

## **AP 7230-8 Confidential Employees- Transfer, Layoff and Bumping Rights**

### **1.0 Transfer**

1.1 Voluntary Lateral Transfer: A confidential employee may request a transfer to a confidential position in the same classification or to a position at the same salary range within the confidential series for which the employee is qualified. A confidential employee interested in a voluntary lateral transfer shall submit a written request to the District Office of Human Resources indicating the position and location to which the employee will accept a transfer. In the event a position becomes vacant, confidential employees who have submitted transfer requests will be considered for transfer prior to the announcement of the vacancy. If the hiring manager declines to select any of the transfer applicants, the position will be advertised in accordance with the regular recruitment and selection process.

1.2 Involuntary Lateral Transfer: The District may transfer a confidential employee to a confidential position in the same classification or to a position at the same salary range within the confidential series or the classified bargaining unit for which the employee is qualified, to fulfill personnel needs or requirements or because of vacancies, overstaffing, lack of work, lack of funds, nepotism, or when otherwise necessary to meet operational needs as determined by the District. Except in cases of emergency, a confidential employee who is to be transferred shall be provided with a minimum of twenty (20) working days' written notice before the transfer is implemented.

### **2.0 Layoff**

2.1 Layoff of confidential employees shall occur only for lack of work or lack of funds. Any layoff shall be affected within a classification within the confidential employee series.

2.2 The order of layoff shall be based on seniority within the classification and higher confidential employee series classifications. A confidential employee with the least seniority within the classification plus higher classifications shall be laid off first.

2.3 Seniority shall be based on the number of hours an employee has been in paid status in the classification plus higher classifications in which a position was held in the confidential series.

### **3.0 Bumping Rights**

3.1 A confidential employee who is laid off from the employee's present classification may bump into an equal classification within the confidential employee series in which the employee has previously served, providing the laid-off employee's seniority within the classification plus higher classifications is greater than the seniority of the employee holding employment in the equal classification.

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- 3.2 If there is no position in an equal classification within the confidential employee series in which the employee has previously served or has greater seniority, then the employee may bump into the next lower classification within the confidential employee series in which the employee has previously served, providing the laid-off employee's seniority within the classification plus higher classifications is greater than the seniority of the employee holding employment in the lower classification.
- 3.3 In the event the confidential employee is unable to bump within the confidential employee series and the employee has previously held a classified bargaining unit position within the District, the employee may bump into the highest classified bargaining unit classification in which the employee has previously served, provided the confidential employee's seniority in the bargaining unit classification plus higher classifications, including confidential employee classifications, is greater than the seniority of the employee holding employment in the bargaining unit classification.

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