

CHAPTER 17
DEPARTMENTAL SENIORITY
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CHAPTER 17

DEPARTMENTAL SENIORITY

1. POLICY.

a. Determination of Departmental Seniority. Departmental seniority of employees shall be determined in accordance with the rules in this chapter.

b. Exception to Departmental Policy. The departmental policy and method of computing departmental seniority do not apply to those situations governed by state civil service laws and rules or by bargaining unit (BU) agreements. Such situations include, but are not limited to: the computation of service or seniority for determining leave credits, order of layoffs, merit salary adjustments, vacation/annual leave group change dates, total state service, and seniority points for promotional examinations.

2. ESTABLISHMENT OF DEPARTMENTAL SENIORITY. Departmental seniority shall be established by rank or classification. An employee of a given rank or classification shall not have departmental seniority over anyone holding a higher rank or classification.

3. COMPUTATION OF DEPARTMENTAL SENIORITY.

a. Departmental Seniority Within Classification. Unless excluded by a BU agreement, an employee's departmental seniority within a classification shall be computed based on the following:

(1) Qualifying pay periods completed while serving in the classification within the Department.

(2) Time in the classification while on the following temporary separations from the Department, resulting in mandatory reinstatement to the classification (refer to Highway Patrol Manual [HPM] 10.3, Personnel Transactions Manual, Chapter 9, Separations, for definition of temporary separations):

(a) Military leave.

(b) Industrial disability leave.

(c) Nonindustrial disability leave (NDI) with annual leave supplementation.

1 Excluded Employee. When NDI is supplemented at the 75 percent level, departmental seniority shall be computed at one-half the rate granted to those who supplement at 100 percent.

2 Represented Employee. Refer to the employee's BU agreement.

(d) Paid leave of absence for organ or bone marrow donation.

(3) Time spent while serving in a parallel classification within the Department.

(4) Time spent while serving in a higher classification within the Department, including Career Executive Assignment or exempt appointment.

b. Credit for Departmental Seniority After Return from a Permanent Separation.

Unless excluded by a BU agreement, an employee who returns to work after a permanent separation shall be credited with their prior departmental seniority (refer to HPM 10.3, Chapter 9, for definition of permanent separations). If the employee returns to a classification lower than that from which they separated, and is subsequently promoted or reinstated to their former higher classification, prior departmental seniority in the higher classification shall also be credited following the promotion or reinstatement.

c. Ties.

(1) Represented. Ties in departmental seniority for represented employees will be broken using appropriate BU criteria. If the criterion does not break the tie, the highest social security number (last four digits) will be used to signify the most senior person.

(2) Nonrepresented-Nonuniformed. Ties for nonrepresented nonuniformed employees will be broken using the criteria in the order listed below:

(a) Total departmental service regardless of classification.

(b) Total state service.

(c) Highest social security number (last four digits) signifies highest seniority.

(3) Nonrepresented-Uniformed. Ties in departmental seniority for nonrepresented uniformed employees appointed on the same date will be broken by the order in which their names appeared on the employment list from which they were appointed. The name that appears first signifies the highest seniority.