

## ARTICLE 26

### EFFECTS OF LAYOFFS

#### 26.1 Notice to Association of Potential Unit Member Layoff

The District shall notify the Association of any proposed layoff of unit member(s) prior to such proposal being submitted publicly. The District shall notify the Association of all specific unit members to be given notices under Education Code Sections 44949-44955 at least five (5) days prior to the notices being distributed. This list will include unit member names, seniority dates, internal seniority dates if applicable, current assignments, portions of assignments to be reduced, and credentials and any supplements held.

#### 26.2 Order of Layoff of Unit Members

26.2.1 The layoff of unit members shall be based upon the Education Code, except as modified in this article.

26.2.2 A unit member to be laid off shall be given the opportunity to be transferred and/or assigned to a position filled by a unit member with less seniority if the more senior unit member then holds a valid credential for the position held by the less senior unit member.

#### 26.3 District Seniority: Ties in District Seniority

26.3.1 Seniority in Chico Unified School District is based upon the date that the employee first rendered paid service for the District in a probationary position.

26.3.2 In the event that two or more unit members first rendered paid certificated service for the District in a probationary position on the same date, the tie shall be broken as follows:

26.3.2.A Unit members with District temporary certificated experience immediately prior to and contiguous with District probationary status shall be given seniority dating to the start of that District certificated experience prior to and contiguous with District probationary status. Such temporary experience shall not include any substitute service. Experience will be calculated based upon the first date of paid status as a temporary teacher. A break in contiguous service of any length will result in a new seniority date when service resumes.

26.3.2.B If there are still ties in this District or "internal" seniority as

set forth above, a lottery will be held by the District to determine the order of layoffs. Association members may oversee the method of lottery and be present during the lottery.

26.4 Rehiring: Ties in District Seniority: Rights upon Rehire

- 26.4.1 Rehiring is to be done in reverse order of layoff as defined herein and pursuant to the Education Code. The former unit member with the highest seniority laid off within the statutory period set forth in the Education Code will be offered the opportunity for rehire into any vacant or newly created position for which they possess a credential, even if said credential is a new credential completed since layoff and is registered with the district office. The results of any lottery held pursuant to 26.3 above shall be utilized in the case of rehire.
- 26.4.2 In the event that two or more certificated employees first rendered paid service for the District in a probationary position on the same date are subject to rehire, the "internal" seniority tie-breaker procedure set forth in Section 26.3 shall be utilized. In the event that there remain ties with the use of this internal District seniority test, and no lottery was held for the subject unit members for order of layoff, the lottery process set forth in Section 26.3 shall be utilized to determine order of rehire.
- 26.4.3 Any unit member rehired after layoff pursuant to this Article shall, upon rehire, be granted the same district seniority, salary schedule placement, accrued sick leave, and any other previously accrued benefits as were in effect for the unit member on the date of layoff.