the departments, bureaus, and divisions of the City. However, the Commission may, upon the recommendation of the appointing authority, order the layoff to be effective City-wide or confined to one or more departments, bureaus, or divisions if, in its judgment, the best interests of the City will be served.

(2) If an employee who is laid off in a department in which a reduction in force is made has greater seniority in the classification affected by layoff than an employee in that same classification in another department, the employee in the latter department with the lowest seniority in the classification shall be laid off and the employee with the greater seniority shall be transferred to fill the position made vacant by the layoff.

(3) Where the layoff is limited to provisional employees, the appointing authority may determine which of the employees within the particular classification shall be laid off.

(4) In the event two or more permanent employees have the same seniority, the person who placed lowest on the eligible list seniority shall be laid off first.

(5) In the event two or more employees occupy the same placement on the eligible list, the person to be laid off shall be determined by the order in which their applications were filed.

REDUCTION IN FORCE
SEASONAL AND RECURRENT EMPLOYEES

Sec. 94. The provisions of this Article shall apply to and govern classified "seasonal and/or recurrent" positions of City employment provided, however, that should layoffs occur in classifications which encompass classified "seasonal and/or recurrent" positions of employment, then the incumbents occupying such positions shall be laid off prior to applying the provisions of Section 93. Upon the reemployment of employees affected by the layoff, all employees laid off from permanent positions of employment within the subject classification shall be reappointed before the reappointment of employees laid off from "seasonal and/or recurrent" positions.

SENIORITY IN LAYOFFS

Sec. 95. Seniority in layoffs shall be calculated by adding together the following periods of service:

(1) All time served by an employee after permanent appointment to the current classification from which he/she is being laid off.

(2) Time spent in all former classifications from which the employee was sequentially laid off, and reverted consecutively, until either a classification is reached in which he/she has the greater seniority, or his/her name is placed on a priority list.
(3) All time in the above classifications during which the employee was absent with pay or was on approved long-term military leave under these Rules.

NOTICE OF LAYOFF

Sec. 96. Notice of any layoff, under these Rules, shall be made by giving a letter to the employees to be laid off a minimum of three days prior to the effective date of the layoff. The letter shall inform the employees of the appointing authority's decision to reduce the work force. If any employee affected by the layoff cannot be located within twenty-four (24) hours after the effective date of layoff, the letter containing the layoff notice shall be mailed to that employee's last known address as shown on the employee's records on file in the Commission's office.

PLACEMENT OF NAMES ON PRIORITY LISTS

Sec. 97. On the date layoffs become effective, the Executive Director shall order the names of laid off permanent and/or probationary employees to be placed on the priority lists established for all classifications from which they were laid off.

REVERSION TO FORMER STATUS

Sec. 98. When a reduction in the work force results in the layoff of an employee who had acquired permanent status in a former classification, the employee shall, dependent upon seniority in his/her former classification, be reinstated to that former classification. If the employee's seniority is not sufficient to displace any employee in his/her former classification, he/she shall be placed on the priority list for that classification. However, the employee must have continuous service with the City and may not have been permanently removed from his/her former classification for cause.

OBJECTION TO AND APPEAL OF LAYOFF

Sec. 99. Any laid off probationary or permanent employee may object to his/her layoff on grounds that the seniority calculation was incorrect or that the layoff action was the result of an improper or illegal employment practice. The employee may do so by filing an appeal within ten days after being either personally served with a notice of layoff by the appointing authority, or after receiving a certified or first-class letter informing him/her of the pending layoff. The Commission shall determine the method of its review and may conduct its own investigation, call witnesses, review documents, and/or proceed in the same manner it would for a hearing under these Rules. After either a review or hearing, the Commission shall make a final determination. If the employee who is laid off fails to make a timely protest and/or objection to his/her layoff, the layoff shall be effective as of the date specified in the notice of layoff. However, the Commission may correct an error in seniority calculations at any time and may make appropriate adjustments in an order of layoff or a priority list ranking due to the correction.