

**FREQUENTLY ASKED QUESTIONS REGARDING
THE OPPORTUNITIES TO MITIGATE REALIGNMENT LAYOFF
FOR EMPLOYEES IN BARGAINING UNITS 1, 3, 4, 11, 14, 15, 17, 20 and 21**

Prepared by CDCR and SEIU 1000

Q: What is a Realignment “wave”?

A: Realignment will require a series of layoff in a broad range of classifications and geographic areas simultaneously. During the course of Realignment, California Department of Corrections and Rehabilitation (CDCR or the Department) will be providing employees with multiple employment opportunities to transfer in an effort to mitigate the impact associated with Realignment. The Department will be offering these various transfer opportunities, along with State Restriction of Appointment (SROA)/layoff, in “waves.” Each Realignment wave will be based on a determination of overages and vacancies in staffing. As noted below, many employees will be given SROA notices as in normal layoffs, but a Voluntary Transfer Process will occur at the beginning of each wave, which may reduce the number of employees actually facing layoff.

Q: How often will waves happen?

A: Waves will likely occur twice a year at a minimum, but more may be necessary.

Q: What is the timing of the Voluntary Transfer Process and the SROA/Layoff process in subsequent waves?

A: After the first wave, the Voluntary Transfer and SROA/Layoff processes may occur at the same time.

Q: When does SROA in the first wave start?

A: November 1, 2011.

Q: Who will be placed on SROA?

A: In the first wave, all staff in CDCR with less than ten (10) years of seniority will be placed on SROA. This will ensure that enough employees are on SROA in order to account for the demotional bumping that could occur in impacted counties.

Q: If I receive an SROA notice, will I be laid off?

A: Not necessarily. SROA only makes you subject to the layoff process. Depending upon your seniority, your location and other factors, you may not be impacted by layoff.

Q: Will my only options to mitigate Realignment layoff be the typical options available?

A: No. A new Voluntary Transfer Process will give employees an opportunity to transfer to vacancies statewide prior to layoff.

Q: During the Voluntary Transfer Process, how will vacancies at institutions/work locations be awarded?

A: All transfers/movement will be awarded in accordance with statewide seniority.

Q: Where can I check my seniority score?

A: To ensure that impacted employees have ready access, information regarding seniority scores is available on the intranet and in designated areas at each worksite.

Q: Will I ever have a chance to challenge my seniority score again during Realignment?

A: Yes. Seniority scores are final for the first wave of Realignment. However, in subsequent waves, employees shall have fourteen (14) calendar days after SROA notices are received in which to provide additional information related to their seniority scores (i.e. challenge their score).

- Q: Will I have access to information regarding each location that has vacancies or overages?**
A: Yes. The Department has posted information regarding each location that has either vacancies or county overages. This information will also be available on the internet, intranet and in designated work areas at each worksite.
- Q: What is the geographic area of layoff?**
A: Layoffs will be conducted strictly by county. However, the Voluntary Transfer Process that will occur at the beginning of each wave should mitigate some layoffs by providing statewide transfer opportunities to fill vacancies, according to seniority. Bumping and demotional opportunities will be limited to within your county in the layoff process.
- Q: Who is eligible to participate in the Voluntary Transfer Process?**
A: Voluntary transfers may be requested by any employee working in a county with any overage in that employee's designated classification. All vacancies in the State in that classification statewide will be available for such transfer request.
- Q: Do I have to participate in the Voluntary Transfer Process?**
A: No, but each employee must opt in or opt out of participation on the transfer options worksheet.
- Q: If I volunteer to transfer, will I be protected from any further layoff process?**
A: No. You may reduce your chances of being laid off by moving during the Voluntary Transfer Process to a location with vacancies (particularly, in a county without overages in your classification, as that county likely will not be in layoff mode).
- If an employee moves to a location with a number of vacancies in a county where there are no overages, it is unlikely that s/he will be impacted by a layoff (as that county will not likely be in a layoff mode).
- However, **there are no guarantees in this process.** Demotional bumping by other employees in an impacted county could result in you facing possible layoff or involuntary transfer in the county, in the same wave or in future Realignment waves.
- Q: After CDCR calculates the transfer awards based on statewide seniority and communicates a start date, is there any way I can change it?**
A: Yes, an employee may be granted a change in the report date by agreement of the releasing worksite and the receiving worksite.
- Q: How will people be laid off?**
A: Layoffs shall occur by inverse seniority within the impacted county/counties. The least senior employees who are subject to layoff shall receive thirty (30) day written notice of the effective date of their layoff.
- Q: Will there be comparable classifications or out of county placement offered in the layoff options process?**
A: No.
- Q: May I pursue out of county opportunities?**
A: Yes, employees are free to pursue such opportunities on their own through the SROA process; they will not, however, be facilitated by CDCR. The only out of county placement that is facilitated by CDCR is through the Voluntary Transfer Process described above.
- Q: At the end of a wave, after the layoff process is complete, could I still be transferred?**
A: Yes. Once the layoff process is completed and where overages still remain, employees may be involuntarily transferred within the county. Involuntary transfers shall occur by inverse seniority. An employee may be granted a change in his/her report date by agreement of the releasing worksite and the receiving worksite. There shall be no relocation, mileage, or other travel reimbursement paid in association with such involuntary transfers, except as provided in the Per Diem chart provided above.

Q: What happens if I do not comply with such an involuntary transfer (after the layoff process is complete)?

A: You will be Absence Without Leave (AWOL) separated from the Department.

Q: Can I be redirected during Realignment?

A: Yes. While the Department is undergoing “Realignment”, all redirections shall be made by requesting volunteers first and awarding the position to the highest senior employee interested. If there are no volunteers, then the Department shall use inverse seniority to mandate the redirections. All redirected employees shall be reimbursed for Per Diem and mileage in accordance with the contract.

Q: Can I still transfer pursuant to the contract?

A: Generally, no. Opportunity transfers pursuant to the contract shall be suspended during the Realignment. This suspension, however, does not include hardship transfers.

Q: Will I receive Per Diem pay if I transfer?

A: Yes, for transfers over 50 miles, as noted in the chart below:

Per Diem for Transfer Over 50 Miles Only	Amount	Basic Duration (in calendar days)	Duration for HDSP, CCC, PBSP & SVSP (in calendar days)
Voluntary	\$125	30 days	40 days
Involuntary	\$90	22 days	N/A

Q: Will an employee who is staying with family, friends, or sharing a hotel/motel room still receive the Per Diem pay?

A: Yes. Regardless of your housing during that time, you will be eligible to receive the pay based on the above charts as long as the transfer is over 50 miles.

Q: Is the State going to provide mileage one way from the old worksite to the new worksite for voluntary transfers?

A: No. Under the Voluntary Transfer Process, only the flat rate Per Diem above will be paid. (But See FAQ regarding Temporary Redirection mileage.)

Q: Will the State pay any relocation expenses?

A: No. There shall be no relocation remuneration for any of the transfers or movement associated with Realignment.

Q: Will the State also pay any Per Diem pursuant to the MOU?

A: No. Under the Voluntary Transfer Process, only the flat rate Per Diem above will be paid. (But See FAQ regarding Temporary Redirection Per Diem.)

Q: How much time will I be allowed to move following a voluntary transfer?

A: Administrative Time Off (ATO) will be granted as follows:

ATO for those who move within 6 months of his/her report date	100-200 miles	200+ miles	400+ miles OR 100+ miles to move to HDSP, CCC, PBSP & SVSP
Voluntary	8 hours	16 hours	24 hours
Involuntary	8 hours	16 hours	N/A

- Q: If I transfer as a result of the Voluntary Transfer Process, can I request a salary advance?**
A: Yes. If an employee changes his/her residence and transfers to another institution/work location s/he may request a salary advance pursuant to the State's policy and procedures. Employees who receive a salary advance must repay the advance in full no later than the following pay period in which it was received. Such requests must be made at least two (2) weeks prior to transfer, and honored no later than seven (7) days after the request is made.
- Q: Can I receive State release time for other State employment?**
A: Yes, after the voluntary bid and transfer process, all impacted employees who did not transfer and who received an SROA notice shall receive reasonable State release time to attend state-sponsored job interviews, job fairs, conduct research, and apply for open positions in other State agencies. Such requests shall not be unreasonably denied and any denials must be based on identified operational needs. Where there is State equipment available, the employee shall be allowed to use State equipment to conduct research.
- Q: Can I receive release time for outside employment?**
A: Yes, after the voluntary bid and transfer process, impacted employees who did not transfer and who received an SROA notice may request and use his/her own leave credits to attend training in the community, including training sponsored by the One-Stop program. Requests to attend such trainings shall not be unreasonably denied; any denials must be in writing and based on identified operational needs.
- Q: Will the new institution/work location that I transfer to honor leave that was pre-approved at my old institution/work location?**
A: Yes, both paid and unpaid.
- Q: What effect will Realignment have on leave banks?**
A: During Realignment, employees shall be given maximum discretion to utilize their outstanding Furlough, Personal Leave Program 2010 and Professional Development time. These requests shall be granted or denied in a timely manner. If leave requests are denied, you may contact your union for further assistance regarding the Realignment Agreement.
- Q: If I receive Inmate Worker Supervision Pay (IWSP) will I be given priority consideration for a vacant position that qualifies to receive the IWSP?**
A: Yes. Management, however, retains ultimate responsibility over facility assignments.
- Q: If I am covered by Recruitment and Retention (R&R) at Avenal, Ironwood, Calipatria, Chuckwalla or Centinela State Prison what happens if I transfer via the layoff process?**
A: If the employee transfers to a new classification or position in an institution covered by the above R&R differential, the employee shall continue to qualify for the R&R without interruption and without a change in the eligibility date. If the employee transfers to a new classification or position in an institution not covered by the R&R differential, s/he shall be eligible for a prorated share for those months served.
- Q: If I receive the Personnel/Payroll Specialist or Senior Personnel/Payroll Specialist recruitment and retention differential and I demote in lieu of layoff, will I still receive the differential?**
A: Employees who currently receive the above differential, and who demote in lieu of layoff, shall be eligible for a prorated share of the differential for those months served.
- Q: If I do not change my classification will I receive a new merit salary anniversary date?**
A: No. Employees who do not change their classification shall not receive a new merit salary anniversary date.
- Q: When will pay adjustments occur?**
A: Any pay adjustment required by a transfer or placement in lieu of layoff shall not be made until the employee's scheduled report date.

- Q: Am I still eligible for an upward mobility plan?**
A: Yes, in accordance with the applicable MOU, impacted employees may request to meet with their supervisor and shall jointly develop an upward mobility plan.
- Q: When I transfer, will I be provided with a duty statement for my new position?**
A: Yes, upon request. Employees shall be provided their duty statements upon transfer or placement into a new position upon request and within ten (10) days.
- Q: If I transfer to another institution/work location or if my job duties change will I be provided orientation and/or training?**
A: Yes, any impacted employee that transfers to another institution/work location or has changes to his/her job duties in assignments will be provided orientation and any required on-the-job training in his/her new position, including, but not limited to, New Employee Orientation and in-service training.
- Q: Will Realignment have any effect on the 20/20 Program?**
A: No. An impacted employee currently participating in the 20/20 program shall be allowed to continue to participate in the program regardless of any voluntary transfer, involuntary transfer or redirection.
- Q: If I am impacted by voluntary transfer, involuntary transfer, redirection or demotion due to Realignment will I have to serve a new probationary period?**
A: No. However, if an employee has not previously served probation in the classification, s/he may be required to serve a probationary period.
- Q: Under what conditions will I receive reemployment rights?**
A: Employees who are laid off, retire in lieu of layoff, demote in lieu of layoff or who are geographically displaced more than fifty (50) miles shall receive general reemployment rights in their primary demotional patterns.
- Q: What is the relationship of class codes 2287 and 2290 for purposes of this Realignment process?**
A: The classes with those two codes shall, within or for transfer to Division of Adult Institutions only, be treated as one class.
- Q: If I transfer to another institution/work location what will happen to my Personal Necessity Leave (PNL)?**
A: Any Unit 3 represented employee who transfers into a different bargaining unit will have his/her existing PNL converted to Vacation/Annual Leave. Each day of PNL is equivalent to eight (8) hours of Vacation/Annual Leave.
- Q: What will happen to my educational leave if I transfer to another classification?**
A: Unit 3 members who transfer into any state classification shall retain all accrued educational leave but shall not be permitted to take educational leave unless the employee returns to an eligible position (eligible position is defined as a position that has accrued or currently accrues educational leave).
- Employees who do not return to an eligible position shall have their educational leave converted to service credit upon retirement.
- Employees who have been laid-off but are re-hired shall have their former educational leave balances restored, and shall have their educational leave converted to service credit upon retirement.
- Q: How can I prevent a dock in pay if I work less than 220 days in the academic calendar as a result of a transfer from: (1) a CDCR-DAI teacher position to a DJJ position; or (2) a CDCR-DJJ teacher position to a DAI position?**
A: To prevent a dock in pay the employee will be allowed to use accumulated leaves (excluding sick leave) to prevent a pay dock for the difference in days worked.

Q: Will I receive additional pay if I work more than 220 days in the academic calendar as a result of a transfer from: (1) a CDCR-DAI teacher position to a DJJ position; or (2) a CDCR-DJJ teacher position to a DAI position?

A: Generally, no employee will be allowed to exceed the 220 days. However, where a CDCR-DAI teacher transfers to a DJJ position or a CDCR-DJJ teacher transfers to a DAI position and this results in the employee working more than 220 days in the academic year, the employee will receive pay for these additional days at their normal daily rate. The additional pay, however, will not be used for retirement calculations.

Q: Will I still be allowed to take a vacation that was scheduled during Faculty Days Off on my DAI or DJJ Academic Calendar if: (1) I am a CDCR-DAI teacher and I transfer to a DJJ position; or (2) I am a CDCR-DJJ teacher and I transfer to a DAI position?

A: Yes, this will be considered an exceptional circumstance and the employee will be allowed to use accumulated leaves (excluding sick leave) or dock to cover the absence.

Q: If I am a CDCR teacher and I move into a position that is not covered by an academic calendar what will happen to my Faculty Days Off?

A: A CDCR teacher that moves to a position not covered by an academic calendar shall have the right to use accumulated leaves (excluding sick leave) or dock to cover the absence on any Faculty Day Off on his/her prior calendar within six months of his/her move.

Q: Where can I find additional information regarding Realignment?

A: Employees will have access to a State created Video explaining the bid and transfer process and can utilize the 800 hotline for assistance ((877) 297-5599 from 7:00 am to 5:00 pm Monday through Friday) using State equipment during his/her regularly scheduled shift at the worksite. A Union Representative may be on the line, at the employee's option, so long as his/her presence is announced.

Impacted institutions/work locations shall provide a dedicated meeting space and equipment for a minimum of two (2) days during each wave for employees potentially impacted by Realignment to use. While on duty, employees, with a supervisor's approval of reasonable release time, shall be able to utilize the equipment to place calls to the 800 hotline and to watch the State created videos.