

SAMPLE REDUCTION-IN-FORCE LETTER
(Career State Employee With Priority – GS 126)

[Date]

[Employee Name]
[Employee Position Title, Salary Grade]
[Division/Institution Name][City/State]

Dear [RIF employee]:

This letter is your official notification pursuant to GS 126-7.1(a1) that the position you currently occupy will be eliminated [effective date] to accomplish budget reductions as set forth by the General Assembly. Decisions concerning staff reductions have followed the Department's Reduction-in-Force Policy (RIF) where applicable.

It is with regret that your employment with the [Facility/Division/School] will end on [RIF separation date], which is your last scheduled day of work. This letter is your official 30-day written notification of separation due to the reduction in force. We realize the impact that this decision will have on you, both as an individual and as an employee. Though we have been unable to identify any viable alternative to this reduction in force at this point, we will continue to search.

Please know that our human resources staff, with support from the Office of State Personnel, will make every effort to assist you as you consider other employment opportunities within state government. We are committed to helping you remain employed or regain employment, if possible. We have outlined below key information that you should find helpful, and we want to ensure that you are fully aware of your priority rights for job placement and reemployment and that you know your appeal rights as well. Staff in the Human Resources Office will also be available to explain these provisions in greater detail and to answer other questions you may have concerning your status as a RIF employee.

ACCRUED VACATION AND SICK LEAVE/LONGEVITY PAYMENT

You will be paid for any accrued vacation leave up to a maximum of 240 hours and for any unused bonus leave. Vacation leave in excess of 240 hours shall be reinstated if you are reemployed with the state within one year of your separation date. In addition, if eligible, you will receive a prorated longevity payment. You will not be paid for accrued sick leave. Rather, any accrued sick leave will be reinstated should you return to state government within five years from your date of separation.

RETIREMENT CONTRIBUTIONS

Upon separation you are eligible to receive a refund of your retirement contributions. Retirement contributions are refunded with interest if you have been a contributing member for at least five years. Refund of retirement contributions should be carefully considered as they could affect taxes and future retirement dates and health insurance benefits. Refund of retirement contributions cannot be distributed earlier than 60 days after your application is received by the Retirement System. You may also choose to leave your monetary contributions in the state retirement system for your future retirement, especially if you plan to seek reemployment and possible retirement with state government.

[Employee's Name]

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HEALTH INSURANCE COVERAGE

You are eligible for continuation of your health insurance coverage, if you are currently participating in the State Health Plan and have been employed for at least 12 months. You may elect to continue your health insurance coverage for 12 months at no cost; **OR** you may choose to continue coverage through the COBRA premium assistance program for 18 months, provided you are not eligible for other group health plan coverage, including Medicare. If you decide to choose the COBRA option, you will be contacted directly by the State Health Plan and provided enrollment information. Dependent coverage options are also available at your expense.

Please contact your Health Benefits Representative for details and assistance in determining the best option for continuing your health insurance coverage.

SEVERANCE SALARY CONTINUATION/DISCONTINUED SERVICE RETIREMENT

Your eligibility for severance salary continuation or discontinued service retirement will be reviewed; if eligible, you will be notified.

It is anticipated your last paycheck will be directly deposited to your bank account at the end of the next month following your separation date. However, it may be necessary to mail a paper check directly to your home address. You should contact your local Human Resources office at [HR Phone Number] to ensure your address is current in the event a paper check is mailed to your home address.

PRIORITY REEMPLOYMENT CONSIDERATION

The State's policies grant you priority placement and reemployment considerations for state government positions for which you qualify for a period of twelve months from the date of this official notification. You must be a "career state employee" (continuously employed in a permanent position for the 24 preceding months, or have held a time-limited appointment for three (3) years or longer, for these rights to apply). Our Human Resources Office has confirmed your status as a career state employee. This priority entitles you to assistance in identifying appropriate job opportunities with state government and support in our mutual efforts to maintain your employment.

To exercise your reemployment priority, you must submit a state application (PD107) directly to the state agency with the position opening for which you want to apply. You will be responsible for informing the hiring agency that you are a RIF applicant who is eligible for RIF priority employment consideration. You may do this by notating your RIF status in the checkbox provided on the state application.

APPEAL RIGHTS

As a permanent employee, and in accordance with the DHHS Human Resources Reduction-in-Force policy, you may appeal this action on the basis that your RIF separation was in retaliation for your opposition to alleged discrimination on account of your age, sex, race, color, national origin, religion, creed, political affiliation, or handicapping condition. Such an appeal may be made by filing a Step 2 grievance within 15 calendar days of your separation (i.e., the last day of work) in accordance with DHHS Directive III-8, Employee Grievance Policy (copy attached). Or, instead of filing a Step 2 grievance within the department, you may appeal directly to the State Personnel Commission (SPC).

In addition, as a career state employee, you may also appeal the alleged denial of priority consideration in a selection decision either through the internal grievance procedures (Directive III-8) or directly to the State Personnel Commission. Grievances to the SPC alleging denial of priority consideration must be filed within 30 days of notification of the selection decision.

[Employee's Name]

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A Reduction-In- Force Handbook is available on-line at:

<http://www.dhhs.state.nc.us/humanresources/hr/4Services/recruit/> or a hard-copy may be obtained from your local HR Office. This guide defines reduction in force and explains your eligibility for priority placement and priority reemployment rights. Sections of the handbook outline career support services which are available to you, additional information on continuation of benefits, and services provided through the department's Employee Assistance Program [EAP].

If you have any questions or need assistance in understanding your rights and benefits, please contact your human resources office.

Thank you for your contributions to the **[Division/Facility/School]**, to the Department of Health and Human Services, and to the State of North Carolina. We will make every effort possible to ensure continued reemployment for you within state government.

Sincerely,

[Facility/School/Division Director]

Enclosures: DHHS Directive III-8, Employee Grievance Policy

Cc: Personnel File