

**ARTICLE TWENTY-SIX
REDUCTION IN PERSONNEL**

In the event the Board determines that the number of employees must be reduced for any reason, such reduction in employees shall be based on objective, reasonable and nondiscriminatory standards which (1) shall not be arbitrary or capricious; (2) shall not deprive employees of other rights conferred by this agreement or laws of Florida and the United States; and (3) shall be capable of uniform application. If a reduction in employees is determined to be necessary, the following procedure shall be controlling:

A. Layoff:

1. Prior to implementing a reduction in personnel, the Superintendent shall meet with representatives of the BTU to discuss the proposed Board action and solicit their suggestions.
2. The Board shall determine the net number of positions to be reduced and the subject area/programs or specific positions in which layoff shall occur.
3. The least senior employees in each subject area/program or specific positions shall then be laid off. See Article Three, Section E for the definition of seniority. Retained employees must be qualified for their assigned positions. A laid off employee is not entitled to replace another employee in a different subject area/program. However, if the employee(s) identified for layoff holds another certification in a subject area/program for which a vacancy exists in the system, then said employee(s) shall be offered the vacancy if he/she is qualified for the position. If more than one (1) employee with dual certification who is to be laid off qualifies for a district vacancy, then the job vacancy shall be offered to the most senior employee as defined in this contract.
4. If layoffs are to occur, a seniority list in accordance with this Article shall be prepared by the Board and a copy thereof made available to the union.

B. Recall:

1. Employees will be recalled to the same subject area/program they were teaching at the time of their layoff in reverse order of layoff when a vacancy occurs.

2. Each employee on layoff shall be required to provide the district Human Resources & Equity office in writing with a current address to which a letter of recall may be sent.
 3. If a recall opportunity exists, a letter shall be mailed to the employee, certified mail, return receipt requested. If the letter is mailed to the address provided by the employee and is returned to the Board because the address is incorrect, the Board has fulfilled the obligations of this sub-section.
 4. An employee offered a recall opportunity must notify the Board in writing of his/her decision within seventy-two (72) hours of receipt of the Board offer.
 5. An employee who has been laid off shall maintain recall rights for twenty-four (24) months from the date of layoff or until he/she refuses a recall opportunity, fails to respond to a recall letter, submits a resignation, or accepts employment in another school district, whichever is less.
- C. An employee who has started his/her sixth year of service and who will qualify for retirement by the end of that year shall be permitted to complete the school year so as to acquire the necessary service to become vested in the retirement system.
- D. No new or substitute appointments may be made while there are laid off employees available who are qualified to fill the vacancies.
- E. The employee laid off pursuant to this Article shall be given the opportunity to continue insurance coverages in existing programs during the layoff provided that the premium for such insurance programs shall be paid by the employee on a monthly basis in advance of the month due.