

Article 15

Layoffs

- 15.1 At least 120 days prior to the effective date of a proposed layoff of bargaining unit members, the District will give the Union notice and an opportunity to bargain any impacts of the proposed decision to layoff which changes the status quo and within the scope of representation and which have not previously been negotiated.
- 15.2 Faculty Service Areas ("FSAs")
- 15.2.1 Definition: FSAs are service or instructional subject areas or a group of related services or instructional subject areas performed by faculty and established by agreement of the District, the Faculty Senate, and the CCFT. Each FSA is listed in Appendix H.1, attached to this Agreement.
- 15.2.2 Function: The function of FSAs is to provide objective and legal criteria by which seniority and displacement ("bumping") rights of faculty are determined when a reduction in force (layoff) is implemented.
- 15.2.3 Initial Assignment: Faculty members shall qualify for and be assigned by the District to one or more FSAs at the time of initial employment based on minimum qualifications pursuant to Education Code 87356 and the unit member's initial assignment.
- 15.2.4 Order of Employment: In the event that newly hired contract faculty members share a common hire date, a drawing will be used to determine the order of employment as prescribed in the Education Code sections 87414-87415. The Human Resources Department will notify CCFT when such a drawing may be necessary and will communicate the logistics of the drawing to both the affected contract faculty member and CCFT. Determination of the employee's ranking shall be done within thirty (30) days of the date of hire. After a drawing has occurred, if the District determines that a faculty member's seniority date must be changed as required by law or as a result of a negotiated agreement with CCFT, and this change results in the faculty member sharing a common hire date with one or more other faculty member, the District will conduct a new drawing as soon as practicable under the conditions in this section.
- 15.2.5 Additional FSAs: After initial employment, a faculty member may apply to the District to add FSAs for which the faculty member qualifies.
- 15.2.5.1 To be eligible for an additional FSA, a faculty member must meet both the (1) minimum qualifications pursuant to Education Code 87356 and (2) District competency standards as set forth in section 15.2.5.1.1 below.
- 15.2.5.1.1 District Competency Criteria
For purposes of a reduction in force (layoff) only, a faculty member shall be considered to meet District competency criteria to serve in a FSA if they meet the criteria set forth in Board Policy 7211.
- 15.2.5.2 By the first of October, the current list of FSAs will be posted on the Human Resources Department website.
- 15.2.5.3 The Human Resources Department will distribute the New FSA Request Form to regular and contract faculty by the first of October. To add an FSA, the faculty member must request it on the New FSA Request Form, Appendix H.2 and provide appropriate supplemental documentation. In order to be considered in any reduction in force (layoff) proceeding during the academic year in which the application is received, the New FSA Request Form is due to the Human Resources Department by the first business day of November.

15.2.6 Evaluation of Requests for Additional FSAs:

Requests for additional FSAs will be evaluated by the Dean from the FSA being sought and a representative from the Human Resources office. The faculty member will be notified of the decision to accept or deny their request by February 1. If the request is accepted, current members of the new FSA will be notified in writing that the faculty member's request for a new FSA has been accepted. If the request is denied, the reasons for that decision shall be communicated to the faculty member in writing by February 1.

15.2.6.1 Evaluation of Denial of Requests for Additional FSAs:

If a request for an additional FSA is denied pursuant to section 15.2.5 above, such request/denial shall be evaluated by the Vice President of the assigned component, or designee, the Dean of the requested new FSA, and the Faculty Senate President, or designee. The faculty member will be notified of this committee's decision by February 15. If the request for an additional FSA is accepted, current members of that FSA will be notified as specified in section 15.2.5 above.

15.3 Order of Layoffs

Layoffs of faculty members as a result of a reduction in force shall occur as prescribed in the Education Code. In the event of a layoff, the Board shall, consistent with District seniority and displacement ("bumping") rights established by the Education Code and Title 5 of the California Code of regulations, reassign faculty members to positions in Faculty Service Areas(s) ("FSA") for which they have qualified consistent with this Article.