

SAMPLE REDUCTION-IN-FORCE LETTER
(115C Career Employee)

[Date]

[Employee Name]
[Address]
[City/State/Zip Code]

Dear [RIF Employee's Name]:

In order to accomplish budget reductions as set forth by the NC General Assembly, and in accordance with N.C.G.S. § 115C-325(e)(2), I am officially notifying you of my intention to recommend to the Secretary of the Department of Health and Human Services (DHHS) your separation from employment with the [DIVISION/FACILITY/SCHOOL] due to reduction in force. Unless determined otherwise, your employment with the [DIVISION/FACILITY/SCHOOL] will end on [Date]. This is the final notice of your RIF separation.

I want to thank you for the professional manner in which you have continued to conduct yourself throughout this difficult period, and for your continued focus on meeting the needs of the students in the [DIVISION/FACILITY/SCHOOL]. I know that this will have a critical impact on you, both in a personal and a professional sense. The Division is fully committed to offering you support and assistance during this time, and will continue to work closely with you to identify other employment opportunities. Our intent will continue to be to ensure that you are fully aware of state employment opportunities, priority rights for reemployment, and all other available rights and benefits. Information regarding your pay and benefits is included below.

YOUR PRIORITY RIGHTS

The *Disciplinary Action and Grievance Guidelines for NC DHHS Educators* accord you priority reemployment rights upon your separation date for up to three years. You must hold career educator status for these rights to apply. Our human resource office has confirmed that you meet this criteria. You will be provided assistance in identifying appropriate job opportunities within DHHS. If you would like this assistance in identifying employment opportunities for which you qualify, please submit a current state application to your Human Resources Manager. If you wish to decline this assistance, your Human Resources Manager will ask you to sign a written statement to that effect, and will notify the DHHS Director of Human Resources.

ACCRUED VACATION AND SICK LEAVE

You will be paid for your accrued vacation leave balance up to a maximum of 240 hours on the payroll date following your separation. 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

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, 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.

YOUR APPEAL RIGHTS

As a career employee (as defined by N.C.G.S. § 115C-325(a)), and in accordance with N.C.G.S. § 115C-325(e) (2) and Department policy, you may request a hearing on your proposed RIF separation (see enclosed RIF Appeals Process). If you elect to request a hearing, you may do so by submitting a written request to [Superintendent], 2302 Mail Service Center, Raleigh, NC 27699-2302 within fifteen (15) calendar days from receipt of this notice.

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 Manager.

Thank you for your contribution to the [Division/School/Facility], the Department of Health and Human Services, and the State of North Carolina. I truly appreciate all that you have done and continue to do for the children. We will make every effort possible to secure continued employment for you within State government. I wish you the very best in your future endeavors.

Sincerely,

Superintendent/Division Director

Enclosure: 115C RIF Appeals Process

cc: Secretary
Personnel File