



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

## NOTICE OF BILL RETURNED TO RULES COMMITTEE

February 29, 2012

Madam Speaker:

With committee review, the Government Operations Committee has returned **H.B. 310**, STATE AND POLITICAL SUBDIVISION EMPLOYMENT AMENDMENTS, by Representative D. McCay, to the Rules Committee without recommendation with 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.

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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.

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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

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538 in  
force may not consider seniority as ~~{ a primary }~~ the sole factor when  
determining whether to terminate an  
539 employee.

Respectfully,

Kraig Powell  
Committee Chair

Voting: --

14 HB0310.HC1.WPD 2/29/12 10:08 am ahunsaker/ALH VA/JTW

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