

Involuntary Layoff

Narrative and Flowcharts A and B

The following narrative and flowcharts can be used as a guide as agencies develop their own process, or chart of events for involuntary layoffs.

Narrative and Flowcharts

Many aspects of the involuntary layoff process are determined by bargaining unit agreements. Master contract language can be affected by Memorandum of Understandings (MOUs) regarding layoff processes and options. The following processes can be adapted to accommodate these agreements.

Two involuntary layoff processes and flowcharts will be described. The first process described is a layoff situation as (A) the result of a management study or planning process. The second process described for all other layoffs is the more typical situation, usually due to a (B) sudden lack of funding or sudden loss of a business function.

A. Involuntary Layoff: Resulting from a Planning Process or Management Study (refer to Flowchart A)

When is this approach appropriate?

When a study or planning has occurred resulting in the decision to eliminate positions. Information in addressing all other layoff situations can be found later in this tool.

What steps are recommended? (See Flowchart A)

- 1. Initial Management Study or Planning Process meeting**
Management and Human Resource staff discuss the impending management study or planning process which, if implemented, is expected to result in layoffs. If appropriate, review results of voluntary layoff event.
- 2. Meet and Confer with affected bargaining units regarding the management study or planning process decision phase.**
- 3. Management study or planning process completed. Final determination regarding layoff.**
- 4. Update Seniority rosters (mandatory)**
Agency Human Resource staff update seniority lists to reflect any recent hires, separations, or class changes.
- 5. Management/Human Resource Layoff Implementation Meeting**
Management and Human Resource staff meet to discuss the upcoming events to reduce workforce numbers including:
 - Designate roles and functions of the key players.
 - A draft of the list of positions to be eliminated may be discussed.

- Process timelines should be discussed including delays resulting from MOU negotiations with bargaining units regarding the involuntary layoff processes. Approval for these MOUs comes from both MMB Labor Relations and exclusive representatives.
- The team attempts to anticipate problems that may occur as the layoff process commences. Employee Assistance Program issues regarding employee and work site transition should be raised, if needed.
- Training materials for supervisors and employees are reviewed and training date(s) scheduled.
- If appropriate, arrange for typing, faxing, copying, and on-line services for employees to access for job search and resume preparation.

6. Management/HR Team finalize classifications and positions to be abolished

7. Involuntary Layoff Implementation Meet and Confer Meeting

This meeting is attended by Management, Human Resource staff, representatives of all affected Bargaining Units, and a representative from Employees Assistance Program. Agenda includes, but is not limited to:

- Review the events leading up to the decision to initiate the involuntary layoff process.
- Set timelines for upcoming events, including:
 - Bargaining Unit negotiations, “meet and negotiate”
 - Training opportunities
- If appropriate, introduce the staff person assigned as Layoff Coordinator and discuss his/her role and functions. Otherwise, identify Human Resource staff who will provide employees receiving notice of layoff with support and assistance during the transition.
- If available, review outplacement services
- Discuss upcoming Employee Information session
- Optional—Discuss the development of an Employee Job Information Center
- Identify “what’s next?” and how to keep the bargaining unit and Employee Assistance representatives updated.

8. Provide transition training for supervisors/managers

See this section for further details on training for supervisors/managers

9. Meet and Negotiate Meeting(s) with affected bargaining units

Management/Human Resources and individual exclusive representatives meet to discuss layoff details. Discussion could result in a Memorandum of Understanding (MOU).

10. Memo staff regarding upcoming events

Distribute a memo to all staff regarding the upcoming Involuntary Layoff activity. Discuss the work areas that will be affected by the layoffs. Inform employees regarding timelines and employee transition. Introduce the Layoff Coordinator (or HR designee) and describe his/her functions. Review the agency’s commitment to delivery of quality services to the residents of Minnesota. Thank the employees for their efforts to make the workplace transition successful.

11. Determine who will receive layoff and who may be bumped

Determine potential bumping and vacancy options for each affected employee as per union agreements

- 12. Prepare layoff letters to affected employees (mandatory)**
- 13. Notify the Local Union (mandatory)**

See the applicable contracts for requirements regarding advance notice of impending layoffs.
- 14. Layoff letters are distributed**

The Supervisor meets privately with the affected employee to review the letter and packet of information.
- 15. Provide employees job seeking training and information**

Activities may include:

 - Training: Dealing with Change; Stress Management; Resume and Interview Skills; How to Apply for a State Job; etc.
 - Setting up an Employee Job Information Center with brochures, applications, and listings of current vacancies both public and private.
- 16. The Employee Information Session**

This event for the affected employees should occur a day or two after the letters are presented to the employees. The purpose of this meeting, besides covering a great deal of information, is to introduce employees to the many people and resources available to them through the layoff period.
- 17. Assist employees as needed**
- 18. Employees select options; affected employees may meet privately with Layoff Coordinator or Human Resource staff to discuss opportunities and select options that may be available.**

Prior to the end of the layoff notice period all affected employees may meet with their Human Resource designee to select from the available options. These options may include:

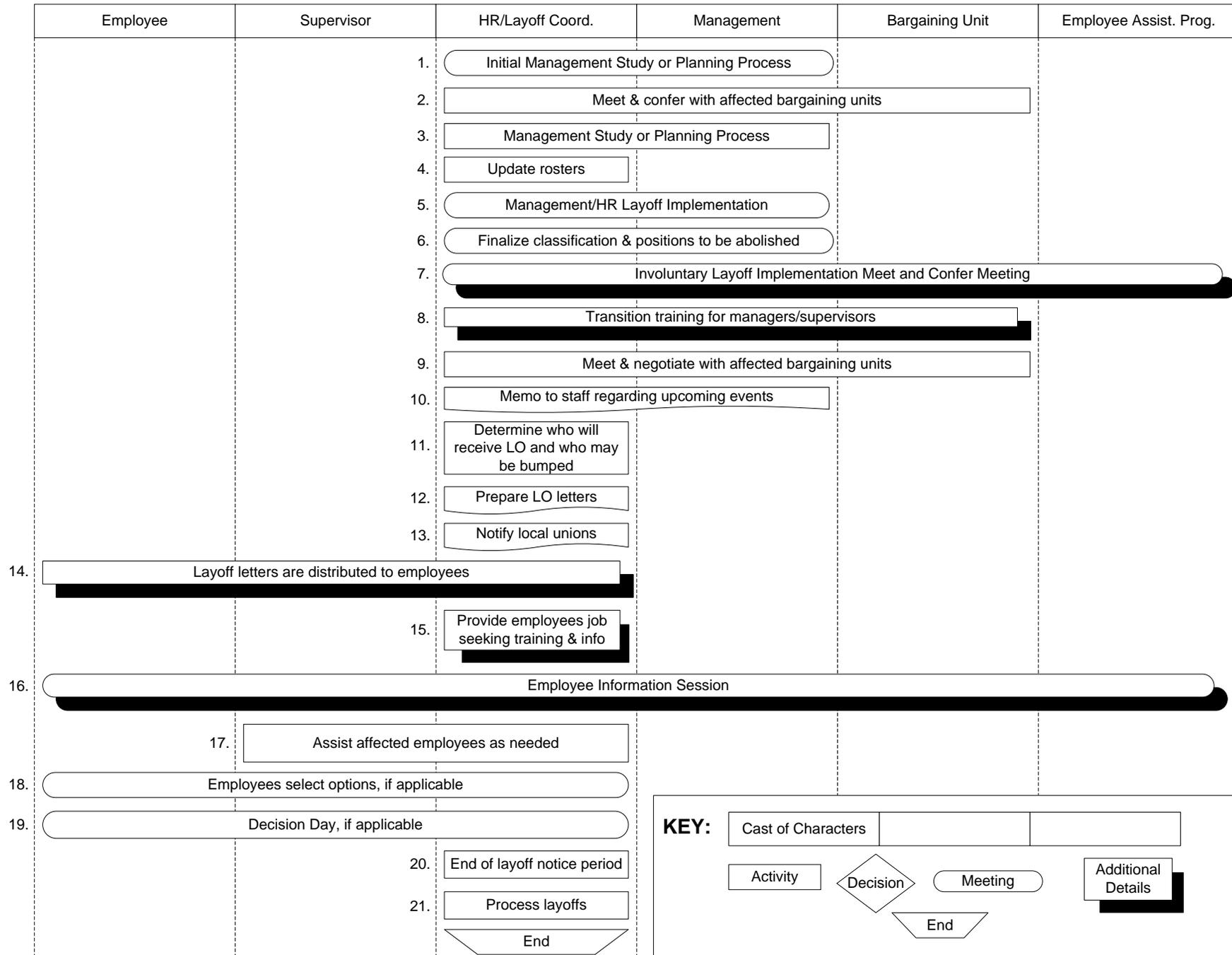
 - Accepting a vacancy within the agency
 - Bumping
 - Reduction in employment condition
 - Claiming a vacancy outside of the agency
 - Retirement
 - Layoff
- 19. Decision Day, if appropriate**

Prior to the end of the layoff period, Human Resource staff meet with employees with bumping options and employees who may be affected by bumping. Employees may select, if they are qualified, from vacancies or bumping opportunities that are available to avoid layoff. Employees who are bumped may then select an option, if available, or may be identified for layoff. This may go on for several “rounds.”
- 20. End of layoff notice period (mandatory)**

This is the last day for employees to select an available option.
- 21. Processing employees who separate (mandatory)**

See “Employees’ Rights and Benefits at Layoff.”

Flowchart A: Involuntary Layoff: Resulting from Planning Process or Management Study Flowchart



B. Involuntary Layoff: All Others (refer to Flowchart B)

When is this approach appropriate?

When there are any number of positions to be abolished as the result of sudden changes in funding or business functions. Examples may include, funding cuts from the legislature or changes in regulations. Optional steps are suggested if the number of layoffs is high or if the impact of the layoffs on the work area warrants it.

What steps are recommended?

- 1. Management/HR determine classifications and positions to be abolished.**
- 2. HR updates seniority rosters.**
- 3. Contact the unions.** The bargaining unit(s) of the affected employee(s) are contacted by Human Resources staff prior to the layoff notice.
- 4. Optional—Transition Training for Managers/Supervisors, if appropriate.**
- 5. Prepare layoff notices for the employees.** See the “How to Prepare and Distribute Layoff Letters” in this section for further instructions. **Send copies of the layoff letters to the appropriate union representative(s).**
- 6. Optional—Employee Information Session.**
- 7. Assign a Human Resource staff to assist the individuals affected, as needed.** See “Key Players in the Redeployment Process” for further information about the roles and functions of the Human Resource staff and others.
- 8. Optional—Decision Day, if applicable.**
- 9. Employees select from available options.**
- 10. End of the layoff notice period.**
- 11. Process transactions of employees who are laid off or who accept another option.** See “Employee’s Rights and Benefits at Layoff.”

**Flowchart B:
Involuntary Layoff Process: All Others Flowchart**

