



City of Riverside, California  
Human Resources Policy and Procedure Manual

Approved:

\_\_\_\_\_  
Human Resources Director

\_\_\_\_\_  
City Manager

Number: I-4 Effective Date: TBD

**SUBJECT:** REINSTATEMENT (NON-MILITARY)

**PURPOSE:**

To establish a uniform policy that describes eligibility for reinstatement and the degree of benefits that an individual shall receive if reinstated after voluntary separation, layoff or demotion.

**POLICY:**

**1. Employees Who Have Voluntarily Separated or Voluntarily Demoted**

A former regular employee may be considered for reinstatement within 12 months of voluntarily separating from the City without having to re-qualify through the normal competitive examination process provided that re-application is for a position in the same job class held immediately prior to separation, that the employee meets the current minimum requirements of the position and that the position continues to be vacant. To be considered, the former employee must have left City employment in "good standing." Good standing is defined as receiving an overall rating of satisfactory (3 or above) on a performance appraisal or not receiving any negative disciplinary action within the last 12 months of employment preceding separation. In addition, a probationary period must have been successfully completed in the same job classification from which the employee held immediately prior to separation. Prior to reinstatement, Department Head approval must be obtained and authorized by the Human Resources Director. Former or voluntarily demoted employees requesting to be considered for reinstatement are not guaranteed automatic reinstatement even if they meet the eligibility requirements

The degree of City provided benefits that an individual shall receive is determined by the length of time elapsing between the effective date of separation and the date of re-employment as outlined below. Public or State Retirement System Benefits shall be handled in accordance with existing Public Employee's Retirement System (PERS) policies.

As a condition of reinstatement, the candidate must successfully pass a medical examination, background check and drug screen, which shall be administered at City expense. In addition, the candidate must complete a reinstatement employment application.

- a. Reinstatement Within Three Months - A former regular employee reinstated within a three-month period following separation or voluntary demotion shall be

entitled to the same vacation accrual rate attained immediately prior to separation and shall be credited for previously accumulated sick leave hours forfeited at separation. Reinstatement shall be at the salary step previously held. The seniority date shall be determined by excluding the time not employed by the City (business days). The review date for performance reviews and/or merit increases shall be extended by a period of time equal to the period of absence from City employment. All other benefits (health, dental, vision, life, etc.) will be effective according to the initial enrollment rules provided to new hires and in accordance with the designated bargaining unit.

- b. Reinstatement From Three Months to One Year - A former regular employee reinstated from three months to one year following separation or voluntary demotion shall be placed at the salary step previously held and the review date for performance reviews and/or merit increases, seniority date, and the adjusted hire date shall be determined from the date of reinstatement. A former reinstated employee shall have their previously accrued and unused sick leave reinstated up to the maximum accrual allowed under the Paid Sick Leave Law; 48 hours or 6 days (based on schedule worked). All other benefits (health, dental, vision, life, etc.) will be effective according to the initial enrollment rules provided to new hires and in accordance with designated bargaining unit.

## 2. Reinstatement of Employees Laid Off or Demoted

A regular employee who has been laid off or demoted as a convenience to the City (i.e., as a result of budget reduction or reorganization), shall be entitled to reinstatement consideration without competitive re-qualification for up to twenty-four months from the date of layoff or demotion provided the employee meets the minimum qualifications of the position. The seniority date shall be determined by excluding time (business days) not employed by the City.

- a. Laid Off Employee - Reinstatement within a twenty-four month period following layoff shall entitle the employee to the same vacation accrual rate attained immediately prior to termination as well as credit for previously accumulated sick leave hours lost at the time of termination.

Reinstatement shall be at the salary step previously held and the review date for performance reviews and/or merit increases, seniority date, and the adjusted hire date shall be extended by a period of time equal to the period of layoff.

- b. Demoted Employee - Reinstatement for employees demoted as a convenience to the City shall be at the salary step held immediately prior to demotion and the previous review date for performance and/or merit shall be retained. In the event a probationary period was not completed in the former position, the employee must complete the probationary period for any remaining months the employee had left at the time the employee vacated the position.

Reinstatement rights do not apply to employees who have been demoted either voluntarily or by City action as a result of their inability to adequately perform the duties and/or responsibilities of the job.