

Personnel Rule 4.3—Transfer, Reduction and Demotion Between Classified Service Positions

4.3.0 Authority

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-making Authority

4.3.1 Definitions

- A. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, or chief.
- B. "Classified service" shall mean all employment positions in the City of Seattle that are not excluded by ordinance, City Charter, or State law from the provisions of the Seattle Municipal Code and the Personnel Rules.
- C. "Demotion" shall mean the movement of an employee from his or her current classification to a classification in the same employing unit with a lower maximum salary rate, for cause.
- D. "Employing unit" shall mean any department of the City and, within the Executive and Legislative Departments, any office created by ordinance.
- E. "Personnel Director" shall mean the head of the Personnel Department or his or her designated management representative.
- F. "Probation" shall mean an extension of the selection process during which period an employee is required to demonstrate his or her ability to perform the job for which he or she was hired. Employees shall serve one 12-month probationary period upon initial appointment, except that their probation may be extended by subsequent appointments during that probationary period.
- G. "Reduction" shall mean the voluntary or involuntary movement of an employee to a position within the same employing unit with a lower maximum pay rate at the request of the employee to be reduced, or by the appointing authority or his or her designated representative for reasons of organizational change, reduction in force, disability accommodation, poor job match or poor work performance.
- H. "Regularly appointed employee" shall mean an individual who has a probationary, regular or exempt appointment to a position of employment in the City.
- I. "Standing" shall mean the class in which an employee accrues service credit for layoff purposes.
- J. "Transfer" shall mean the movement of an employee from one position to another position in the same employing unit and in the same class or with the same maximum pay rate.
- K. "Trial Service" shall mean a 12-month trial period of employment for a regular employee who has completed a probation period and who is subsequently appointed to a position in another classification.

4.3.2 Application of this Rule

- A. The provisions of this Rule apply to employees who are regularly appointed to positions in the classified service.
- B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any established and recognized practice relative to the members of the collective bargaining agreement.
- C. This Rule does not apply to individuals who are employed under the terms of a grant that includes employment provisions that conflict with this Rule.
- D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City.
- E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies and procedures do not conflict with the provisions of this Rule.

4.3.3 Reduction

- A. A regularly appointed employee may reduce or be reduced to a vacant position in a lower classification in the same employing unit for his or her personal reasons or for reasons of organizational change, reduction in force, disability accommodation or because of poor job match or work performance upon approval of the appointing authority. No selection process is required; however, the employee must be able to demonstrate that he or she meets the minimum qualifications for the lower classification.
- B. An employee so reduced must successfully complete a probationary period only if he or she has not completed an initial probationary period.
- C. Upon showing that the reason for a reduction no longer exists, the appointing authority may return an employee to an available vacant position in the former class within the same employing unit. No selection process is required. The employee's status in the higher class shall be the same as it was immediately prior to the reduction.
- D. Reduction to a position in another employing unit shall be treated as a selection process as provided by Personnel Rule 4.1. The Personnel Director may waive advertisement for reduction to a position in another employing unit to avoid layoff as a result of reorganization or job rotation or for the reasonable accommodation of a qualified individual under the Americans with Disabilities Act or the Washington State Law against Discrimination.

4.3.4 Demotion

- A. An employee may be demoted by the appointing authority to a vacant position in a lower classification in the same employing unit for disciplinary reasons. The employee must meet the minimum qualifications for the lower classification.
- B. An employee so demoted must successfully complete a probationary period only if he or she has not completed an initial probationary period.
- C. A demoted employee has no right of return to the class from which he or she was demoted.

4.3.5 Transfer

- A. An employee may request to transfer to a vacant position in the same classification or with the same maximum pay rate within his or her employing unit.
 - 1. If the employee transfers to a position in the same classification, his or her status shall remain the same as it was immediately before the transfer.
 - 2. If the employee transfers to a position in a different classification and has completed a 12-month probationary period, he or she must serve a trial service period. If the employee transfers to a position in a different classification and has not completed a 12-month probationary period, he or she must complete a probationary period consistent with Personnel Rule 4.2.11.
- B. Transfer to a position in a different employing unit shall be treated as a selection process as provided by Personnel Rule 4.1. The Personnel Director may waive advertisement for transfer between employing units to avoid layoff as a result of reorganization or job rotation or for the reasonable accommodation of a qualified individual under the Americans with Disabilities Act or the Washington State Law Against Discrimination.
 - 1. If a probationary employee is subsequently appointed in the same classification from one department to another, the receiving department may, with the approval of the personnel Director, require that a 12-month probationary period be served in that department.
 - 2. If an employee who is serving a trial service period is subsequently appointed in the same classification from one department to another, the receiving department may, with the approval of the Personnel Director, require that a 12-month trial service period be served in that department.