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| --- | --- | --- | --- | --- |
|  | **Injured Worker****Inter-Agency list** | **Agency Layoff** | **Secondary Recall****Inter-Agency list** | **Statewide Layoff** **Inter-Agency list**  |
| **Authority** | [**State HR Policy 40-010-02**](http://www.oregon.gov/das/Policies/40-010-02.pdf)[**State HR Policy 50.020.03**](https://www.oregon.gov/das/Policies/50-020-03.pdf) | **Agency’s layoff plan;** [**ORS 240.195**](https://www.oregonlegislature.gov/bills_laws/ors/ors240.html)**;** [**Applicable Collective Bargaining**](http://www.oregon.gov/das/HR/Pages/LRU.aspx)[**Agreement**](http://www.oregon.gov/das/HR/Pages/LRU.aspx) | [**Applicable Collective Bargaining**](http://www.oregon.gov/DAS/HR/CBAs.shtml)[**Agreement**](https://www.oregon.gov/das/HR/Pages/LRU.aspx) | [**State HR Policy 40-010-20**](http://www.oregon.gov/das/Policies/40-010-02.pdf) |
| **Eligible Employees** | **All employees** (EEs) with compensable work-related injuries or illnesses incurred while employed with the state per [ORS 659A.052.](https://www.oregonlegislature.gov/bills_laws/ors/ors659A.html) | **Permanent or seasonal EEs** who have * completed initial trial service
* are in good standing
* separated due to layoff or demotion in lieu of layoff
* not to include limited duration (LD) EEs unless the EE has gained rights per the CBA
 | **SEIU, AEE and most AFSCME represented EEs** who have * completed initial trial service
* are in good standing
* separated due to layoff or transferred outside State government due to intergovernmental transfer
* not to include LD EEs unless the EE has gained rights per the CBA
 | **Permanent EEs in either classified unrepresented or management service** who have* completed initial trial service
* separated due to a layoff from state

**Unclassified executive****service EEs** terminated due to a reduction in force. |
| **List** **Placement**  | * Placed by job profile (classification) at or below current grade profile (salary range) and location.
* Also given preference for entry level positions.
* Must meet minimum (MQs) and special qualifications
 | * Placed in the same job profile and representation (category of service**\*\***)
* by count/city location of choice
* Must meet MQs and special qualifications
 | EE elects to be placed on list* in same job profile, representation (category of service**\*\***)
* by county/city location of choice
* by agencies of choice
* Must meet MQs and special qualifications
 | EE submits request in writing to HR to by placed on list by * same job profile,
* same, equal, or lower grade profile (salary range number)
* Must meet MQ’s and special qualifications
 |
| **Required Action** | **Job Offer**Follow process in State HR Policy:[Reinstatement and Reemployment of Injured Workers](https://www.oregon.gov/das/Policies/50-020-03.pdf)[50.020.03](https://www.oregon.gov/das/Policies/50-020-03.pdf) | **Job Offer** (in most cases, in order of seniority, except for management service.)  | **Job Offer*** Select from the list of the five most senior EEs
* Select one when fewer than five EEs
 | **Interview**A recruitment process for internal or external applicants may be conducted to interview qualified candidates along with names on list.   |
| **Term of Eligibility** | 3 years from date of injury. | 2 years from date of layoff or demotion in lieu of layoff. | 2 years from date of placement on the list, or termination of agreement, whichever occurs first.  | 2 years from date of layoff. |
| **List** **Removal** | * Notify agency of injury if employee is hired, refuses offer, or is otherwise ineligible.
* EE is removed if returned to suitable work; or as listed in [ORS659A.046(3).](https://www.oregonlegislature.gov/bills_laws/ors/ors659A.html)
 | Remove from list * 2nd refusal of job offer (unless agency layoff plan allows additional refusals); or
* re-employment to an equivalent position from which laid off (other than temporary or LD work).

NOTE: SEIU requires that the EE be appointed **from the agency layoff** list for them to be removed because ofreappointment. | Remove from list* refused offer of employment, or
* re-employment from the list
* EE’s appointed to positions from the Secondary recall list shall have their name removed from the Agency layoff lists.
 | Remove from list* re-employment to aposition (other than temporary or limited duration work) or
* 2nd refusal of a job offer
* Remove the EE from all job profiles they have been placed on for the Statewide layoff list.
 |

Note: The Mandatory Priority List must be pulled before posting a job for a position requisition or an evergreen requisition. When a name appears on a list(s) *always* contact the agency of separation/injury to confirm the accuracy of the status on the list and the remaining rights of refusal. When an EE is either appointed or refuses an offer of employment be sure to contact the agency of injury/separation.

**\*\***Categories of State Service 240.195: Classified 240.210, Exempt 240.200, Management Service 240.212, and Unclassified 240.205.

**\*\*\***According to State HR Policy [40.025.01 Temporary Appointments](http://www.oregon.gov/das/Policies/40-025-01.pdf) you must first offer temporary appointments to an EE who meets the MQ’s on the agency layoff list and secondly you should consider EE’s on other mandatory lists before filling the position through alternate methods.