

**Buffalo & Erie County Public Library**

**PERSONNEL POLICIES AND PROCEDURES MANUAL**

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**SUBJECT: Demotions**

**CHAPTER: IV**

**SECTION: 8**

**EFFECTIVE DATE: 1/81**

**REVISION DATE: 7/06, Modified for the B&ECPL effective 1/1/15**

**I. STATEMENT OF POLICY**

The Buffalo & Erie County Public Library will adhere to the Rules of Classified Civil Service for Erie County and all applicable collective bargaining agreements when carrying out demotions.

**II. DEFINITION**

For the purposes contained herein, a demotion is defined as the appointment of a permanent employee to another permanent position under a different title which is allocated to a lower salary/wage grade with a corresponding decrease in salary or wages. A demotion can be either voluntary (requested by the employee) or involuntary (resulting from disciplinary action).

### III. GUIDELINES

#### A. Voluntary Demotion

1. In the case of a voluntary demotion from a competitive class position, Rule XII-3 of the Classified Rules states:

"An employee who voluntarily elects to relinquish his/her permanent competitive class status to a position and accept a demotion, must deliver a statement of relinquishment to the appointing authority. Upon receipt of the statement of relinquishment by the appointing authority, the employee may be reinstated to any vacant lower salary level position for which (s)he is eligible for such reinstatement as provided in these rules. Such statement of relinquishment shall not take effect until the employee is reinstated to the lower level position."

2. For voluntary demotion from other than competitive class positions, the procedure closely parallels that for competitive class positions. The request for demotion must be in writing, and demotion must be to a vacant position.

#### B. Involuntary Demotion

1. Section 75 of Civil Service Law specifies that if a Section 75 proceeding is initiated against an employee and the employee is found guilty of the charge(s) preferred, one type of punishment/penalty that may be assessed is demotion.
2. An involuntary demotion can also result from a disciplinary action under the provisions of a collective bargaining agreement.

C. Salary/Wages

For directions regarding salary/wage treatment upon demotions, please refer to the employee's respective bargaining agreement, if applicable.