



**CALIFORNIA CORRECTIONAL
HEALTH CARE SERVICES**

**STATE RESTRICTION OF
APPOINTMENT AND LAYOFF
PROCESS**

Frequently Asked Questions

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SENIORITY CALCULATIONS

Seniority calculations form the basis for all processes involved with staffing reductions, including any option in lieu of layoff, layoff, and reemployment.

What is used to calculate seniority scores, and how are military credits calculated in seniority points?

California Correctional Health Care Services (CCHCS) uses the California Department of Human Resources (CalHR) laws and rules, and bargaining unit contracts for determining seniority scores.

For the purpose of calculating seniority scores, an employee is given credit for each month of full-time State service (must have worked 11 days in the pay period). In the case of less than full-time service, a fraction of the full-time rate will be prorated based on the employee's time base. This applies to State civil service employees, except those in Bargaining Units (BU) 6 and 13, where seniority is determined by time in the respective BU. Also, if information is provided and approved, the seniority score will reflect credit for qualifying exempt service and points for qualifying prior military service. Exempt service includes some positions in the California State University (CSU) system, the University of California (UC) system, the Judicial Branch of California government, the Legislature, and others. Qualifying service is determined solely by the exempt agency, which provides this information to the CCHCS Seniority Placement Unit (SPU). Department of Personnel Administration (DPA/CalHR) Rule 599.841 states only exempt service that can be *fully verified* from *official records* can count toward your total State service or seniority score.

Seniority scores consist of:

- **For all employees, including all supervisors and managers, except BU 13**
 - Total Qualifying State Service
 - Qualifying Military Service
 - Qualifying Exempt Service
- **Military points:** The criteria for the awarding of military points are defined by CalHR Layoff Manual Section 400. Certain campaigns and expeditionary missions qualify for State service credit, provided that other criteria are also met. A maximum of 12 seniority points are awarded to employees who qualify. Please note that qualifying military service is used only for layoff or placement purposes. Additional information can be found on the CCHCS Employee Layoff Resources webpage.
- **Limited-term credits:** For the purpose of calculating seniority scores, employees in a limited-term appointment:
 - Without prior permanent status, receive no seniority points for their months of service. However, if an employee is appointed to a permanent full-time position subsequent to the initial limited-term appointment with no break in service, the employee is given credit for the time worked as limited-term as long as the employee qualified for a seniority point based on the criteria as outlined above. Limited Term employees receive credit for qualifying military service upon attaining permanent status.

- With prior permanent status, continue to receive state seniority points for their months of service.
- Permanent Intermittent credits: For non-BU 6 employees: one seniority point shall be credited for every 160 hours accrued. *Please note: If less than 160 hours are worked in the pay period, hours will be carried over to the subsequent months until 160 hours are accumulated. Hours worked in excess of 160 in a pay period will not carry over.*

Does my time served in an exempt classification count?

Certain verified positions working for the Legislature, Judicial Branch, State universities, colleges, and UC may qualify for exempt credit. All service must be recognized and verified by the exempt institution for which the employee worked before seniority scores can be modified. CCHCS does not decide which kind of work qualifies. The determination of whether the position qualified and the number of points that should be awarded is made by the exempt institution.

What specifically constitutes qualifying exempt service?

- An exempt employee working under the Executive Branch of California government.
- An officer or employee of the Legislature, either house, or a legislative committee. By “officer or employee,” CalHR means all *permanent* employees of the California Legislature.
- An officer or employee of a council, commission, or public corporation in the Judicial Branch of California government.
- An employee of a court of record or another officer employed directly by the Judicial Branch of California government.
- An officer or employee of UC or CSU. By “officer or employee,” CalHR means anyone employed directly by either UC or CSU, with the following exceptions: UC student employees who work less than one-half time are not included, nor are CSU student employees (regardless of time base). Also, CalHR does not count CSU employees who were “special pay” appointments.
- A teacher or member of the teaching staff in a school under the jurisdiction of the Department of Education or the Superintendent of Public Instruction (in other words, you were employed by one of California's six State Special Schools).
- A member of the National Guard engaged in military service while employed by the California Department of the Military.
- An officer or employee of a District Agricultural Association, if you were employed less than six months in a calendar year.

If you believe your score to be incorrect, please fill out a discrepancy form and submit it to CCHCS, SPU by the due date provided on the document transmitting your score. FAQs related to the discrepancy period are provided in the following section.

How will the preliminary seniority list by county be made available to all staff prior to the layoffs?

Preliminary and final scores are posted on the intranet and various locations within your institution, facility, and/or program.

What if my score is tied with someone else who is impacted?

In the event you share the same seniority score with an individual in your classification and area of layoff, a tie breaker is utilized in accordance with your, BU contract, CalHR Layoff Manual, Government Code (GC) 19997.7, and DPA/CalHR Rule 599.846. BU contracts can be found on the CalHR website [here](#). The CalHR Layoff Manual is located [here](#).

For all employees other than BU 6, tie breaks are determined in the following order:

- 1) Veteran;
- 2) Greatest amount of service in classification of layoff or in a classification at substantially the same or higher salary level as the classification of layoff;
- 3) Employee in (2) who has served in the classification that has the highest maximum salary rate;
- 4) Earliest appointment date for service credit under the provisions of GC Section 19997.3;
- 5) Highest total State service (DPA/CalHR Rule 599.739);
- 6) Earliest appointment date (DPA/CalHR Rule 599.739); and
- 7) Lottery.

What is the seniority score needed to avoid layoff?

Until the reductions and their effects are known, there is no specific number of years or seniority score that can be identified to determine if an individual ultimately will be impacted.

Since layoffs are being conducted by county, can a person in one county lose his job while a person with lower seniority in another county keeps his or hers?

CCHCS has designated the area of layoff to be by county; so, yes, that is possible. Given that layoffs are based on the classification and seniority within the area of layoff, it is possible that some employees with lower seniority scores may remain employed in areas outside of your area of layoff. These employees may be in a classification impacted in an area of layoff; however, they had enough seniority to remain employed within their area of layoff. Seniority scores will be compared to those within each impacted classification within that area of layoff.

SCORE CHALLENGE PERIOD

How long do I have once I receive my score to submit a discrepancy form?

You will have 30 days from the date of the letter advising you of your seniority score. In keeping with the layoff timelines, the outcome of challenges submitted after the due date will not be reflected in the current phase.

If I submit a discrepancy form after the deadline, what happens?

If a discrepancy form is submitted after the deadline, the discrepancy will be reviewed and processed; however, if an employee is impacted by the current layoff, and the discrepancy challenge results in a change in

the seniority score, the updated score will not be used since the discrepancy challenge was submitted after the deadline.

Once I submit my State Service Discrepancy Form to the SPU, how will I know it was received and when will I receive my results?

Employees will receive written notification of the status of their discrepancy form once the review has been completed. Discrepancy forms submitted for current layoff plans will be reviewed and processed on a priority basis. All other discrepancy forms not related to the current layoff plan and/or late discrepancy forms will be reviewed and processed on a flow basis.

STATE RESTRICTION OF APPOINTMENT (SROA)/SURPLUS

After CalHR's approval of the layoff plan, CCHCS will move forward with the issuance of the SROA/Surplus letters to individuals identified as being impacted, based on their area of layoff, classification, and seniority score. All impacted employees will be mailed an SROA/Surplus letter informing them they are impacted under a departmental layoff plan, and they are being placed on SROA for a minimum of 120 days.

What do Surplus and SROA mean?

Surplus: A surplus employee is one who is in jeopardy of being laid off or demoted in lieu of layoff.

- Surplus employees will receive a surplus certification letter notifying them of their surplus status.
- Surplus employees should seek out vacancies in classifications they feel qualified for and they are eligible to transfer into. For assistance in determining classifications that you are eligible to transfer into, you may use the [Transfer Determination Calculator](#).
- As an SROA/Surplus candidate, you may receive Employment Inquiries (STD 628) from hiring departments. However, you are encouraged to seek out and apply for positions for which you are qualified and eligible for transfer using your SROA/Surplus letter. A copy of the letter should be attached to your application for any position you are applying for. Do not rely solely on Employment Inquiries.
- To help hiring departments identify surplus employees, CalHR includes the employee's classification title on the surplus listing [by classification](#) and [by Department](#).

SROA: Each surplus employee automatically has SROA status. SROA status means the employee's name has been placed on SROA hiring certification lists for the employee's current classification and current work location.

- The layoff department processes SROA status on behalf of the employee effective the same date the employee receives a surplus certification letter.
- Hiring departments use SROA certification lists to contact eligible employees for interviews when filling vacant positions.

What is the difference between being designated surplus and being on an SROA list?

Both designations entitle the employee to the same hiring preference. The only difference is that departments using a certification with SROA candidates will use that SROA list to notify employees of the

vacancy. Surplus employees can use their surplus status to seek out vacancies in any location or classification in which they are qualified or they are eligible to transfer into. For assistance in determining classifications that you are eligible to transfer into you may use the [Transfer Determination Calculator](#).

Does a department have to hire an SROA employee before considering an employee with surplus status?

No. Surplus and SROA list employees have the exact same rights to be hired. The hiring supervisor can hire an employee with either status. The only distinction is that employees on SROA lists receive contact letters from hiring departments and surplus employees do not.

How does a hiring department verify that an employee actually has SROA/Surplus status?

All SROA/Surplus employees receive letters from their departments to show hiring departments. Letters should include the employee's name, verification of surplus and SROA status, current status classification, and layoff date. If an employee has no letter, the hiring department should contact the layoff department to verify status. In addition, SROA list eligibility serves as verification of surplus status. CalHR also publishes the surplus listing by classification and by department on its website.

What benefit do I receive by being on SROA/Surplus status?

SROA/Surplus status gives employees hiring preference. If you are placed on SROA/Surplus status, you are encouraged to apply for any position for which you are eligible.

What should I do now that I have received my SROA/Surplus letter?

You should maintain a copy of your SROA letter to take with you on all interviews and include a copy with all your applications. It is **imperative** that you maintain a copy of your SROA letter as you may be asked to produce a copy at the time of an interview.

Apply for jobs for which you feel qualified. You may utilize the CalHR's [Vacancy Search](#) to help find vacancies. Although you may receive Employment Inquiries from hiring agencies, do not rely solely on these Employment Inquiries. It is always best to also do your own job search.

To ensure you receive Employment Inquiries, it is critical that you keep your address of record current. If your address and/or phone number are not correct, submit an Employee Action Request (STD 678) to your Personnel Office right away and ensure your jobs.ca.gov profile is updated.

If I receive an Employment Inquiry as a result of my SROA status, do I need to respond?

If you are not interested in a job, you are not required to respond. Employees on an SROA list have unlimited waivers.

Can an SROA/Surplus employee turn down a job offer and retain surplus status?

The SROA program helps employees in jeopardy of being laid off find jobs. If an employee turns down a job offer, CalHR will investigate to determine if the employee had a valid reason to turn down the offer. If not, the

employee may lose SROA/Surplus status. An example of a valid reason for turning down a job offer: the employee would experience a hardship by accepting the position. An employee will not lose SROA/Surplus status if the employee doesn't respond to an inquiry from a potential hiring department.

When an SROA/Surplus employee finds a new job, does the employee retain the SROA/Surplus status?

If an employee finds a new job, his or her SROA/Surplus status ends.

Does an employee's SROA/Surplus status end after 120 days, even if the department's layoff is still in progress and the employee has not found a new job?

Yes. However, CalHR can extend the employee's SROA/Surplus status for an additional 120 days (maximum).

If I am SROA/Surplus, will I have to use my own time for interviews?

No. SROA employees should be given "reasonable time off" to go on interviews. Refer to the appropriate BU contract for represented employees. Non-represented employees should refer to GC 19991, which allows employees on employment lists to participate in employment interviews during working hours.

Why did I receive an SROA/Surplus letter when the person I work with has less seniority than I, and did not receive a letter?

Each individual's employment history is used to calculate seniority, and there are numerous factors taken into consideration when calculating seniority scores. For example, an individual may have qualifying military and/or exempt service credits applied to his or her seniority score.

I am working in a classification that is used only by CCHCS; therefore, what benefit is there to be on SROA/Surplus status?

Employees who are in classifications that are considered Department Specific may use their Surplus status to apply for a position to which they may lateral transfer under the CalHR Transfer Rules. For assistance in determining classifications that you are eligible to transfer into you may use the [Transfer Determination Calculator](#).

SROA Exemptions

If a surplus employee applies for a position in a classification other than the classification in which he or she currently has a permanent or probationary status, does a department have to consider him or her for employment?

Yes. However, if the hiring department feels the employee does not possess the qualifications necessary for the classification in question, it must seek an exemption from CalHR's Personnel Services Branch. Previously, CalHR delegated this determination to departments, but the delegation has been rescinded.

What does Super SROA refer to?

Three bargaining units (Units 2, 9, and 18) have special SROA provisions negotiated in their contract. Hiring departments filling vacancies in classes in these three units must notify CalHR's Personnel Services Branch and the layoff coordinators in the departments laying off employees in these units. Hiring departments need to provide the class titles, salaries, number, and location of vacancies.

Hiring departments filling vacancies in a Unit 2, 9, or 19 class must fill these vacancies with qualified "Super SROA" employees. To qualify, employees must meet the minimum qualifications, have eligibility for the salary level of the vacancy, and be in the same geographic area and bargaining unit. "Same geographic area" means any county that touches the county in which the vacancy exists. The contracts provide no exemptions.

See the SROA manual section on Super SROA for more information.

OPTIONS IN LIEU OF LAYOFF

What options do employees get on their Options Worksheet?

The Options Worksheet may offer possible options in your current classification and/or classification(s) in your personal and/or primary demotional pattern depending on your seniority score compared to other employees (within the classifications and area of layoff impacted).

- **Primary Demotional Pattern:** Includes classifications that are in a specific classification's demotional pattern. This is typically within the series of the impacted classification. For example, a current permanent Staff Services Manager III can demote to a Staff Services Manager II, which can then demote to a Staff Services Manager I, etc.
- **Personal Demotional Pattern:** Includes classifications which an individual has held a permanent or probationary status in State service and that are currently used by CCHCS. However, you will be placed on a reemployment list for every classification you were unable to "stick" due to seniority regardless of whether CCHCS uses the classification. This provides employees employment opportunities in other departments post layoff.
- **If you have permanent State civil service status within CCHCS, but are currently serving in a Limited-Term appointment without a break in service:** If you are impacted, it will be in your permanent right-of-return position/classification and county providing there was no break in service. For example, you currently work in Sacramento County in a Limited-Term Associate Governmental Program Analyst position with a right-of-return to a permanent full-time Staff Services Analyst position in San Joaquin County. If you are impacted on a layoff plan, you will be impacted in the Staff Services Analyst position in San Joaquin County, as this is your permanent right-of-return position.
- **For individuals with no current permanent status within CCHCS:** For individuals who are currently in Limited-Term positions with no right-of-return position within CCHCS, your Limited-Term appointment may be terminated in the event the classification is impacted in the area of layoff and you will return to your previous State department.
- **For individuals with no current permanent status to any State agency,** your Limited-Term appointment will be terminated and your employment with CCHCS will conclude.
- **If a vacancy exists in your current classification, at your current location,** you will be placed in the vacancy regardless of selection on Options Worksheet.

What if I don't return my options letter? Could I be demoted, redirected, or laid off?

Employees who do not submit their Options Worksheets by the deadline may forfeit their opportunity to select their options. As a result, CCHCS, SPU staff may select an option on the employee's behalf in accordance with their seniority. If there are no options available, including demotion in lieu of layoff, the employee may be laid off.

What if I want to change my option after the deadline?

No changes can be made after the deadline. It is important that you consider all your options before submitting the Options Worksheet. If you need assistance utilize the resources available to assist you.

Will vacancies in the prisons, with CDCR or other State agencies, be offered to staff?

CCHCS does not have the ability to offer vacancies within other State agencies or hiring authorities; therefore, CDCR vacancies will not be offered on the Options Worksheet.

Note: As an impacted employee, you can use your SROA/Surplus status to apply for vacancies in other State departments and agencies either in your current classification or in classifications for which you are eligible to transfer. For assistance in determining classifications that you are eligible to transfer into, you may use the [Transfer Determination Calculator](#).

Can an employee who is currently mobilized on military orders, be laid off? If so, what options does he or she have?

An employee on military assignment remains part of the layoff process and, as such, receives all notices and correspondence, including an Options Letter. Those notices are sent to the address of record. Depending upon their seniority score, it is possible that an employee on military assignment could be laid off. If you are away from home, it is important to have a system in place so that mail from CCHCS is identified quickly and its contents made known to you.

When will I know for certain that I will be laid off or placed?

Impacted employees will receive official notice at least 30-60 days prior to their layoff date or their report date, whichever is applicable.

I demoted during a prior layoff and was placed on reemployment. Why aren't vacancies in my old classification offered to me on my options worksheet?

In accordance with GC Section 19140, an employee cannot be placed into a classification for which they have reemployment list eligibility. Employees may apply for vacancies in the same classification based on their reemployment list eligibility; reemployment lists are in seniority order. However, it is unlikely that CCHCS will be making appointments from a reemployment list for any classifications that could be impacted during a layoff.

I used to be a manager but demoted. Why aren't manager vacancies showing up for me on my Options Worksheet?

Employees may have options to classifications in which they have held previous permanent or probationary status on their options worksheet if the classification is within transfer range of their impacted classification. Transfer rules are outlined by CalHR and require that the position be within 9.9 percent of the maximum salary for the current classification in which the individual is impacted (with the exception of GC 19140). If the movement would meet the necessary transfer rules, an employee may have rights to it during the layoff process.

LAYOFF

Based on an employee's classification, work location and seniority score, an individual may be subject to layoff during times of workforce reductions. Impacted staff will be identified based on a 3-to-1 ratio. For example, if the department is reducing 5 positions in a classification, in the area of layoff, then 15 staff will be designated as SROA/Surplus. This gives more people an opportunity to find employment elsewhere and hopefully lessens or mitigates the impact of layoff. Also taken into consideration are the impacted employees' primary and personal demotional patterns, which could impact employees who may not have otherwise been impacted. This process ensures that all employees who could potentially be affected by the layoff are afforded the maximum opportunity to retain State employment.

Will the layoffs be conducted by region?

No. The area of layoff is by county.

If laid off, are employees eligible to collect unemployment, and if so, for how long?

The Employment Development Department determines any eligibility for unemployment benefits. Contact information can be accessed on their [website](#).

REEMPLOYMENT

What is Reemployment?

Reemployment is a program designed to give employees preferential hire status back into the classification from which they were laid off or demoted.

An employee who is laid off or elects to demote in lieu of layoff from a classification and has held either permanent or probationary status in the classification, will be placed on the appropriate reemployment list for that classification. In addition, appropriate reemployment list eligibility may be provided for all classifications through which the employee was given demotional rights during layoff, if applicable. Employees appear in seniority order on all reemployment lists.

How long is Reemployment eligibility?

Employees will remain on the reemployment list for five years or until hired into a permanent position from the reemployment certification list. An employee's name stays on reemployment list for five years or until rehired into a permanent full-time position in the eligible classification. An employee may request in writing that his or her name be removed from the reemployment list.

Are there exceptions to Reemployment?

Hiring programs have several options when filling vacancies. If the choice is made not to use a certification list (e.g., lateral transfer, reinstatement – provided the reinstatement is not on a Reemployment list, etc.) then reemployment does not need to be cleared.

If a certification list is being used to make a hire, there are no exceptions to reemployment.

What is the difference between Departmental Reemployment and General Reemployment?

- Departmental Reemployment - Represents CCHCS employees impacted by placement and/or layoff. This type of list takes precedence over all other lists (the names are listed in seniority order). The first interested individual on the list must be selected (Rule of One Name). This means, if the hiring organization is using a certification list to make a hire, the hiring program cannot move to the next name, or certification list, until the interested eligible is hired or the person waives (i.e., is not interested in the position).
- General Reemployment represents non-CCHCS employees who have been impacted by placement and/or layoff. The three highest names on the list shall be certified for employment (Rule of Three Names). The hiring program may select from any of the three interested eligibles. If there are only two names total of interested eligibles on a General Reemployment list, an appointment may be made from an SROA list or a Surplus employee may be appointed.

If an employee is laid off, will that employee be on a reemployment list (referred to as Rehire list) for five years, and will the employee have employment opportunities only in their region or statewide?

If an employee is laid off, they are placed on Reemployment for five years and will have reemployment rights to the classification(s) from which he or she was laid off or demoted to. Initially, an employee is put on a reemployment list in the area of layoff, but the employee may change/update their location preferences at any time by contacting the Department where they were laid off.

A department is trying to contact reemployment eligible employees by telephone. How long must prospective employees be given to respond?

Departments must allow two full business days following the date of initial contact.

Does reemployment have to be cleared before an organization can place an employee on an out-of-class assignment?

No, a certification list is not used in the out-of-class assignment process.

If a Departmental Reemployment eligible is interested in a position that is Limited-Term only, can an organization hire him or her limited term?

Yes, provided the employee selected an interest in temporary employment on their reemployment form. In this case, the employee will remain on the Department Reemployment list for further contacts for both Limited Term *and* permanent full time positions.

BENEFITS

What will happen to my benefits if I am laid off?

Employees who are laid off lose eligibility for their current health, dental, and vision coverage the first of the month following the layoff date. For example, since benefits are paid a month in advance, an employee laid off effective December 2, 2014, would lose benefits effective January 1, 2015. However, employees and their dependents currently enrolled in health, dental, or vision benefits prior to layoff will be eligible to continue their benefits for up to 18 months through Consolidated Omnibus Budget Reconciliation Act coverage. Employees should contact their local personnel office to discuss the impact to their benefit options.

RETIREMENT

How will the Pension Reform Act impact me if I am laid off but return to state employment at a later date?

Please refer to the CalPERS [website](#) for the most current information or contact CalPERS directly.

LEAVE USAGE PRIOR TO LAYOFF

If an employee receives an SROA letter and accepts and begins employment outside of State service as a result of the SROA status, will he/she be paid for accrued Furlough Holiday (FH), and Personal Leave Program (PLP) hours?

Yes. Any time an employee is **NOT** able to use FH or PLP, per CalHR, CCHCS has authority to pay unused FH and PLP. Please note that Hiring Authorities should continue to allow the employees to use FH, PLP, when permissible.

Can a supervisor force impacted employees to use the remainder of their FH, Personal Development Day, and PLP days in anticipation of being laid off?

Impacted employees will not know for sure if they are being laid off until 30 days prior. Once they have received official notice, supervisors may allow the employees to use their time during the last 30 days.

GLOSSARY OF TERMS/ACRONYMS

California Correctional Health Care Services (CCHCS)

California Department of Human Resources (CalHR)

California State University (CSU)

Consolidated Omnibus Budget Reconciliation Act (COBRA): Insurance offered to employees recently separated from the State. Consult with your benefits officer for detailed information.

Dependent Care Reimbursement Account: Option for reimbursement for certain dependent care expenses. Consult with benefits officer for detailed information.

Employment Development Department (EDD)

FlexElect (Cash Option, Dependent Care, or Medical Reimbursement): Option for deductions/reimbursement for certain medical expenses. Consult with benefits officer for detailed information.

Furlough Holiday (FH)

Limited Term (LT)

Permanent Full Time (PFT)

Permanent Intermittent Employee (PIE)

Personal Leave Program (PLP)

Request for Personnel Action (RPA): Hiring paperwork obtained through the Personnel office to enter employee changes such as classification or to appoint a new employee.

Seniority Placement Unit (SPU)

State Restriction of Appointments (SROA): A State of California employment list established to re-employ prior State employees affected by layoff.

University of California (UC)