

# STATE OF COLORADO

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## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

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July 15, 2009

Bill Ritter, Jr.  
Governor

**Policy Title:** State Classified Employee Layoff Matrix

H. Michael Edwards  
Major General  
The Adjutant General

**Effective Date:** 15 July 2009

**Summary:** Establishes Policy and Procedures in the Event of DMVA Layoff

**Applicability:** All State Employees of DMVA

**Staff Proponent:** Human Resource Director

**Supersedes:** July 1, 2004

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### **A. Purpose:**

State of Colorado Personnel Rules require that a matrix be developed to determine priorities for layoff and retention rights for use if a reduction in force is required within the Department of Military and Veterans Affairs.

### **B. Background:**

State of Colorado Personnel Board Rule 7-11 establishes the parameters upon which DMVA may rank employees. This policy describes how DMVA defines the matrix within Board parameters.

### **C. Definitions:**

None

### **D. Policy:**

Prior to applying the matrix, employees in the affected classes are placed in three-year seniority bands based upon the calendar year in which the employee began continuous state service. The three-year bands begin with the calendar year in which the layoff notice is given and extends backward, e.g., a notice issued in 2009 creates the most junior time band of 2007-2009, and the next time band would be 2004-2006. For each affected class set out in the Layoff Plan, employees in the most junior timeband must be displaced before employees in more senior time bands. When determining time bands, the following considerations are applied:

1. Those eligible for veteran's preference are given up to ten (10) additional years of seniority (rounded to the next whole year for partial years) for military service.
2. If a person has been reinstated and the break in State service was more than 90 days, the reinstatement date will be the actual date of hire used.
3. State employment outside of the state personnel system (i.e. judges, faculty, employees of State Higher Education Institutions) will be counted as state service provided there was no break in service.

4. Breaks in service of 90 days or less (i.e. leave-without-pay, those on reinstatement lists, those who leave one State position and are hired two months later by another State agency) receive credit for that previous state service. If an employee has a break in service of more than 90 days, previous state service does not count toward seniority.

Within each three-year time band, by class that is affected by the layoff, employees shall be ranked using a matrix.

The Department of Military and Veterans Affairs has adopted the following criteria to rank individuals within the same three-year time band: performance as determined by performance evaluation ratings weighted at 51%, longevity in a State position at DMVA weighted at 30%, and seniority in current classification weighted at 19%.

1. Performance. Briefly, the employee's annual numeric performance ratings for the last three years are averaged.
2. Longevity at DMVA. This puts a value on seniority as a State employee at DMVA for each employee within their time band. The following values are assigned to each employee based upon seniority at DMVA.

Employees are given four (4) points for each year they have been at DMVA to a maximum of 25 years. Any portion of a year will count as a full year (i.e.: 27 months = 3 years). Any classified temporary appointment that occurred prior to December 31, 1998 that resulted in a permanent appointment, and did not result in a break in service, will count towards years of service.

3. Seniority in Current Classification. This puts a value on seniority in current classification of each employee within their time band. The following values are assigned to each employee based upon seniority in current classification, which can include various levels within a single classification.

Employees will be given four (4) points for each year they have been in their current position number to a maximum of 25 years. Any portion of a year will count as a full year (i.e. 14 months = 2 years).

#### **E. Procedure:**

The procedure for determining ratings for performance, longevity at DMVA, and longevity in current classification will be converted to a 100 point scale as follows:

Performance	51%
Longevity at DMVA	30%
Longevity in Current Classification	19%

The three weighted scores will then be combined for the employee's overall score.

In the event there is a tied numeric score after the above factors have been determined, the following will occur:

1. First Tie Breaker: The employee with the earliest start date of employment with the State of Colorado shall be the higher ranked employee.
2. Second Tie Breaker: If the employees are still tied, then the decision shall be made by taking into account the affirmative action program established by the State Personnel Director.

Displaced employees shall be provided retention opportunities and must meet the minimum qualifications and any bona fide special qualifications for retention opportunities offered. In order to displace another employee,

the displaced employee must have been certified in the class. The priority of retention opportunities shall be in the following order:

1. Funded vacant position in the current certified class. If no vacancy, occupied positions are offered in the following order: provisional, probationary, conditional, certified (lowest ranked in the most junior time band).
2. Funded vacant position in a previously certified class at the same pay rate. If no vacancy, occupied positions are offered in the following order: provisional, probationary, conditional, certified (lowest ranked in the most junior time band).
3. Highest level demotion in the current or previously certified class series. If no vacancy, occupied positions are offered in the current or previously certified series in the following order: provisional, probationary, conditional, certified (lowest ranked in the most junior time band).

### E. Sample Application of Matrix

#### Employee #1

Performance evaluation scores in past three years = 88 (2009), 92 (2008), 86 (2007)

Performance: $88, 92, 86 = 266/3 = 88.66 \times 51\% =$	45.22
6 Years at DMVA: $6 \times 4 = 24 \times 30\% =$	7.20
5 Years in Current Classification: $5 \times 4 = 20 \times 19\% =$	<u>3.80</u>
	56.22

#### Employee #2

Performance evaluation scores in past three years = 68 (2009), 68 (2008), 72 (2007)

Performance: $68, 68, 72 = 208/3 = 69.33 \times 51\% =$	35.36
4 years at DMVA: $4 \times 4 = 16 \times 30\% =$	4.80
3 Years in Current Classification: $3 \times 4 = 12 \times 19\% =$	<u>2.28</u>
	42.44

#### Employee #3

Performance evaluation scores in past three years = 100 (2009), 100 (2008), 100 (2007)

Performance: $100, 100, 100 = 300/3 = 100 \times 51\% =$	51.00
1 Year at DMVA: $1 \times 4 = 4 \times 30\% =$	1.20
1 Year in Current Classification: $1 \times 4 = 4 \times 19\% =$	<u>.76</u>
	52.96

#### **Official:**

//signed//

H. Michael Edwards  
The Adjutant General

**Distribution:** DMVA Staff Proponents  
DMVA Website