CLASSIFIED EMPLOYEES APPOINTED AND/OR DISMISSED FROM UNCLASSIFIED SERVICE

Sec. 91. If an employee in the classified service is appointed to a position in the unclassified service and is subsequently dismissed or laid off, he/she shall, dependent upon seniority in the classified service, either be restored to his/her prior classified classification, or placed on a priority list for the classified classifications in which he/she holds status. However, if the employee's dismissal from the unclassified service was for a violation of Federal or State law, Charter Provisions, City Ordinances, duly authorized and adopted written departmental rules and regulations, or City Administrative Directives, dismissal shall accomplish a separation from both the classified and unclassified service of the City and the employee shall have no right of appeal to the Commission.

(1) Prior to accepting employment in the unclassified service of the City, all permanent, classified employees shall sign an acknowledgment and waiver that states the employee recognizes the new position is unclassified, that acceptance of the position will result in a waiver of all rights to appeal a dismissal to the Commission, and that this is done voluntarily.

REDUCTION IN FORCE

Sec. 92. For reasons of economy or due to a lack of work or funds, an appointing authority may reorganize or eliminate any department, bureau, or division, or may abolish any position under its direct jurisdiction, and/or reduce the number of, or the hours worked by City employees. When any such action causes a layoff of employees, the selection of those to be laid off shall be made under the following:

(1) To decrease the work force in any department, the appointing authority shall specify to the Commission the number and classification of employees to be laid off, together with the department, bureau, and division in which the layoff is to be made. The Commission shall then determine, under these Rules, the particular employees to be laid off, and advise the appointing authority of its finding.

(2) For purposes of this Article, the term "layoff" shall include removal from City employment, reassignment to a former classification, reduction from full-time to part-time status or permanent assignment to another classification in order to avoid layoff. The term "seniority" shall refer to length of service in a particular classification regardless of grade designation.

ORDER OF LAYOFFS

Sec. 93. Layoffs in each classification shall be made in the following order: first, provisional employees; second, probationary employees; and third, permanent employees who have completed their probationary periods.

(1) When one or more probationary or permanent employees must be laid off, those who are laid off shall be those with the lowest seniority, under these Rules, from all