

CLIENT NEWS BRIEF

Reminder: New Deadline For Giving Classified Employee Layoff Notices

Traditionally, school districts and community college districts have turned their attention to classified layoffs in late April or early May, after the rush of the certificated/academic layoff process is over. However, due to a change in Education Code sections 45117 and 88017, school and community college districts must now give notices no later than *May 2nd* in order for classified layoffs due to lack of work or lack of funds to be effective July 1, at the start of the new fiscal year.

As we noted in a prior [Client News Brief \(Number 50, October 2012\)](#), Assembly Bill ("AB") 1908 amended sections 45117 and 88017 to increase the notice period for a classified layoff from 45 to 60 days prior to the effective date of the layoff, when it is due to lack of work or lack of funds. Applying the new notice period to a July 1, 2013 effective date for such layoffs means that layoff notices must be given no later than May 2, 2013. Notices can certainly be given earlier which is generally encouraged, when it is possible.

In the next few weeks, governing boards should be taking action on classified layoffs in order for the layoff to be effective on July 1, 2013. Governing boards can still implement classified layoffs due to lack of work or lack of funds throughout the school year, provided the 60 day advance notice and related requirements are met. Finally, districts should note that classified bargaining units can demand to bargain the effects of such layoffs, and that districts must seek clarification if the unit representative's description of negotiable effects is unclear.

Please note that AB 1908 did not affect the *April 29th* deadline for giving notice of a classified layoff of a specially-funded (categorical) position.

If you have any questions regarding the procedures governing classified layoffs, please feel free to contact one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#), or download our [Client News Brief App](#).

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