

Metro | *Policies and procedures*

Subject Layoffs – Non-represented Employees
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

A layoff is an involuntary separation from employment that is initiated due to circumstances other than the employee's conduct or job performance. Metro may lay off employees due to lack of work, lack of funds, reorganization, and/or other business needs.

Applicable to

All non-represented employees.

Layoffs of represented employees will be in accordance with applicable collective bargaining agreements.

Guidelines

1. Metro may lay off employees due to lack of work, lack of funds, business reorganization, and/or other business needs.
2. Metro will provide non-probationary regular status and limited duration employees with at least 14 calendar days' notice of layoff or the corresponding amount of pay in lieu of notice.

Procedures

1. The Chief Operating Officer (COO) or Visitor Venues General Manager, in consultation with the MERC Commission and/or Metro Council as appropriate, will determine the number and classifications of employees to be laid off.
2. The COO and/or Visitor Venues General Manager, in consultation with management stakeholders, will determine the order in which employees in the same classification are selected for layoff.
 - a. Metro is not required to lay off temporary and seasonal employees before limited duration and regular status employees. Layoff decisions will be based on business needs.

- b. Determinations will be made based on Metro's business needs and the employees' employment history, including the following factors, listed in no particular order:
 - i. Past work performance as reflected in performance evaluations and attendance, safety, and disciplinary records;
 - ii. Job knowledge, skill, and ability to do the required work;
 - iii. The ability to perform other jobs that the employee may be called upon to perform as a result of the staffing reduction;
 - iv. Previous work experience and educational background; and
 - v. Length of service.
3. Notice of layoff will be given as follows:
- a. Temporary and seasonal employees and probationary employees may be laid off with or without prior notice; however, advance notice will be provided to the extent feasible.
 - b. Non-probationary limited duration and regular status employees will be given at least 14 calendar days' written notice of layoff or the corresponding amount of pay in lieu of notice.
 - c. In the event of a facility closure or mass layoff covered by the Worker Adjustment and Retraining Notice (WARN) Act, the notice period and the form and content of the notice will comply with the WARN Act.

Responsibilities

Chief Operating Officer and Visitor Venues General Manager:

- Make layoff determinations under this policy in consultation with supervisors, managers, the HR Department and the MERC Commission and/or Metro Council.

Human Resources Department:

- Process separation paperwork.
- Provide benefits information to separating employees.
- Payroll Division: process employee's final check.

References

Payroll policy

Worker Adjustment and Retraining Notification (WARN) Act (29 U.S.C. §2101, et seq.; 20 CFR Part 639)