

## TENTATIVE AGREEMENT

Between

LOS ANGELES COUNTY OFFICE OF EDUCATION

And

SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 99

May 7, 2024

### ARTICLE XVI - LAYOFF AND DISPLACEMENT PROCEDURES

- A. Pursuant to Education Code Section 45308, seniority for purposes of layoff shall be length of service in the class, plus higher classes.  
Length of service means all hours in paid status.
1. The Superintendent or designee shall prepare a seniority list for classes affected by layoff based upon hours in paid status in class plus higher classes. Human Resources Services shall provide copies of these lists to the Union and post the list in Human Resource Services for employees and unit members to view them.
  2. The unit members shall be able to appeal the seniority listing in writing to Human Resource Services through an SEIU representative within ten (10) working days of the posting in Human Resource Services. An appeal committee, comprised of one (1), and no more than two (2), Human Resource Services employees appointed by the Office and two (2) employees appointed by SEIU, shall, at the request of the Union, review all appeals and make recommendations to the Superintendent or designee and the Business Agent of SEIU. Due to the time constraints imposed by the Education Code, the layoff notifications will proceed during the appeal process, subject to adjustments if a unit member prevails on their appeal.
  3. Upon completion of the appeal process, the parties may, at the request of the Union, meet to discuss revisions in the lists, and any general rules of application, if necessary. After such revisions, the parties may, at the request of the Union or Human Resource Services, execute a written verification of the list.
  4. A break in service, due to lay off (Reduction In Force [RIF]), will not cause a unit member to lose his/her seniority earned up to the date of layoff for a period of 39 months. For any break in service which is followed by reemployment under Education Code Section 45298, the seniority for layoff purposes will be adjusted by the time of absence during the service break.
- B. The Office shall continue to comply with the law and the statutory language of Education Code Section 45117 (existing and future). To the extent that there is a violation, this section shall not be subject to arbitration under Article V-Grievance Procedures. For reference, Education Code Section 45117 will be codified in Appendix F. The Office shall not implement any involuntary reduction in regular hours of assignment or layoff of unit members except as provided in the following procedure:

1. ~~The Office shall comply with the layoff procedures required by law including Education Code 45117, California Government Codes 11503 and 11505, and other laws and regulations (existing and future) applicable to layoff/reduction in hours of classified employees.~~
2. ~~A permanent classified employee identified for layoff/reduction in hours shall be notified on or before March 15 of the Office's intent to precede with layoff/reduction in hours. Upon receipt of a written notice, and as is afforded by Education Code 45117, a permanent classified employee may request a hearing to determine if there is cause for not reemploying the employee for the ensuing year.~~
3. The Executive Director of the Union shall be given written notice at the earliest possible opportunity least thirty (30) fifteen (15) calendar days before the meeting at which the Board of Education receives notification Superintendent Hearing of the unit members who will receive a notice of layoff/reduction in hours.
4. ~~Upon request, the Office shall provide the Union a reasonable opportunity to negotiate the effects of the layoff/reduction in hours. As necessary, the parties may jointly request, or either party may request, mediation and fact finding through the State Mediation and Conciliation Services (PERB).~~
5. ~~Nothing in this Article shall prohibit the Office from adhering to the statutory timelines required by Education Code 45117 and/or other laws and regulations applicable to layoff/reduction in hours.~~
6. ~~In the event of layoffs, there shall be no temporary office workers, short term, provisional, limited term, or working out of class assignments in classifications affected by layoffs.~~
7. ~~Notwithstanding the other requirements of Education Code 45117 respecting layoff of permanent classified employees, when classified positions must be eliminated as a result of the expiration of a specially funded program, the employees to be laid off, the Executive Director of the Union shall be given written notice not less than 60 days prior to the effective date of the employee's layoff. The written notice informing informs them of their layoff date and their displacement rights, if any, and reemployment rights.~~

C. Displacement Procedures for the Purposes of Layoffs

1. For purposes of unit member displacement in a layoff process, the Office will act in accordance with Personnel Commission Rules 4245.8 or its successor

IN WITNESS WHEREOF, the Parties have executed and entered into a Reopener Agreement for 2023-2024. The Parties have executed and entered into a tentative agreement as of May 7, 2024:

LOS ANGELES COUNTY OFFICE OF EDUCATION

DATED: 05/07/2024

By: Kanika D. White  
Dr. Kanika D. White  
Chief Human Resource Officer



DATED: \_\_\_\_\_

By: \_\_\_\_\_

Chief Financial Officer

**SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 99**

DATED: 5/7/24

By: Manny Rangel

Special Projects Director

DATED: \_\_\_\_\_

By: \_\_\_\_\_

Senior Lead Internal Supervisor

DATED: 5/7/24

By: Damita Carey-Smith

Damita Carey-Smith  
SEIU Chief Steward

DATED: 5/7/24

By: Kevin Brown

Kevin Brown  
Member

DATED: 5/7/24

By: Maria Tamayo

Maria Tamayo  
Member

DATED: 5/7/24

By: CARLOS SANTOS

Carlos Santos  
Member

DATED: 5/7/24

By: Steven Donini

Steven Donini  
Member

DATED: 5/7/24

By: Jeremy Vinluan

Jeremy Vinluan  
Member

DATED: 5/7/24

By: Lakay Page

Lakay Page  
Member

DATED: 5/7/24

By: Glenda Sharp

Member

Glenn Sharp  
Member

DATED: 5/7/24

By: JOHN PARAG

John Parag  
Member

DATED: \_\_\_\_\_

By: \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Member

By: \_\_\_\_\_

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Member