

# Sandoval County Board of County Commissioners

## Agenda Item Summary

**AGENDA ITEM # 5-15-14.6E**

### **1. REQUESTED MOTION**

**ACTION REQUESTED:**

Approval of a Layoff Plan to Implement the Reduction in Force Process for Employees in Positions Identified for Elimination in the FY 2014-2015 Budget Due to Loss of Funding or Reorganization.

**WHY ACTION IS NECESSARY (Summary):**

Program reorganization due to loss of medicaid reimbursement revenue from UNM and implementation of a full dental program provided by Presbyterian Medical Services at the Health Commons.

### **2. REQUESTOR**

COMMISSIONER SPONSORED:  YES  NO

DISTRICT:  DISTRICT 1     DISTRICT 4  
 DISTRICT 2     DISTRICT 5  
 DISTRICT 3

DIRECTOR / ELECTED: Patricia Miller

DIVISION: Human Resources & Risk Mgmt.

ELECTED OFFICE:

ATTACHMENTS:  YES  NO

### **3. MEETING DATE**

May 15, 2014

### **4. AGENDA** (To be completed by County Manager)

- PROCLAMATION  
 PRESENTATION  
 CONSENT  
 REGULAR  
 APPEAL

### **5. RECOMMENDATIONS**

Sandoval County Personnel Rule & Regulations Article VI REDUCTION IN FORCE requires that the action to approve a reorganization or elimination of function(s) be documented in a Layoff Plan and submitted to the Commission.

### **6. FISCAL IMPACT**

Position eliminated in FY 2014-2015 budget.

### **7. RECOMMENDED APPROVAL (Initials & Date)**

Department Director/Elected Official	Human Resources	Purchasing	Attorney As to Form	Finance Budget	County Manager	Other
PM 5/2/14	PM 5/2/14	_____	PFT 5/8/14	CCH 5/8/14	PPR 5/8/14	_____

### **8. COMMISSION ACTION**

Approved     Denied     Deferred     Other



## Sandoval County

### Interoffice Memorandum

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**To:** Elected Officials and Division Directors  
**From:** Phillip Rios, County Manager  
**Date:** May 15, 2014  
**Subject:** Reduction in Force – Layoff / Placement Plan

The Community Health Program in the Division of Community Services has been funded in part through a contract with the NM Department of Health Oral Bureau and revenue received from a contract with the UNM School of Dental Medicine.

UNM is implementing a new billing system and will no longer be able to provide Medicaid reimbursed dollars for clients seen by the Sandoval County Community Health program. In addition, in March 2014 Presbyterian Medical Services (PMS) began providing both preventive and full dental services to citizens at the Health Commons, as has been a goal of the program since the dental clinic opened in March 2008. PMS employs all of the dental and billing staff for the dental program.

Due, therefore, to the loss of Medicaid reimbursement revenue and assumption of full dental services by PMS at the dental clinic it has become necessary to the classified positions of Community Health Worker/Dental Assistant in the Community Health Program as part of the County's budget proposal for the FY 2014-2015. The following layoff procedure will be effective June 16, 2014. This memo provides instructions on the layoff process.

Approval of layoffs and offers of placement or reassignment will be processed in accordance with the Sandoval County Personnel Rules and Regulations, which implement the provisions of Ordinance No. 09-02-15.14A, as adopted and/or amended. The layoff process will be based on qualifications, length of service and performance/discipline pursuant to Article VI.3 – Order of Layoff. In order to ensure that accurate information is utilized in these determinations, the units indicated will provide the following information:

1. The Finance Office will identify positions funded in the FY 2014-2015 Budget by job code, job title, grade and division and provide this

information to the Human Resources department upon approval of the Layoff Plan by the Sandoval County Board of County Commissioners.

2. County divisions will provide a list of funded available vacancies by job code and job title to the Human Resources Department on a weekly basis. All postings for job vacancies shall be cancelled except those that are considered critical or essential to the mission of the County as deemed by the County Manager.
3. The Human Resources Department will:
  - a. Identify incumbents in filled positions that will be affected by the Loss of Funding/Budget cuts by job code and job title;
  - b. Identify affected probationary employees by job code and job title; and
  - c. Prepare notices of layoff for signature by the Human Resources Director.
4. The Human Resources Department will utilize the Ordinance/ Personnel Rules and Regulations, job descriptions, and the employee's personnel file to assist affected employees in identifying positions for which they are qualified. A classified, full-time employee shall not be laid off if there is a vacant position into which the employee can be transferred for which the employee is qualified. Funded vacant positions and positions held by probationary employees may be used for placement.
5. The Human Resources department will prepare notices of transfer, offers of job placement and /or notices of transfer into layoff status for signature by the Human Resources Director. Employees receiving offers of transfer / placement will be given two (2) business days to accept or reject offers of placement. Offers are contingent upon the successful completion of any testing / employment requirements identified in the job specification of the position offered and/or as determined by Human Resources. If the Human Resources Department is unable to identify a position for which an employee is qualified, the employee will be given a notice of transfer into layoff status. The Human Resources Department will prepare Personnel Action forms for employees transferring into layoff status.
6. The Human Resources Department will continue to review funded vacancies for employees transferred into layoff status for a period of six (6) months from the effective date of layoff in accordance with the Ordinance / Personnel Rules & Regulations VI.4 – Layoff Privileges. The Director of Human Resources will ensure that employees in layoff status be given an opportunity to be interviewed for any vacancy for which they have applied and for which they are qualified, and make offers of reemployment to employees in layoff status, as appropriate. The

employee must inform the Director of Human Resources of any and all County positions for which they have applied and make themselves available to the Human Resources Department for appointments and consultations regarding placement. It is the employee's responsibility to insure that the Human Resources Department has current contact information for the employee including phone number and address.

7. Employees who voluntarily resign will be paid their leave in accordance with Personnel Rules and Regulations Article VII.1 – Separation Pay.
8. Employees transferred into layoff status do not receive pay or accrue sick or annual leave hours. Any sick or annual leave balances will be held on the books until placed into another position.
9. Employees in layoff status will be terminated upon refusal to accept a job offer of equal grade or comparable pay, or if they have not been placed into a position within six months of transfer into layoff status. Their accrued annual leave hours will be paid out in accordance with Personnel Rules and Regulations Article VII.1 – Separation Pay
10. Employees transferred into layoff status may elect to continue their medical, dental, and supplemental life insurance coverage while in layoff status. If they elect to do so, they must continue to make the **full** (employee and employer) contributory premiums. Employees must make arrangements with the Human Resources Insurance & Benefits division for remittance of premiums. Failure to pay premiums will result in termination of coverage.
11. Employees may choose to withdraw their PERA contribution only if they voluntarily resign instead of remaining in layoff status. Employees are encouraged to consult with PERA (1-800-342-3422).
12. If an employee is offered a position that is safety sensitive prior to being transferred into layoff status, the employee will be subject to a drug/alcohol test. If an employee is transferred into layoff status and then is offered a position that is safety sensitive, the employee will be subject to a drug/alcohol test. As stated in paragraph five (5) of this document, offers are contingent upon the successful completion of any and all testing / employment requirements identified in the job specification of the position offered and/or as determined by Human Resources.

CC: Patricia D. Miller, Director of Human Resources  
Cassandra Herrera, Director of Finance