

2015 Partial Government Shutdown Layoff FAQ

On May 18, 2015 Governor Walker sent a letter to State employees regarding the Fiscal Year 2016 budget transmitted to his Office by the Legislature and his subsequent decision to veto unfunded items. Going forward, should the Legislature not pass a fully funded budget prior to July 1, 2015, funding will solely be available for critical positions of life, health, and safety. In early June a majority of State employees will receive a layoff notice.

The following is a general summary of questions to address the potential partial government shutdown; as we continue to get more answers, we will update the FAQ, please check back for additional information. Your department Human Resources staff or your Union are also available to answer specific questions.

****Please note, at this time it is not anticipated that this FAQ would impact DPS and DOC employees. Please contact your Human Resource department staff for questions.**

Who will be laid off?

Most State employees will receive a layoff notice. This includes but is not limited to: classified, partially exempt, exempt, excluded employees, non-permanent employees, interns, and Alaska Marine Highway System vessel employees. However, certain employees will be retained to protect the life, health, and safety needs of Alaskans during the partial-shutdown.

Classified Employees

General Information

1. How much advance notice of layoff must be given?

Permanent employees: Every effort will be made to give thirty (30) calendar days' written notice before the effective date of layoff. At the very least, ten (10) working days' notice will be given.

Probationary employees: Every effort will be made to give ten (10) working days' written notice before the date of layoff.

2. When are layoff rights effective?

Layoff rights are effective on the day after the employee's last day of work. For example, if the employee's last day of work is June 30, the employee is placed in layoff status with all associated layoff rights effective July 1.

3. What day will I be laid off?

The effective date will be early July 2015.

4. How long will I be laid off?

Until the Legislature passes a fully funded budget.

5. When will I know for sure whether I'm going to be laid off?

You will receive the layoff notice in early June 2015. The fiscal year ends, as well as funding, at 11:59pm, June 30, 2015. Unless funding is restored, your layoff will be effective early July 2015.

6. Will State Employees have to reapply for their jobs when it's time to come back?

No. Employees will be recalled back to work.

7. If I'm laid off, will I have recall rights? What are those rights?

Individual bargaining agreements should be reviewed. Under most bargaining agreements, employees are placed on the layoff list for their current department, job class, location, position status (full-time, part-time, or seasonal), and bargaining unit.

8. How long do layoff rights last?

Layoff rights will last for up to two (2) or three (3) years (varies by agreement).

9. How will I be notified when to return to work?

The State will be utilizing various methods to notify employees when to report to work including: the state website, email and text alerts, letters to your current address, and media reports. We are developing the process and will continue to update the FAQ as things progress.

<http://alaska.gov/>

<http://doa.alaska.gov/dop/>

10. Who should I notify with my change of address and information?

It is important that we have your correct contact information. To update your information, please complete the Address Change Form on the Division of Personnel & Labor Relations Website.

<http://doa.alaska.gov/dop/docpool/pdf/stdforms/AddressAuthorization.pdf>

11. Once notified of recall, how much time do I have to report back to work?

In general, most employees will have up to 10 days to respond to a recall notice. Specific information related to this will be included in the recall notice. Employees are also encouraged to contact their union representatives.

12. Will employees be able to apply for unemployment?

Yes. While laid off, you may be eligible for Unemployment Insurance (UI) benefits. For information about UI benefits, consult the Department of Labor and Workforce Development, Unemployment Insurance Program resources at http://www.labor.state.ak.us/esd_unemployment_insurance/home.htm

To file a UI claim, log on to myAlaska.com and click on “Unemployment Insurance Benefits”. For employment assistance or to register and look for work, please visit jobs.alaska.gov or call 877-724-2539.

13. Why don't you just furlough staff instead of laying them off?

The current collective bargaining agreements do not allow the State to automatically place employees on furlough.

14. If I'm laid off while I'm in the middle of a task that needs to be completed (such as a field survey), can I complete that work despite my layoff?

No. All work will need to cease on the effective date of the layoff.

15. I am a new employee in probationary status. How will this affect my probationary period?

Your probationary period will be moved 1 month for every 23 days of leave without pay you have in a leave year (December 16 – December 15). Time in layoff status is considered leave without pay for this purpose.

16. I recently accepted a position and I am currently in probationary status, however, I have permanent status in another job. How will this affect me? Can I go back to my old job?

No. Layoff is applicable to your current job classification. Generally speaking, employees do not have rights to other job classifications (bumping, etc.) unless specified in their current collective bargaining agreement.

Benefits, Pay & Leave

17. If I'm laid off, when will I receive my last paycheck? Will workers be around to process that paycheck?

The Department of Administration will retain staff to ensure that employees will receive their last paycheck, which will be received by mid-July.

18. Will those who have to work continue to receive pay?

Yes. They will continue to be paid in accordance with applicable collective bargaining agreement or pay plan.

19. Will state employees who are laid off due to the partial-shutdown get paid eventually? Even if they were not working?

No. Employees on layoff will not get paid for time during the partial-shutdown.

20. What happens to my health coverage when laid off??

In order to receive health insurance employees must be in pay status the first day of the month (limited exceptions exist under certain collective bargaining agreement).

GGU, LTC, and Partially Exempt Employees: Coverage ends on the last day of the month in which you last worked. Contact the following plan or Trust Administrator for information on continuing health insurance while on layoff.

- ASEA Union Benefits Trust Administrator 1-866-553-8206
- LTC Trust Administrator 907-276-7611

Partially Exempt and Exempt - Contact Retirement and Benefits at 907-465-4460 or 1-800-821-2251.

SU and CEA Employees: Coverage ends thirty (30) calendar days from the effective date of layoff. Contact Retirement and Benefits at 907-465-4460 or 1-800-821-2251 for more information on continuing your health and life insurance while on layoff.

Marine Units: Coverage ends on the last day of the month in which you last worked. Contact the following plan or Trust Administrator for information on continuing health insurance while on layoff. Contact Retirement and Benefits at 907-465-4460 or 1-800-821-2251 for more information on continuing your health and life insurance while on layoff.

- Masters Mates and Pilots Trust: 1-877-667-5522

21. I am currently on Family Medical Leave (FMLA/AFLA). Will my FMLA/AFLA continue while in layoff? Will my Family Medical Leave entitlements start over upon recall?

We are currently researching these issues and will provide an update as soon as we can.

22. What happens to my leave accounts when laid off?

Annual/Personal Leave

You will receive a lump sum payment for your accrued annual/personal leave balance.

Sick/Excess Sick Leave

If you have a sick or medical leave bank, your balance will remain intact while you are laid off and will be available for use if you return to employment within the period of your layoff rights. If you do not return to work within the period of your layoff rights, you will be separated and your sick leave balance will be canceled.

23. Can I cash in my leave?

Yes. You can cash in your leave prior to the first day of the partial-shutdown. Leave cash-in requests will need to be submitted to the Payroll Office no later than June 30th.

24. If I cash out my leave now and a partial shutdown does not occur, can I have the leave put back into my account (buying back leave)?

No.

25. What happens to my Flex Time?

Flex time will be lost and cannot be re-credited to you once the partial-shutdown ends.

26. What happens to my Compensatory Time (Comp Time)?

You will receive a lump sum payment for your compensatory time.

27. I am currently scheduled for a vacation during the layoff dates. Will I still receive pay?

Personal/annual and sick leave will not be processed or paid out during the partial shutdown.

28. I was already planning on retiring, what should I do now? How will the layoff affect my retirement?

Please consult with a Retirement & Benefits Counselor. You may schedule an appointment with a Retirement & Benefits Counselor by calling (907) 465-4460 or visit <http://doa.alaska.gov/drb/>.

29. Will Retirees continue to receive their benefits?

Yes.

30. If I'm laid off, what will happen to my retirement, SBS, and deferred compensation accounts?

Any contributions you have in the Public Employees Retirement System (PERS), Supplemental Benefits System Annuity Plan (SBS-AP), and the Deferred Compensation Plan will remain on account unless you take action to withdraw funds or collect a benefit. Prior to making the decision to withdraw funds or collect a benefit, you are strongly encouraged to consult with a Retirement & Benefits Counselor to ensure you understand the impact of your decision. You may schedule an appointment with a Retirement & Benefits Counselor by calling (907) 465-4460 or visit <http://doa.alaska.gov/drb/>.

Other

31. What will happen to my Merit Anniversary Date?

Your Merit Anniversary Date will be moved 1-month for every 23 days of leave without pay in a leave year (December 16 – December 15), including layoff.

32. If I'm laid off, will I need to return all building keys, identification cards, and other state property?

Yes. You will need to return **all** state property, such as, building keys, identification cards, computers, cellular phones, and travel/purchase/credit cards, etc.

33. Will I need to remove all of my personal property from my office?

No. You do not need to remove your personal items from your work space. Please take home any personal items of value or secure them in a locked portion of your desk while you are gone.

34. Can I volunteer to come back and work during the lay off period?

No.

35. If I accept a non-state job while laid off, am I required to complete an Ethics Disclosure: Outside Employment/Services form?

No. Note: attorneys and certain other employees may have internal policies on when outside employment may occur and disclosure forms may be required, please contact your department HR to discuss your particular situation.

36. Will the Legislative staff be laid off?

The Legislature operates under a different set of rules. Questions related to legislative staffing will need to be forwarded to the appropriate legislative contact.

37. Will the Court staff be laid off?

The Court operates under a different set of rules. Questions related to court staffing will need to be forwarded to the appropriate court contact.

38. Will you layoff University employees?

Although the budget for Alaska's universities has been reduced, personnel matters are handled by the university system. These employees need to refer their questions to their union and/or respective University.

Specific Provisions for Partially Exempt Employees

39. I am a Partially Exempt employee. Will I be laid off?

Partially Exempt employees do not have a collective bargaining agreement, and the personnel regulations regarding layoff do not apply to Partially Exempt employees. However, you will not report to work during the partial shutdown, nor will you be paid during the partial shutdown. Partially exempt employees will be in furlough status for 10 days and then will continue in a temporary discontinuation of work until called back.

40. Will I have health insurance while on during the partial-shutdown?

No. COBRA is available to those who wish to purchase health insurance. This information can be found on the Retirement & Benefits website.

41. Can I volunteer to come back and work during the partial-shutdown?

This decision is made on a case by case basis according to federal law. Please speak with your department Human resources staff.

42. Can I cash in my leave?

Yes. You can cash in your leave prior to the first day of the partial-shutdown. Leave cash-in requests will need to be submitted to the Payroll Office no later than June 30th.

43. Will my leave bank remain intact during the partial-shutdown?

Yes. Any leave not cashed in by June 30, 2015 will remain in your personal leave bank. However, you will not be able to use or cash in any leave during the partial-shutdown.

44. Do I have to turn in my state equipment during the partial-shutdown?

Yes. You will need to return **all** state property, such as, building keys, identification cards, computers, cellular phones, and travel/purchase/credit cards, etc.

45. Can I work for another employer during the partial-shutdown?

It depends; any requests to engage in outside employment must be submitted on the Outside Employment Ethics Form for consideration and approval. Please discuss your plans with your department Human Resources staff.

Specific Provisions for Exempt Employees

46. I am an Exempt employee. Will I be laid off?

Exempt employees do not have a collective bargaining agreement, and the personnel regulations regarding layoff do not apply to Exempt employees. Please check with your agency regarding your status during the partial shutdown. Exempt employees will not report to work during the partial shutdown unless directed to do so, nor will you be paid during the partial shutdown. Exempt employees will be notified when they may return to work.

47. Will I have health insurance during the partial-shutdown?

No. COBRA is available to those who wish to purchase health insurance. This information can be found on the Retirement & Benefits website.

48. Can I volunteer to come back and work during the partial-shutdown?

This decision is made on a case by case basis according to federal law. Please speak with your department Human resources staff.

49. Can I cash in my leave?

Yes. You can cash in your leave prior to the first day of the partial-shutdown. Leave cash-in requests will need to be submitted to the Payroll Office no later than June 30th.

50. Will my leave bank remain intact during the partial-shutdown?

Yes. Any leave not cashed in by June 30, 2015 will remain in your personal leave bank. However, you will not be able to use or cash in any leave after June 30, 2015.

51. Do I have to turn in my state equipment during the partial-shutdown?

Not necessarily, however, you will want to discuss with your supervisor any specific requirements.

52. Can I work for another employer during the partial-shutdown?

It depends; any requests to engage in outside employment must be submitted on the Outside Employment Ethics Form for consideration and approval. Please discuss your plans with your department Human Resources staff.

Specific Provisions for AMHS Employees

53. I am an Exempt AMHS employee. Will I be laid off?

AMHS vessel employees are exempt employees that are unionized. AMHS vessel employees have limited layoff provisions in your collective bargaining agreements. All AMHS vessel employees will be laid off. Only employees needed to maintain the safety of the vessel will be recalled. Please contact your Human Resources department or Union for further information.

Specific Provisions for Non-Permanent Employees

54. What will happen to me during the partial shutdown?

Non-Permanent employees do not have layoff rights. Non-permanent employees will not work until otherwise directed during the partial-shutdown.

55. I am a long-term non-permanent (LTNP) employee. What will happen to my health insurance? My leave?

In order to receive health insurance employees must be in pay status the first day of the month (limited exceptions exist under certain collective bargaining agreement). Leave cash-in requests will need to be submitted to the Payroll Office no later than June 30th. Any leave not cashed out by June 30 will remain in your leave bank. However, you will not be able to use or

cash in any leave during the partial-shutdown.

Student, College, Graduate Interns, and Volunteers

56. What will happen to me during the partial shutdown?

Interns (Student, College, Graduate) and volunteers do not have layoff rights. These employees will not work until otherwise directed during the partial-shutdown.

Resources

Division of Personnel and Labor Relations

<http://doa.alaska.gov/dop/>

Union Contact List

<http://doa.alaska.gov/dop/LaborRelations/unionContactList/>

Department Human Resources

<http://doa.alaska.gov/dop/serviceCenters/contact/>

Employee Assistance Program

<http://doa.alaska.gov/drb/alaskaCare/employee/information/eap.html>

Retirement and Benefits

<http://doa.alaska.gov/drb/>

Unemployment

http://labor.alaska.gov/esd_unemployment_insurance/home.htm

Worker's Compensation

<http://labor.alaska.gov/wc/home.htm>