

ARTICLE 26: LAYOFF

A. General Provisions

The Employer shall determine when temporary or indefinite layoffs are necessary.

B. Definitions

1. Temporary layoff affecting a career position is for a specified period of less than four (4) calendar months from the date of layoff.
2. Indefinite layoff affecting a career position is one which is four (4) or more calendar months.

C. Temporary Layoff

1. An employee shall be given written notice of the effective date and the ending date of a temporary layoff. The notice shall be given at least thirty (30) calendar days prior to the effective date.

D. Indefinite Layoff

1. The order of layoff for indefinite career employees in the same classification (defined as the four (4) digits of the title code) within a unit defined by the Employer is in inverse order of seniority except that the department head may retain employees irrespective of seniority who possess special skills, knowledge, or abilities that are not possessed by other employees in the same classification with greater seniority, and that are necessary to perform the ongoing function of the department.
2. Seniority: Seniority shall be calculated by the number of career full-time equivalent months (or hours) of LLNL service. Employment prior to a break in service shall not be counted. When employees have the same number of full-time equivalent months (or hours), the employee with the most recent date of appointment shall be deemed the least senior.
3. Notice: An employee will receive at least thirty (30) calendar days written notice prior to indefinite layoff. If less than thirty (30) calendar days notice is provided, the employee shall receive straight-time pay in lieu of notice for each additional day the employee would have been on pay status had the employee been given thirty (30) calendar days notice. Prior to a layoff, the affected employee shall be notified of benefit continuation and unemployment insurance processes and, in addition, a non-probationary, indefinite career employee shall be informed of the procedures for recall and preferential rehire.

E. Reemployment from Indefinite Layoff

All laid off employees will have rehire rights for eighteen (18) months. An employee who is laid off shall be recalled in order of seniority into any vacant position within the bargaining unit for which the employee is qualified when the position is in the same classification (defined as the four (4) digits of the title codes). Employees who fail to take a position offered to them after reasonable notification will not be eligible for future positions.

F. Continuity on Benefits

The Employer's contribution to the cost of an Employer sponsored health plan will be provided for an employee on temporary layoff.