>Rivas, M</i>	<i>4.70</i>
<i>*Smith, T</i>	<i>4.70 + .47 = 5.17</i>
<i>Garza, O</i>	<i>5.00</i>
<i>Kosho, A</i>	<i>9.43 x 5% = .47</i>

**\* Qualified Veteran**

***In this example, the qualified veterans' retention scores have been adjusted to reflect the addition of veterans' preference points.***

The Veterans' preference points will be calculated and added to the "Seniority Points" (#22) to arrive at the "Total Retention Score" (#24).

24. The TOTAL retention score for the job classification being considered is the summation of the seniority points (#22), truncated to two (2) decimal places and the Veterans' Preference points (#23) truncated to two (2) decimal places for the job classification. **NOTE:** *Total retention score may include the veterans' preference points, if applicable.*
25. Show dates for leave(s)-of-absence without pay and non-creditable time.
  - a) If the time was not creditable to the class, it should be written out and shown in the leave(s)-of-absence and non-creditable time section (#25 & 26) and subsequently *subtracted* from the total pay periods (#19).
26. Include the length of leave(s)-of-absence or non-creditable time for *each* period shown in pay periods and days. If an explanation is necessary for the non-creditable time, it should be made in (#28).
27. List all classifications where the employee earned classified service rights. Check the series box if the employee has rights to a classification because it is part of a series, include the classification title, the time period in class (if applicable), employee status in the classification and if the employee has rights to the classification for layoff purposes only.
28. Use this section for any comments or explanations necessary to clarify any entry item or personnel action on the form.
29. Identify and record the applicable tiebreaker factors used if two or more employees have the same retention score (**see Section IX (D) for the criteria used to break retention score ties**). The tiebreaker criteria and rankings are recorded in box 29(a) and 29(b), along with the date when the tie is broken.

30. The date and initials of the individual preparing the retention score computations.
31. The date and name of the individual proofing the retention score computations.
32. The date and name of the individual auditing the retention score computations.
33. Check appropriate box, to indicate if employee achieved or did not achieve classified service rights in the class identified in #7 or if the employee has been laid off from the classification and only has recall rights to the position that is still active or if the recall rights have expired.

C. RETENTION SCORE COMBINING SHEET (FORM B) – *PROMOTIONAL LINE/SERIES*

**Form B (see Appendix D, Exhibit 2)** is to be used for calculating retention scores in a class series where seniority points earned in a higher class in the *series* are counted toward the retention score of lower job classifications in the job series, *whether the employee served in the lower class(es) or not.*

If an employee did not serve in a lower job classification in a job series, but has retention rights in the class by virtue of having served in a higher class and attaining permanent status in the series, his/her retention score for the lower class (in which he/she did not serve) will be shown only on Form B. Form A (Retention Score Computation Sheet) is computed only for job classifications which the employee occupied and in which he/she earned creditable time.

Items on the Retention Score Combining Sheet (*Form B*) should be completed as follows:

1. Last name, first name and middle initial of the employee.
2. Employee's Identification number.
3. Same as #3 on Form A (Veteran's Preference).
4. Hire or rehire date for the current period of continuous employment. (Same as #4 on Form A).
5. Cut-off date for current layoff.
6. The job title requiring the combining score.

7. Job Code for the job title.
8. Indicate whether or not the employee has occupied the job classification for which the combining score is being done.
9. Number of job classifications to be combined must always be two (2) or more, even if the employee did not occupy the class (in a job series). The score for the classification is derived from a higher class in the series, so at least two (2) classes are being considered.
10. Job code for the title shown in (11).
11. The classification titles of all classes being combined are shown here. The highest job classification in the series should be entered in the table. The position for which the combining score is being done should be listed, even if the employee never occupied the class. The seniority credits (pay periods) for the position never occupied would reflect zero seniority credits (pay periods).
12. Creditable seniority for classification title shown in (#11).
13. The sum of all creditable seniority (in pay periods).
14. Total seniority points (#13) x .02308 (*see footnote, page 1*).
15. Same as #23, Form A.
16. The TOTAL retention score for the job classification being considered is the summation of the seniority points truncated to two (2) decimal places. The sum of the total seniority points (#14) and the Veterans' Preference points (#15) will give the retention score for the job classification for which the combining score is done. NOTE: Total retention score may include veterans' preference points, if applicable. See veterans' preference #23, Form A.
17. Same as #29, Form A.
18. Same as #30, Form A.
19. Same as #31, Form A
20. Same as #32, Form A

**D. EMPLOYEE LAYOFF RETENTION WORKSHEET AND TIEBREAKERS**

After retention scores are completed, the names of the employees in the affected class are listed in rank order by retention score on the employee layoff retention list. At this point, tied retention scores are broken according to the following criteria:

**First tiebreaker:** Amount of Service in the affected job classification

**Second tiebreaker:** Amount of service in the class series

**Third tiebreaker:** Total County Service (continuous)

**Fourth tiebreaker:** Lot

When the **fourth** tiebreaker (lot) must be resorted to, it is accomplished in the following manner:

The names of employees with tied retention scores shall be written on slips of paper. The slips will be folded and placed in a container. A disinterested party will draw the slips one at a time. The order of the slips as drawn (1, 2, 3, etc.) will determine the ranking number and layoff order, with #1 being the first to be laid off. The tiebreaker type and ranking number will be recorded on the slip and in box 29(a) and (b), along with the date on which the tiebreaker was conducted. The ranking slips will be kept as a part of the permanent record of the layoff action. This process is to be witnessed. In addition, prior to initiation of the drawing, a collective bargaining union representative will be allowed to be present and witness the process, if feasible.

**X. SPECIAL CONSIDERATIONS AFFECTING LAYOFF ACTIONS**

**A. DEMOTIONS**

An employee who accepts a demotion (voluntary or disciplinary) forfeits his/her seniority rights to the higher classification(s).

An employee who elects to accept a voluntary demotion rather than exercise bumping rights forfeits his/her seniority rights to the higher class. For example, an Administrative Officer III is being laid off and has rights to be placed in a vacant Administrative Officer III position in another department; instead of accepting the placement, he/she asks for a voluntary demotion to an Administrative Officer II position in his/her own department. The Employee must acknowledge in writing that he/she is relinquishing his/her classified service rights to the higher class. In accepting the demotion, his/her Administrative Officer III seniority rights are

forfeited. The Administrative Officer III seniority would count only to the Administrative Officer II and Administrative Officer 1 classification. If, however, he/she were subsequently promoted back to an Administrative Officer III position and permanent status is achieved as an Administrative Officer III, the prior Administrative Officer III seniority (before the demotion) would be credited to his/her Administrative Officer III seniority. Time spent in the lower classification is handled as a leave-of-absence from the higher classification.

**B. PART-TIME STATUS**

An employee forfeits previously obtained classified service rights if their status is changed from full-time to part-time status. Anytime during the part-time status period, an employee may be terminated with no appeal or bumping rights.

If an employee voluntarily goes from a regular full-time status (AA, AB) to part-time status (AE) and later returns to the same full-time status position, the part-time status time is treated as a leave-of-absence.

**C. EXTRAORDINARY STATUS APPOINTMENTS**

In some cases, due to oversight or error, employees are kept in an extraordinary status (AH, AD, AJ, AT, etc.), for longer than one year. When such cases are discovered, they will be investigated and appropriate action will be taken.

**D. CREDITING OF PAY PERIODS**

In cases where an employee is hired with Miami-Dade County in the middle of a pay period, that pay period is not counted as a creditable pay period for seniority points.

If an employee begins in a new position in the middle of a pay period, that pay period is not creditable time in the new classification; however, the pay period is credited towards the previous classification.



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