

Michigan Civil Service Commission

Regulation 2.02

Subject: Agency Layoff Plans		
SPDOC No.: 16-06	Effective Date: January 1, 201 9 ⁷	Replaces: Reg. 2.02 (SPDOC 0716-1406 ; October-January 17, 201 0 ⁷)

1. Purpose

This regulation provides ~~agencies with standards and methods of to developing and approve~~ agency layoff plans ~~and establishes the criteria Civil Service staff uses in the review process.~~

2. CSC Rule References

2-5 *Employment Preference*

2-5.1 *Application and Protection*

* * *

(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.*

* * *

3. Standards

- A. ~~No-An~~ agency must receive approval for any agency layoff plan ~~will be approved that does not from the state personnel director conform to civil service rules, particularly rule 2-5. A statement must be included to specify that the layoff plan is applicable only to employees not covered by a collective bargaining agreement.~~
- B. The following provisions ~~regarding on~~ application of employment preference cannot be modified by an agency plan:

1. Determinations of preference by total continuous state service.
 2. Qualification determinations⁷ as specified in the ~~current~~ rules.
 3. Applications of preference between employees with a collective bargaining agreement and those without ~~such~~ an agreement.
 4. Any ~~terminology~~ definitions ~~included~~ in the current rules.
 5. Employment preference, as defined in the ~~current~~ rules.
- C. The ~~S~~state ~~P~~ersonnel ~~D~~irector must approve agency layoff plans at least 28 ~~calendar~~ days before ~~their~~ implementation.
- D. Notice to all affected employees must be ~~published and issued~~ given at least 14 ~~calendar~~ days before implementation ~~of an agency layoff plan~~.
- E. Agencies that want to apply employment preference into additional positions in class clusters must identify the proposed classifications ~~to be clustered~~.
- ~~F.~~ Every classification in the proposed cluster must meet the minimum requirements of the job specifications for every other classification in ~~the~~ at proposed cluster.
- ~~G.F.~~ Agencies that ~~wish~~ want to apply employment preference between employee status codes must include this in ~~their~~ any plans.
- ~~H.G.~~ Agency layoff plans must include a clear and understandable explanation of the procedures ~~to be~~ used to implement the plan.
- ~~I.H.~~ ~~Civil Service staff~~ The state personnel director will review agency layoff plans within 14 ~~calendar~~ days ~~following~~ after receipt of all relevant information and approve or identify necessary changes.
- I. An agency shall provide a copy of an agency layoff plan to a labor organization upon written request.

4. Procedures

Responsibility	Action
Appointing Authority	<ol style="list-style-type: none"> 1. Prepares an agency layoff plan in accordance with the standards identified in this regulation. 2. Sends the drafted plan to Civil Service.
Civil Service	<ol style="list-style-type: none"> 3. Reviews the plan for conformance with rule 2-5 and the standards established by this regulation. 4. Sends letter to appointing authority approving or recommending necessary modifications to the agency layoff plan.

Responsibility	Action
Appointing Authority	<p>5. Upon receipt of letter approving or recommending modifications to the agency layoff plan:</p> <p>either (a.——) Issues notice of the approved agency layoff plan to all affected employees or (b):</p> <p>OR</p> <p>b.— M makes necessary modifications to the plan and returns resubmits to Civil Service, approval (Step 2 in this procedure) for approval.</p>

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; by telephone at 517-373-3024; or by email to MCSC-OGC@mi.gov.