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I.C. § 65-503
I.C. § 65-505

LAYOFF

I. INTRODUCTION

Layoffs occur when changing priorities, budgetary constraints, or other business needs require the city to eliminate positions. Whenever practical and consistent with its business needs, the city will consider ways to lessen the impact or need to lay off employees. Voluntary severance incentives may be analyzed and pursued where appropriate.

This regulation applies to all regular city of Boise employees except for bargaining unit employees whose collective labor agreement includes layoff provisions. The regulation does not apply to temporary employees, department directors, or other office heads who were appointed by the mayor or city council under the provisions of the Boise City Code, or any employee in an "at will" position.

II. LAYOFF DETERMINATION

When layoffs are necessary, the city evaluates the positions needed to conduct the ongoing or future work of a division, department, and/or the organization, as well as the relative value of work performed by individual employees. Length of service and other factors may be considered but receive less weight in the determination. If length of service is considered, the seniority date used would be the employee's current hire date.

When determining the order of layoffs, the city will comply with its obligations under Idaho's Veterans Preference statute. Departments are expected to abide by the following guidelines when determining the order of layoffs:

- A. Employees in temporary positions performing the same work as regular employees should be considered for termination before any regular employees, provided a regular employee can perform the temporary employee's tasks.
- B. Layoffs of regular employees will be based on the following factors:

- a. Positions most critical to the division, department, or organization in the delivery of services;
 - b. Relative skills, knowledge and productivity of individual employees.
 - c. Protected class status
- C. Length of employment, or other relevant factors.

Prior to finalizing the list of employees to be laid off, Human Resources shall evaluate equal employment factors to ensure employees in protected classes are not disparately impacted by the layoffs.

III. NOTICE

Employees being laid off shall be given a minimum of fifteen (15) calendar days advance written notice of the layoff. Human Resources will provide the applicable department(s) with the required written notice to be given to employees being laid off.

IV. RECALL

After a layoff, the city can determine, at its discretion, the occasion and the advisability of recalling some or all the laid-off employees. If this occurs, the city will restore the recalled employee's sick leave balance as of the employee's last day of employment, provided the balances were not swept into the employee's HRA VEBA account, or are otherwise not available. Employees who are reinstated within one year of the effective date of the employee's layoff may have their vacation accrual rates restored.

V. CONTINUATION OF HEALTH INSURANCE

Employees who are laid off may be eligible to continue their health insurance benefits under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA), as outlined in the applicable City policy and regulation.

VI. LAYOFF APPEAL

A layoff is not appealable.