

**Rules and Regulations of the  
Municipal Civil Service Commission**

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**RULE XII**

**TRANSFERS, RESIGNATIONS, LAYOFFS AND VOLUNTARY DEMOTIONS**

A. Transfers

1. Interdepartmental. The Executive Secretary may, upon the request of the appointing authorities involved, authorize the transfer of an employee in the classified service from a position in one department, commission, or agency to another position in the same class in another department, commission or agency. An interdepartmental transfer of an employee involving a change in classification may be accomplished only in the manner provided elsewhere in these Rules.

2. Intradepartmental. Nothing herein shall be construed as prohibiting an appointing authority from authorizing an intradepartmental transfer within the same class to which the employee was appointed. The Commission shall be notified of such intradepartmental transfer only if it is to another division within the department, commission or agency.

3. To Another Political Subdivision. In the event that a City department, division, or sub-unit thereof, is, pursuant to ordinance of City Council, subject to a transfer from the City of Columbus to another political subdivision created pursuant to provisions of the Ohio Revised Code, the Executive Secretary may, upon notification from the appointing authority involved, authorize the transfer of affected employees in the classified service from a position in the City to the same position in the other political subdivision. Prior to the effective date of the transfer, the appointing authority shall notify the Commission of the names of all affected employees.

The separation from City service which results due to the transfer shall constitute a separation in good standing for purposes of Rule VIII(C)(1).

- a. An employee being transferred pursuant to this section may request the opportunity for re-employment in the same classification and department. Such request must be made on a form provided by the appointing authority and filed with the Commission no later than ten days prior to the date of the transfer.

The names of those employees requesting re-employment shall be placed upon the eligible or recall list for the applicable classification, as appropriate, in order of seniority.

In the event a vacancy occurs in the affected department, the most senior employee on the appropriate list, if any, shall be notified of the vacancy and

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shall be appointed to the position. If the employee declines the appointment, the individual's name shall be removed from the list and the vacancy offered to the next senior employee.

In no event shall reinstatement opportunities accorded by this section extend more than eighteen (18) months after the transfer date.

4. From Another Political Subdivision. In the event that a department, division, or sub-unit of another political subdivision created pursuant to provisions of the Ohio Revised Code is, pursuant to ordinance or other legal authority, subject to a transfer to the City of Columbus, the Executive Secretary may, upon notification from the City appointing authority involved, authorize the transfer of the affected employees to the same or comparable positions in the classified service of the City. The transfer to City service shall constitute an original or noncompetitive appointment, as appropriate to the classification, and said employees shall not become permanent until they have satisfied the applicable probationary period set forth in Rule XI.

### B. Resignations

1. Unless the appointing authority consents to a shorter notice, an employee in the classified service who wishes to leave the service in good standing shall file with the appointing authority a written resignation giving at least two weeks notice. Such resignation and acceptance thereof by the appointing authority shall be forwarded immediately to the Commission.

2. Without written approval of the appointing authority, no resignation may be withdrawn by an employee after its effective date or after it has been accepted.

### C. Layoff Procedure

1. Notice to the Commission. Whenever it becomes necessary because of a material change in duties, a reorganization, or a shortage of work or funds, to reduce the number of full-time employees in any department of the City, the appointing authority shall file a notice with the Commission at least thirty days prior to the expected day of the layoff specifying the class(es) in which the layoff is to occur and the number of employees to be laid off in each class. [For part-time employees, see Rule X(F)(2)(a).]

2. Certification of Layoff. The Commission shall certify to the appointing authority the names of those full-time employees to be laid off as determined by these Rules and procedures approved by the Executive Secretary. Layoffs shall be by class and based on seniority, but in accordance with status and appointment type by using the following categories:

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- a. Permanent non-probationary employees
- b. Permanent probationary employees
- c. Provisional non-probationary employees
- d. Provisional probationary employees
- e. Temporary employees

Employees in the category at the bottom of the list are to be laid off first and no employees from a higher category can be laid off until all employees in the lower categories have been laid off.

3. Bumping. A laid-off employee may have bumping rights within the same class to another division within the same department, to a lower class within the same class series or to a class in the same job family in which he previously served and for which he is qualified. No laid-off employee may bump another employee in accordance with subsections a, b and c unless he has more seniority and is in the same or a higher category as listed in C(2) above. A bumped employee has the same bumping rights as a laid-off employee.

- a. Same class. A laid-off full-time employee in a division shall have bumping rights within the same class against the least senior full-time employee in the department.
- b. Class series. If an employee has no opportunity to bump within the same class, then such employee shall have bumping rights within his division (if none, then within the department) against the least senior full-time employee holding a position in the next lower class within the series. If no bumping opportunity is afforded, the same right shall extend to the next and each lower class until the class series is exhausted.
- c. Job family. If an employee has no bumping opportunity within the class series, then such employee shall have bumping rights within his division (if none, then within the department) against the least senior full-time employee holding a position in a lower class in the same job family if the laid off employee previously served in the class and if he is presently qualified; however, no such bump may occur in the presence of an appropriate competitive eligible list unless in accordance with these Rules the laid-off employee will have permanent status in the previous class. A "lower class" for purposes of this subsection means any class which has a maximum rate

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of pay lower than the minimum rate of pay for the class of the laid-off employee.

- d. Part-time. In the event the laid-off employee has no bumping rights to a full-time position under this Rule, then such employee shall have bumping rights within the same class against the least senior part-time employee within the division, or if none, within the department.

4. The names of any laid-off permanent employee in a competitive classification shall be placed at the top of the appropriate competitive eligible list, as provided in Rule VIII(C)(2), in order of seniority, and shall be certified for appointment in any department in accordance with these Rules when an appointing authority has a vacancy to fill; if the eligible at the top of the list was laid off from that department such person shall be appointed.

5. The names of any laid-off provisional employees or employees in noncompetitive classifications shall be placed on the appropriate recall list for the Department which initiated the layoff, in order of seniority, for a period of one year, or as provided in the applicable collective bargaining agreement. In the event that a vacancy in a department is to be filled in a class for which a recall list exists, then the appointment shall be made of the individual highest on the list who was laid off from that department. Otherwise, appointment may be made as provided elsewhere by these Rules. No recall list shall remain in effect after a competitive eligible list for the class has been established.

6. Limited positions. Notwithstanding the other provisions of this Rule, if a limited position is to be eliminated and the employee in the position was appointed subject to the availability of work or funding, then that employee shall be terminated in accordance with Rule X(F)(1). A limited employee who is bumped shall have the same bumping rights as other employees.

**D. Voluntary Demotions**

1. Any employee who:
  - a. desires a voluntary demotion; or
  - b. desires to be demoted prior to action taken pursuant to Rule XIII(C); or
  - c. desires to be demoted prior to action taken pursuant to Rule XIII(D); or
  - d. desires to be demoted prior to action taken pursuant to Rule XII(C); or

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- e.        desires to be demoted prior to being certified against as provided in Rule IX(B),
- f.        desires to be demoted as a result of an audit as provided in Rule IV(E)(6),

may, with the approval of the Civil Service Commission and the consent of the appointing authority for whom the employee will be working, be demoted to a position in a different class in the classified service.

2.        If such demotion is approved, upon completion of the applicable probationary period as provided in Rule XI, the employee will receive permanent status, without further examination, in the class to which the employee is demoted if one of the following provisions applies:

- a.        the employee holds permanent status in the employee's current classification and meets the minimum requirements, including the physical qualifications, for the position to which the employee is being demoted; or,
- b.        the employee has previously held permanent status in the class to which the employee is being demoted; or
- c.        the employee holds permanent status in the employee's current classification and the retention of that status in the class to which the employee is being demoted is approved by action of the Commission.

<b>Amended as of:    December 15, 2008</b>
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