

Michigan Civil Service Commission

Regulation 2.02

Subject: Agency Layoff Plans		
SPDOC No.: 18-03	Effective Date: January 1, 2019	Replaces: Reg. 2.02 (SPDOC 16-06; January 1, 2017)

1. Purpose

This regulation provides standards to develop and approve agency layoff plans.

2. CSC Rule References

2-5 Employment Preference

2-5.1 Application and Protection

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(d) Agency layoff plans. The state personnel director may approve an agency layoff plan that varies the application of employment preference within an agency. An approved agency layoff plan may vary the application of employment preference in the following areas only:

- (1) The application of county preference based on organizational or geographic limits.*
- (2) The application of employment preference between recognized autonomous entities of a principal department, if agreed by each appointing authority.*
- (3) The application of employment preference into additional positions in class clusters approved by the appointing authority and the state personnel director.*
- (4) The application of employment preference between eligible employee status codes.*

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3. Standards

- A. An agency must receive approval for any agency layoff plan from the state personnel director.
- B. The following provisions on application of employment preference cannot be modified by an agency plan:
 1. Determination of preference by total continuous state service.
 2. Qualification determinations, as specified in the rules.

3. Application of preference between employees with a collective bargaining agreement and those without an agreement.
 4. Any definitions in the current rules.
 5. Employment preference, as defined in the rules.
- C. The state personnel director must approve agency layoff plans at least 28 days before implementation.
 - D. Notice to all affected employees must be given at least 14 days before implementation.
 - E. Agencies that want to have bumping in class clusters must identify the proposed classifications. Classifications in a proposed cluster must meet the minimum requirements of the job specifications for all other classifications in the cluster.
 - F. Agencies that want to have bumping between employee status codes must include this in any plans.
 - G. Agency layoff plans must include a clear and understandable explanation of the procedures used to implement the plan.
 - H. The state personnel director will review agency layoff plans within 14 days after receipt of all relevant information and approve or identify necessary changes. The director shall contemporaneously provide notice of any approval to affected labor organizations.

4. Procedures

Responsibility	Action
Appointing Authority	1. Prepares an agency layoff plan in accordance with this regulation. 2. Sends the drafted plan to the state personnel director.
State Personnel Director	3. Reviews the plan for conformance with rule 2-5 and this regulation. 4. Sends appointing authority notice of approval or necessary modifications for the plan and sends affected labor organizations notice of approvals.
Appointing Authority	5. Upon receipt of letter approving or recommending modifications to the agency layoff plan either (a) issues notice of the approved plan to all affected employees or (b) makes necessary modifications and resubmits for approval.

CONTACT

Questions on this regulation may be directed to the Office of the General Counsel, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; 517-284-0093; or MCSC-OGC@mi.gov.