

(a) Employees who are in positions that are to be abolished, discontinued, or vacated, because of change in departmental organization, or through stoppage or lack of work, shall be laid off.

(b) Except for faculty and other unclassified employees of the State institutions of higher education and their governing boards, the Secretary of Personnel shall establish uniform procedures among State agencies, by rule and regulation, for:

(1) The layoff of State employees regardless of employment status; and

(2) The reinstatement of laid off classified and unclassified State employees to comparable occupational positions in State employment.

(c) The rules and regulations promulgated by the Secretary pursuant to subsection (b) above shall include:

(1) An order of layoff determined by seniority points, including credit for:

(i) Total State service;

(ii) Service within the department where the layoff is to occur; and

(iii) Service in the job classification and its job series, as defined by the Secretary, where the layoff is to occur.

(2) A provision that an employee being laid off may displace another employee with the least seniority in the same job classification or its job series, or any other job classification in which the employee being laid off previously held satisfactory permanent status. This provision shall be limited first to the appointing authority and subsequently to the employee's department, or by geographical area as defined by the Secretary of Personnel, or both.

(3) A provision that if 2 or more employees in the same classification have the same seniority points, the order of layoff shall be based on:

(i) Total length of employment in State service, with the employee with the shortest service being laid off first; or

(ii) If these employees have the same total length of service, the appointing authority shall determine which employee to retain by a written evaluation of the skills, knowledge, or abilities of each employee. The appointing authority shall submit this evaluation to the Secretary of Personnel.