

**Category:** 300

**Number:** 333

**Policy:** LAYOFF AND RECALL

**Purpose:** The purpose of this policy is to define and serve as primary document for layoff and recall for Non-Union Employees.

**Authority:** St. Clair County Board of Commissioners. Administrative policies shall be subject to revision or termination by the Board of Commissioners at its discretion. This policy replaces and supersedes any prior policy on this subject matter.

**Application:** This policy applies primarily to County Officials, Appointed, Confidential and Non-Union Employees (CANUE). This policy shall not apply to elected co-employers. Employees who are members of Unions should consult the applicable collective bargaining agreement. Where a collective bargaining agreement is silent, this policy will apply.

**Responsibility:** The Human Resources Director or designee shall be responsible for the administration and enforcement of this policy.

If St. Clair County determines that it must reduce the workforce because of adverse economic or other conditions, layoffs and recall from layoffs will be conducted in a manner that is consistent with the procedures described below.

The County will communicate information about an impending layoff as soon as possible considering the County's interests and compliance with state and federal notice requirements.

#### **LAYOFF ORDER**

When a layoff is determined to be necessary, primary consideration in determining who is laid off and who remains actively employed shall be given to the following:

1. Better ability to perform the essential functions.
2. Better qualification(s) to perform all required remaining tasks.
3. Demonstrated acceptable work habits.

Where 1, 2, 3 are equal, seniority shall prevail.

Temporary and newly hired employees on shall be laid off first, if within the classification affected by layoff.

#### **RECALL ORDER**

When a recall is necessary, the employee who is best qualified to perform the desired functions and tasks shall be recalled. Recall notice shall be made via phone and by written notice sent by standard mail.

#### **FAILURE TO REPORT**

Failure to report to work on the day scheduled to return from layoff shall be considered voluntary job abandonment and result in employment termination.

#### **REFUSAL TO REPORT**

A refusal to accept an offer to return to work may result in employment termination.

#### **SENIORITY**

Seniority shall not accrue during a period of layoff.

## **FRINGE BENEFITS AND COBRA**

A laid off full-time regular employee shall not be eligible for, nor receive, any fringe benefits except through C.O.B.R.A.at the employee's expense. For more information, refer to Policy 382 C.O.B.R.A.

For further information, an employee may contact the Human Resources department by telephone at (810) 989-6910 or by email at [humanresources@stclaircounty.org](mailto:humanresources@stclaircounty.org).

**Review:** The Administrator/Controller has reviewed and approved this policy as to substance and Corporation Counsel has reviewed and approved as to legal content. The Human Resources Director shall periodically review this policy and make recommendations for changes as needed.

**Adopted: June 17, 2021**