

## H.B. 310

# STATE AND POLITICAL SUBDIVISION EMPLOYMENT AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 14, 2012 12:02 PM

Representative **Brad J. Galvez** proposes the following amendments:

1. *Page 1, Lines 10 through 12:*

10 This bill prohibits a state or political subdivision from considering seniority as ~~{a~~  
11 **primary}** the sole factor when determining whether to terminate an employee while conducting a  
12 reduction in force.

2. *Page 1, Lines 15 through 17:*

15 ▶ prohibits the following from considering or establishing a policy requiring  
16 consideration of seniority as ~~{a primary}~~ the sole factor when determining whether to  
17 terminate an employee while conducting a reduction in force:

3. *Page 2, Lines 54 through 58:*

54 10-3-1014. Seniority as ~~{primary}~~ sole factor prohibited when conducting reductions in  
55 force.  
56 A civil service commission may not make a rule or regulation requiring that a  
57 department head conducting a reduction in force consider seniority as ~~{a primary}~~ the sole factor  
when  
58 determining whether to terminate an employee.

4. *Page 3, Lines 84 through 85:*

84 (b) While conducting a reduction in force, a municipality may not consider seniority as  
85 ~~{a primary}~~ the sole factor when determining whether to terminate an employee.

5. *Page 4, Lines 105 through 106:*

105 (8) provision of a reduction in force policy that does not consider seniority as ~~{a primary}~~ the  
sole  
106 factor when determining whether to terminate an employee.

6. *Page 5, Lines 127 through 135:*

127 17-30-16. Reductions in force -- Seniority may not be ~~{primary}~~ sole factor --  
128 Reemployment register.  
129 (1) When necessary because of lack of funds or work ~~[an officer may], the appointing~~

130 authority, with the approval of the commission, [be] may temporarily [aid] lay off an officer.  
131 [Such layoff shall be made according to the lowest rating of the officers of the class of position  
132 affected, calculated upon seniority under a method prescribed by the commission.]

133 (2) While conducting a reduction in force, an appointing authority or the merit system  
134 commission may not consider seniority as {a primary} the sole factor when determining whether to  
135 terminate an officer.

7. *Page 9, Lines 260 through 261:*

260 (c) A county conducting a reduction in force may not consider seniority as {a primary} the  
sole  
261 factor when determining whether to terminate an employee.

8. *Page 10, Lines 281 through 283:*

281 (2) Except as provided in Section 17B-2a-813, a local district conducting a reduction in  
282 force may not consider seniority as {a primary} the sole factor when determining whether to  
terminate an  
283 employee.

9. *Page 10, Lines 301 through 303:*

301 (c) An institution president or board of trustees may not establish a policy that requires  
302 an institution conducting a reduction in force to consider seniority as {a primary} the sole factor  
when  
303 determining whether to terminate an employee.

10. *Page 13, Lines 384 through 387:*

384 (b) The campus board of directors or the Utah College of Applied Technology Board  
385 of Trustees may not establish a policy that requires an institution conducting a reduction in  
386 force to consider seniority as {a primary} the sole factor when determining whether to terminate an  
387 employee.

11. *Page 18, Line 526:*

526 67-19-18.5. Reductions in force -- Seniority may not be {primary} sole factor.

12. *Page 18, Lines 537 through 539:*

537 (2) Notwithstanding any other provision of law, an employer conducting a reduction in  
538 force may not consider seniority as {a primary} the sole factor when determining whether to  
terminate an  
539 employee.

