

STATE OF MAINE  
DEPARTMENT OF PERSONNEL

June 17, 1981

PERSONNEL MEMORANDUM 2-81

TO: All Department/Agency Heads/Personnel Officers

SUBJECT: Procedures for Notification of Layoff

Attached is a copy of the procedures for notification of layoff. These procedures and the seniority article of the relevant collective bargaining agreement must be adhered to in administering layoffs.

Recently there have been several incidents where these procedures and/or contract provisions were not followed. As a result, employee rights have been violated and layoffs have been unnecessarily complicated.

Please be advised that staff from this office are available for technical assistance and review of formal notice to insure compliance with procedures and contract provisions. You may contact either Gary Mather or Frank Johnson at 289-3761.

We would advise any agency that is anticipating layoffs to begin this procedure at the earliest possible opportunity.

Please distribute this memorandum and the accompanying procedures to all appropriate personnel.



DAVID W. BUSTIN  
COMMISSIONER OF PERSONNEL

ATTACHMENT

PLEASE REPRODUCE LOCALLY FOR DISTRIBUTION PURPOSES

## PROCEDURES FOR NOTIFICATION OF LAYOFF

To ensure the proper and efficient notification and administration of layoffs, the following procedures should be followed prior to notification to an affected employee:

- I. Agency determines the specific position(s) to be abolished.
- II. Agency sends a list of position(s) to be abolished to the Department of Personnel (Attention: Don Wills) requesting related class information (with a copy to the Office of Employee Relations). This request should include:
  - (a) Incumbent's name.
  - (b) Class/option of the position.
  - (c) Agency contact person (Personnel Officer or central administrative contact).
- III. The Department of Personnel determines lower related classes and the agency and the Department of Personnel jointly develop a list of lower related classes (by option and program area where appropriate) for which the person being laid off has bumping rights.
- IV. Agency determines if the person is qualified by virtue of present and previous State employment to perform the duties of a lower related position. Are there diverse programs requiring cross training beyond a reasonable orientation period?
- V. Agency determines specific bumping options for the affected employee in accordance with the contract in force.
- VI. Agency representative confers with the Department of Personnel to review the procedures and to verify that the affected employee is advised of all rights and options.
- VII. Agency formally notifies person of abolishment of position and any rights which he/she may have under contract provisions. The formal notification must include the effective date of the layoff and the specific bumping rights which may be exercised.
- VIII. As bumping rights are exercised, Steps II thru VII are repeated until an employee is officially notified of layoff.
- IX. When the Department of Personnel receives official notification of layoff, it will follow up with a letter further outlining avenues open to those employees being laid off.

Please be advised that these procedures supersede the procedures outlined in the June 18, 1980, memorandum issued by the Department of Personnel and the Office of Employee Relations.