



## FREQUENTLY ASKED QUESTIONS PAT LAYOFF & RECALL

### UNPAID LEAVE OF ABSENCE NOTICE

#### **1. I received a notice about taking an unpaid leave of absence to prevent a layoff. Do I have to respond?**

You only need to respond if you would like to request an unpaid leave of absence. These notices went to all educators assigned to teach in the content areas going into layoff. Should enough unpaid leaves be requested and approved, it is possible a content area will no longer be in layoff.

#### **2. I received a notice about taking an unpaid leave of absence to prevent a layoff. Does this mean I will be laid off if someone doesn't take a leave?**

Not necessarily. All educators assigned to teach in the content area going into layoff received the notice with the unpaid leave of absence option. Should there not be enough leaves requested to avoid layoffs, the bumping process will begin with the least senior educator being bumped from their position. Should this occur, Human Resources will be in contact with impacted employees.

#### **3. I received a notice about taking an unpaid leave of absence to prevent a layoff. If I request and I am approved for this leave, what happens to me the following school year? Do I retain my seniority?**

You would return from this leave of absence assigned to your current school/program and assigned to a position in accordance with Article 18 Transfers of the PPS-PAT Collective Bargaining Agreement.

Your seniority will not be impacted if you are approved for this leave of absence.

#### **4. I received a notice about taking an unpaid leave of absence to prevent a layoff. If I request and I am approved for this leave, can I be a substitute?**

Yes! We encourage educators approved for this type of leave to be a substitute during the year. If you are approved for this type of leave, our HR team will assist you with signing up to be a substitute.

#### **5. I did not receive a notice about taking an unpaid leave of absence to prevent a layoff. Does that mean I won't be laid off?**

Unpaid leave notices were sent to educators who are assigned to teach next year in a content area going into layoff. If you did not receive a notice, you are not currently assigned to teach in a potential layoff content area next year.

**6. I received a notice about taking an unpaid leave of absence to prevent a layoff. How are my health benefits impacted by this unpaid leave of absence?**

If you volunteer and are approved for a one year unpaid leave of absence and you have ten or more years of service with the District, you shall continue to receive the District contribution towards medical package benefits for up to one year. You will remain responsible for paying your portion of the monthly premium PPS Benefits will contact you to make arrangements.

If you volunteer and are approved for a one year unpaid leave of absence and you have less than ten years of service with the District, the end date of your active health insurance depends on individual employee factors. You will be mailed a COBRA packet with your options for continuing coverage on a self-pay basis.

**BUMPING PROCESS**

**1. When and why does the bumping process occur?**

When there are more unassigned educators than available vacancies in a content, or endorsement area, the layoff process begins, as outlined in Article 20 of the PPS-PAT contract. The layoff process begins with the district offering educators in the layoff content area the option to take a one-year leave of absence to help prevent layoffs. If enough leaves are requested and approved, then the layoff process stops for that content area. Should there not be enough leaves and there are still more unassigned educators than vacancies, the bumping process begins.

**2. How does the bumping process work?**

The least senior educator teaching in a content area that is in layoff, is bumped from their position by a more senior educator, and then the least senior educator bumped from their position is laid off. In some instances, the least senior educator may be exempt from bumping due to a seniority exception (outlined in the PPS-PAT contract 20.2.1 and ORS 342.934).

**3. If I am bumped from my position, will I be placed in a different position?**

Most likely no. There are rare situations where the least senior educator bumped from their position has licensure and recency in another content area that has a vacancy - in this case the educator may be placed in a position in another content area.

**LAYOFF INFORMATION**

**1. How will I be notified if I am laid off?**

A Human Resources Representative will contact you to inform you that you're being bumped from your position and subsequently laid off. You will receive a packet with a layoff letter that includes information regarding your recall rights, health benefit information, the employee assistance program (EAP), as well as how to file for unemployment.

**2. What happens if I am partially laid off?**

A partial layoff means you will be working less FTE than you are owed. The amount of FTE you are laid off may, or may not, impact your benefits. For example, if you are owed a 1.0 FTE and are reduced to working 0.9 FTE and laid off 0.1 FTE - your benefits would not be impacted. If you are owed 1.0 FTE and are reduced to working 0.7 FTE and laid off 0.3 FTE - your benefits would be reduced from full-time benefits to part-time benefits.

If you will be partially laid off, a Human Resources Representative will contact you to inform you that you're being bumped from your position or being partially laid off. You will receive a packet with a layoff letter that includes information regarding your recall rights, health benefit information, and the employee assistance program (EAP).

### **3. How will I know layoffs in my content area have been completed?**

Human Resources will communicate with all educators and PAT leadership once layoffs have been completed. If you have not been contacted by that time, you were not bumped from your position.

### **4. If I am laid off, what happens to my health insurance?**

Per the PPS-PAT contract, "20.3.1 The District shall provide medical benefits to professional educators who are laid off for a period of three (3) months following the month in which their coverage would otherwise end. If currently enrolled in medical benefits, the equivalent of three (3) months of COBRA premium will be paid on the final paycheck. The laid off professional educator may elect to continue medical benefits at their own expense in accordance with the provisions established by the Health and Welfare Trust. You will receive additional information with your layoff notice. You can contact the Benefits team at [benefits@pps.net](mailto:benefits@pps.net) or call 503-916-6464.

### **5. If I am laid off, can I be a substitute?**

Educators who are laid off are given consideration for being a substitute. If you are notified you are being laid off and would like to be considered for a substitute position, please let your HR representative know. Being a substitute will not impact your recall rights.

### **6. If I am laid off, what are my recall rights?**

Educators who are laid off are eligible for recall for 3 years from their layoff date. Recall rights are provided in the layoff notice and outlined in Article 20.4 of the PPS-PAT contract.

### **7. If I am laid off, am I eligible for unemployment?**

Educators who are laid off are eligible to apply for employment through the Oregon Employment Department (OED). OED makes the final determination of an individual's unemployment claim. A flyer regarding how to file for unemployment is included with the layoff notice.

## **RECALL INFORMATION**

Recall - an offer to a laid-off educator to return to a vacancy for which they are licensed.

Recall Rights - the ability to be recalled to vacancies for which a laid-off educator is licensed, as well as various rights regarding offer acceptance and denial, the length of time educators are eligible for recall, and more. To learn more about recall rights, please review article 20.4 of the PPS-PAT contract.

### **1. How long can I be recalled to a position at PPS?**

3 years from the layoff date. Additionally, educators must reaffirm to HR, their interest and willingness to be recalled by April 1 of each year, in writing, if asked. If you are not asked to affirm your interest by April 1st, you remain on the recall list.

Per the PPS-PAT contract, "20.4.1 Professional educators who are laid off shall have the responsibility when asked originally to notify the District of their interest in and willingness to be recalled. They must reaffirm such interest by notification to the District's Human Resources Department, in writing, if asked, on or before April 1 of every year for three (3) years following their effective date of layoff."

### **2. Can I decline a position I am recalled to without losing my recall rights?**

Educators may refuse one offer without losing recall rights.

Per the PPS-PAT contract, "20.4.3 A professional educator who has been laid off may refuse one (1) job offer without loss of recall rights."

### **3. If I am notified I am being recalled, how long do I have to accept or refuse the assignment?**

Educators have 5 work days to accept or refuse the assignment. (20.4.6)

### **4. If I accept a recalled position, when will I have to report to work?**

Educators must report to work within 30 days, or up to 60 days if employed by another District and not released. 20.4.6 "The professional educator must report for work within thirty (30) days within up to sixty (60) days if the employer does not release such professional educator or sixty (60) days if employed by another District), following receipt of such notice or be considered to have refused the position. In doing so, shall relinquish any and all rights under this Agreement and shall be deemed as having resigned their employment with the District."

### **5. If I accept a recalled position but am unable to start within the required timeline, what happens?**

If you accept a recalled position and do not start within the required timeline, you will be considered as having refused the position. "In doing so, shall relinquish any and all rights under this Agreement and shall be deemed as having resigned their employment with the District." (20.4.6)

### **6. If I am recalled to a position that I want, but I am currently under contract at another district, can I still accept the recalled position?**

If you are under contract at another district you can still accept a recalled position, provided you give notice to your current district. From the day you accept the position, you have 60 days to report to work, should your current employer hold you for the required 60 days notice. See PPS-PAT contract 20.4.6 for additional information.