

## **FREQUENTLY ASKED QUESTIONS**

### **I received a notice of layoff/intent to terminate, was I the only one?**

No. On or about February 26, 2016, the University provided notices to all employees, except those who are funded 100% by grants.

### **Why did the University provide everyone with notices?**

As you know, the State of Illinois has not approved the 2016 Fiscal Budget. This budget impasse has placed a considerable strain on the University's cash position. Based on the University's financial projections, the University initiated its legal obligation to provide employees with adequate notice of layoff or intent to terminate.

### **What is the difference between a layoff and an intent to terminate?**

A layoff is the involuntary separation of employment of an employee due to the elimination of a position.

Intent to terminate is a notice of termination. This notice provides a period of time between the notice and the actual termination date.

### **What rule guides the layoff process?**

The layoff process is generally associated with employees categorized as Civil Service. The layoff process is governed by the State Universities Civil Service System Act. Under this Act, Civil Service employees are provided a 30 day notice.

### **What rule guides the notice of intent to terminate process?**

The notice of intent to terminate is generally associated with employees categorized as Administrator. The notice of intent to terminate (without cause) is governed by the Board of Trustees rules and regulations. Based on the years of service as an administrator, the notice period is either 3 months, 6 months, or 12 months.

### **What rule guides the layoff of faculty?**

The layoff process for members of faculty is outlined in the collective bargaining agreement. The employment term for members of faculty is based on an academic year. The academic year runs from August 16 of one year to August 15 of the following year.

## How are layoffs determined for Civil Service employees?

Layoffs are determined first by status, then service and seniority:

*Status* – A status employee is an employee who has successfully completed a probationary period in a classification

*Service* – Service is a term used to describe time worked in a classification

*Seniority* – Seniority is used to describe days in pay status in a classification or in classifications within the same promotional line, and is accumulated on the basis of days in pay status.

Before any status employees are laid off, employees with the following appointments shall be laid off first by classification in the following order:

- a. Employees on Temporary Appointments (ex. Extra Help)
- b. Employees on temporarily upgraded assignments
- c. Provisional employees
- d. Employees serving probationary periods
- e. Status employees

## Why do employees have different termination dates?

Termination dates are based on the employee class (administrator, civil service, faculty, or temporary appointment).

- Administrators received a notice of intent to terminate with termination dates of either May 31, 2016, August 31, 2016, or February 28, 2017 depending on their years of service as an administrator. Some administrators received notice of intent to terminate prior to February 26, 2016. The terms of their notice remain in effect and will differ from the dates identified above. Administrators on 1 year contracts are exceptions to this provision (i.e. Academic Chairs, Coaches, etc.), the termination date is April 30th.
- Civil Service employees received a 60 day notice with a termination date of April 30, 2016.
- Members of faculty received a notice of layoff that will end at the conclusion of this employment term which is August 15, 2016.

- Temporary appointments were informed that employment terms would not be extended. Any temporary appointment that was originally scheduled to end after April 30th would end on April 30th. Extra Help employees appointments will end April 15th. Student employment will also end on April 15th.

**Can I appeal my layoff or intent to terminate?**

No. Layoffs and intent to terminate eliminations are not open for appeal.

**Can I reduce my work hours to avoid being laid off?**

No

**How much vacation/payable sick time do I have?**

Web Time Entry shows you the amount of vacation and sick hours you have available. In order to convert the hours into days, please divide the number listed by the number of hours you work each day.

**If my employment discontinues do to termination/layoff, what happens to my insurance benefits (health, dental, and vision)?**

The insurance benefits terminate at midnight on the date your employment ends.

**What happens to my benefits if I am laid off?**

There are a variety of impacts that a layoff can have upon benefits. Please see details below for each type of benefit:

Accrued Leave Payout:

- Vacation is generally paid on the pay date following your final payment of regular hours worked. Payable sick, if any, is generally paid on the pay date following your vacation pay out. The University's cash position is a determining factor to whether or not this practice can be continued under these current circumstances. The University has and continues to speak with the appropriate State agencies to determine a process for accrued leave payout. The University will keep you informed of any 'new' information.

Compensatory Time:

- As stated in the HR Policy Manual, compensatory time is between the employee and their supervisor. Compensatory time is not recognized by the University for the purpose of payout.

Sick Leave:

- CSU will maintain a record of non-payable sick leave balances for all Civil Service employees who are permanently laid off for two years. After that time, the sick leave will be removed. Record of non-payable sick leave balances for Administrators and Faculty will be maintained for 90 days after your termination date. After that time, the sick leave will be removed.

Health/Dental/Prescription Drug/Behavioral Health Insurances:

- State of Illinois insurance coverage will end at midnight on the last day of employment. Affected employees may continue coverage under the terms of the Consolidated Omnibus Budget Reconciliation Act (COBRA) for up to two years and at the established COBRA rates. If an employee is eligible for retirement, and elects to retire, they may be eligible to continue benefits as a retiree. For additional information, please contact Central Management Services COBRA Unit at (800) 442-1300 or by visiting [www.benefitschoice.il.gov](http://www.benefitschoice.il.gov). COBRA information can be found by clicking on the tab on the right hand side of this webpage; detailed information on COBRA can also be found in the benefits handbook and the Benefits Choice booklet, which are both accessible via the above mentioned Benefits Choice link as well.
- Pursuant the Affordable Care Act, an employee may go without health insurance for up to three months without being assessed a fine by the federal government. One day of coverage within a single month counts as one month of coverage.
- Upon termination of insurance coverage, Central Management Services (CMS) will automatically provide a packet of information through the mail regarding COBRA.
- Individual plans are available through private insurance carriers, including agencies that carry homeowner's insurance or Government Health Plans mandated by the Affordable Care Act. To learn more about Government Health Plans visit: <http://www.governmenthealthinsurance.com/Coverage-Options/Government-Health-Plans/>.

- If an employee impacted by layoff has a spouse with coverage through his/her employer, this may be considered a Qualifying Life Event which allows for addition to his/her plan. This statement is also true for those that have spouses currently covered by a State of Illinois insurance plan.

#### Life Insurance

- Coverage for Basic Life, Optional Life, Accidental Death & Dismemberment (AD&D), and Dependent (spouse/child) Life will terminate at midnight on the last day of employment. Affected employees may elect to continue employee-paid, Optional Term Life insurance coverage through Minnesota Life for up to four times salary. You cannot continue Optional Term Life coverage greater than four times salary or any Basic Life, Accidental Death and Dismemberment (AD&D) or Dependent (spouse/child) Life insurances.
- Minnesota Life Insurance Co. is the Administrator of the State employee's life coverage. The basic and optional life insurance may be converted to an individual portability policy. You have (31) days from the date of termination to notify Minnesota Life (888) 202-5525. If possible meet with the Office of Human Resources Benefits Staff to obtain the Minnesota Life insurance conversion form and obtain the premium amount.
- Optional Life, Accidental Death & Dismemberment (AD&D), and Dependent (spouse/child) Life insurance coverages will not be automatically reinstated to your State of Illinois insurance coverage upon return from layoff, regardless of whether Optional Life was ported and paid directly to Minnesota Life while on layoff or not. Upon return to work, employees will be allowed to reselect life insurance coverages. Those electing Optional Life insurance up to four times salary will be guaranteed issue. Those electing five to eight times salary will undergo medical underwriting. *There is a 10-day deadline upon return to state employment to complete the necessary paperwork through the Benefits Office to re-apply for these insurance coverages.*

#### Voluntary Tax Deferred Retirement Savings Plans:

- Those employees who have an established 457(b) account through the State of Illinois Deferred Compensation Plan have access to their money after 30-days post-layoff or in the event of employment separation with no early withdrawal penalty. Please keep in mind that initial contributions were taken on a pre-tax basis so withdrawals could have additional income tax liabilities.

- Those employees who have an established 403(b) account(s) may have access to these funds through a hardship distribution or in the event of employment separation but withdrawals must meet very specific IRS guidelines. For more information, please contact your 403(b) provider.

#### Flexible Spending Accounts

- The MCAP and DCAP will automatically terminate on your last day of employment. All eligible services and/or items purchased prior to your termination date can be submitted to ConnectYourCare for reimbursement. If you have an unused balance remaining on your account you will lose it, unless you apply for COBRA. Contact ConnectYourCare for additional information (888) 469-3967. Yes, you can apply for the Flexible Spending Account MCAP/ COBRA Plan; this will allow you to continue to utilize your accounts unused balance. There are two ways you can initiate the MCAP/ COBRA (1) obtain the COBRA form from the Office of Human Resources/Benefits Unit, ADM-203; and approve them to deduct your remaining payroll deductions owed until 06/30/2016 from your last pay check; (2) you can contact the CMS/ Flexible Spending Unit (217) 558-4509 to obtain the COBRA form and make your payment.
- Those employees with FSAs may choose to continue utilizing the accounts while on layoff by completing FSA COBRA paperwork through the Benefits Office.
- If continuation of the benefit is not chosen, then contributions to the account are reconciled. If you have contributed more than spent then the excess contributions are forfeited. If you have spent more than contributed then the difference will not be collected.

#### State Universities Retirement System (SURS):

- Immediate or delayed retirement are options to be considered for those employees that meet specific qualifications. Please contact the State Universities Retirement System (SURS) at (800) 275-7877 for additional information or assistance on how to begin the retirement process. You may also visit their website at [www.surs.org](http://www.surs.org) to gain online access to account information, utilize the retirement estimator, and find general information in regards to the different retirement plans.

#### Unemployment Insurance:

- Unemployment claims are filed with the Illinois Department of Employment Security (IDES) at [www.ides.illinois.gov](http://www.ides.illinois.gov). Questions should be directed to IDES at (800) 244-5631.

**What happens to the Supplemental Allstate Life Insurance and/or Critical Illness Plan I purchased from Allstate Insurance Company?**

The Supplemental Allstate Life Insurance and the Critical Illness Plan, both are portable, and the premiums remain the same. The Office of Human Resources/Benefits Unit will notify Allstate of your employment end date; Allstate will generate a bill which allows you to continue paying your monthly premiums directly to them. You can contact Allstate at (708) 868-2800, or (312) 479-3428.

**How much vacation/payable sick time do I have?**

Web Time Entry shows you the amount of vacation and sick hours you have available. In order to convert the hours into days, please divide the number listed by the number of hours you work each day.

**I signed up for electronic W-2's. Will my future W-2's be mailed?**

You will still be able to get your W-2 electronically, however we do recommend that you update your address for any future notifications.

**I currently get Direct Deposit. Will my last check be Direct Deposited into my account?**

Yes, if you're currently receiving Direct Deposit; your final check will also be directly deposited into your account.

**If I have already had a retirement counseling session with SURS within the past year, will I be able to meet with them again because of these extenuating circumstances?**

Yes. Even if you have met with a SURS counselor within the past year, SURS is making exceptions and you will be able to schedule another appointment. *Please note that you should contact SURS directly at (800) 275-7877 rather than try to request an appointment via their web portal.*

**How long does my non-payable sick leave balance count towards additional SURS service credit?**

Non-payable sick leave can be counted for additional SURS service credit for up to 60 days after "termination". SURS does not consider an employee to be "terminated" until 120 days have passed from the date of the layoff.

**What if I choose to take a separation refund from SURS?**

In order for you to take a separation refund from SURS you must be completely separated from the University. For civil service employees you must resign from the University which will remove you from the re-employment list. Administrators will be officially separated from the University the day after your termination date (no resignation is needed).

**If I choose to take a separation refund from SURS for my retirement contributions and I later return to work or become employed with another SURS employer, will I be able to select a new retirement plan?**

No. The plan election is a one-time, irrevocable election. Whatever plan you chose when you were originally employed will be the plan that remains with you should you become an employee again within the SURS system.

**If I am laid off, am I eligible for unemployment compensation?**

Impacted employees may apply for benefits at [www.ides.illinois.gov](http://www.ides.illinois.gov). Please note that the University does not process applications or have the ability to inform an impacted employee of any actual compensation entitlement. Questions should be directed to IDES at (800) 244-5631.

If I received a notice of intent to terminate, am I eligible for unemployment compensation?

**Can I get my tuition waiver for my child or myself signed?**

If the employee is in active status, the Office of Human Resources or Academic Affairs will sign the waiver in accordance with the policy. Tuition waivers cannot be signed for employee in non-active status (i.e. layoff, terminated, etc.)

**Will I receive a severance package?**

No.

**What is the process for Verification of Employment?**

The turnaround time for verifications to be completed is 48 hours. Verifications are completed in the order in which the verifications are received. Dated hand signed authorizations are needed in order to process the verification request. Verifications are to be faxed or mailed back to the entity that is requesting the information.



**How do I update CSU in regards to demographic changes such as telephone number, home address or e-mail address?**

Please submit all demographic changes in writing via e-mail to the Office of Human Resources at [HR@csu.edu](mailto:HR@csu.edu). The change of address form can be found on the CSU HR website. <http://www.csu.edu/humanresources/formsDocuments.htm>

**What do I do on May 2, 2016?**

As of March 21, 2016, the University's cash position is at its bare minimum to operate. The University has projected that the funds for the period of May 1 – 15, 2016 will be too low to sustain our 'normal' operations. All University employees were provided notice of layoff or intent to terminate on or about February 30, 2016. Unless a notice of recall has been given, a date of layoff or termination has been identified.

*Civil Service:*

Based on the notices provided on February 26, 2016, Civil Service employees are effectively laid off close of business on April 30, 2016. Do not report to work... unless you have received written notice that states otherwise.

*Administrator:*

Based on the notices provided on February 26, 2016, Administrators were informed of intent to terminate without cause for a 3, 6 or 12 month notification. Your written document also informed you that the University reserves the right to release you of your services during the notice period. The recall provision also indicated it could occur during the notice period. Regardless of your date of termination, do not report to work... unless you have received written notice that states otherwise. Effective May 1, 2016, the University is releasing you of your services at that time.

Administrators with year to year contracts are terminated effective April 30, 2016, unless you have received written notice that states otherwise.

*Faculty:*

You are expected to complete your semester by posting student grades, etc. You will receive notice of summer and/or fall class schedules and load.

**My letter state that I can be recalled. When and how will that occur?**

Recalling staff will be a function of cash position and priority. At any given time, the University will review its cash position to determine the appropriate staffing level based on the operational priority. Civil Service employees will be recalled in the order of classification and seniority.

## **Civil Service Layoff, 'Bumping' and Re-employment**

### **How is seniority calculated?**

Seniority is accumulated on the basis of days in pay status.

### **Can seniority transfer to another state university?**

No. Seniority cannot transfer to another state university.

### **How is the layoff order determined?**

Layoff order is determined first by status and then by service and seniority. In cases of identical service or seniority, an employee with a lower examination score shall be laid off first. If tie scores exist, the person with the least amount of years of service at the place of employment shall be laid off first. If identical years of service appear, the person with the latest date of application for the examination for the classification subject to layoff shall be laid off first. Employees shall be laid off by classification in the following order:

- a. Employees on Temporary Appointments
- b. Employees on temporarily upgraded assignments
- c. Provisional employees
- d. Employees serving probationary periods
- e. Status employees

For more information on layoffs and bumping, please refer to [www.sucss.illinois.gov](http://www.sucss.illinois.gov) or call (217) 278-3150.

### **What is bumping?**

Bumping is the right of a more senior status employee to displace a less senior status employee within that classification.

### **I work on a grant...can I be bumped?**

Yes. Bumping occurs regardless of funding source. However, employees can only be bumped by someone who has more seniority.

**Can a non-negotiated employee bump a negotiated employee?**

Yes. The civil service system does not differentiate between non-negotiated and negotiated classifications.

**Can a part-time employee bump into a full-time position?**

Yes, if the laid off employee has more seniority in the classification.

**Can I be bumped from my position if I have a Specialty Factor?**

Yes, but only by a more senior person who already has that specialization. Individuals employed with a defined area of specialization cannot be displaced in the layoff process by someone who does not possess the defined area of specialization.

**What happens to my pay when I bump into a lower classification?**

If a laid off employee's salary exceeds the maximum of the range of the classification in which the employee accepts a position as a result of exercising bumping rights, the laid off employee's new salary shall not exceed the rate of the maximum range for the new classification.

When a laid off employee accepts a position in the same classification (through bumping rights), the salary of the laid off employee shall be unaffected.

**What if I bump into a classification but later my employer or I determine it is not the right fit for my skills or abilities?**

Supervisors will determine if a transition review period is necessary based in part on how clearly an employee's skills match the duties of the new position. This is a period for both the employee and the supervisor to assess the fit, competencies, skills, and abilities needed to adequately perform the duties of the position. If a supervisor determines the employee is not a good match for the position, progressive discipline may begin or other options can be explored with Human Resources.

**What if I choose not to bump?**

If an employee chooses not to exercise their bumping rights, then he/she will be informed of a layoff and will be given a written layoff notice. Human Resources will obtain a signed statement from the employee indicating that bumping rights will not be exercised. The statement will become a part of their personnel file. The employee will then be automatically placed on the appropriate re-employment register. An employee that chooses to not exercise their right to bump can still be considered for unemployment if they have met all other necessary requirements.

**How many times may I refuse an offer of employment after not exercising my bumping rights?**

An employee may refuse two additional offers of employment in the classification and then shall be removed from the re-employment or restoral register.

Please note that no available employee shall be on the re-employment register who has greater seniority than an employee working in the same classification or in lower classifications in which the employee has accrued seniority, unless the employee has chosen not to exercise bumping rights and has provided a signed statement to the employer indicating so.

**Can I resign while in layoff status?**

Yes. An employee can resign while on layoff. However, resignation will result in the removal of the employee's name from the re-employment register in the applicable classification.

**Can I still be laid off if I am on disability leave?**

Yes. When an employee who is on disability leave becomes subject to layoff, the employee shall be placed on layoff. When recalled from layoff, the employee may return to duty or disability leave status.

**Does an employee continue to accrue seniority from disability when placed in layoff status?**

No. Employees on disability leave will accrue seniority for the first 30 days in a layoff situation. The disability leave is interrupted to prevent unfair accumulation of seniority.

**What does re-employment mean?**

Permanent employees whose positions are afforded layoff rights are eligible for re-employment. Individuals placed on a re-employment register must be hired first in order of seniority if a vacancy becomes available in the classification in which the layoff occurred. Employees who are laid off will have their names automatically placed on a re-employment register for the classification from which they were laid off and any classification for which they have seniority.

**Do I have to apply to be placed on the re-employment register?**

No. Employees impacted by layoff will be automatically placed on the re-employment register.

**Do I have to apply to be hired if I am on the re-employment register?**

No. Hiring from a re-employment register is non-competitive. Hiring from this register is based on status and seniority. Individuals hired off a re-employment register are hired without having to go through the formal hiring process.

**Do I have to serve another probationary period if hired off the re-employment register?**

No. If hired off the re-employment register, the employee will not have to serve another probationary period.

**How long will my name stay on the re-employment register?**

An employee's name will stay on the re-employment register unless the employee refuses to accept a job three times, in which case the employee may be taken off the register sooner. See next question. The employee may also request to be removed at any time.

**How many times can I refuse an interview or job offer before being taken off the register?**

Three, unless an employee refused to exercise bumping rights, in which case, the employee would have only two occasions to refuse a job.

**What happens to my leave balances if placed on a re-employment register?**

Accrued leave, compensatory time, and payable sick when applicable will be retained for six months, unless a payout request is submitted to Benefits by the employee or service is voluntarily terminated prior to the completion of the six month period. If an employee is still on layoff at the end of the six month period, payout will automatically occur. Unused, unpaid sick leave may be maintained for restoral purposes for up to two years. If the employee has not returned to employment within two years, the sick leave accruals are permanently removed.