

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

SMC 4.04.290 and subsequent revisions thereto, Probation Periods

SMC 4.04.300 and subsequent revisions thereto, Trial Service Periods

SMC 4.04.310 and subsequent revisions thereto, Subsequent Appointments

4.3.1 Application of this Rule

1. The provisions of this Rule apply to employees who are regularly appointed to positions in the classified service.
2. The provisions of this subchapter shall be applied to employees of the Seattle Municipal Court except where they conflict with any policy promulgated by the Court and/or General Court Rule 29.

4.3.2 Reduction

- A. A regularly appointed employee may reduce or be reduced to a vacant position in a lower classification in the same employing unit with the approval of the appointing authority or his or her designated management representative. 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. An employee so reduced shall not serve a trial service period.
- C. Upon showing that the reason for a reduction no longer exists, the appointing authority or his or her designated management representative 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 Seattle Human Resources 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.

4.3.3 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. An employee so demoted shall not serve a trial service period.
- C. A demoted employee has no right of return to the class from which he or she was demoted.

4.3.4 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 4.2.10.
- 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 Seattle Human Resources 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 Seattle Human Resources 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 Seattle Human Resources Director, require that a 12-month trial service period be served in that department.
 - 3. If a regular employee is subsequently appointed in the same classification from one department to another, the employee shall retain his or her regular status in the new position and is not required to serve a trial service period, unless the appointment was a reinstatement after layoff.