

**DEPARTMENT OF ADMINISTRATIVE SERVICES  
DIVISION OF HUMAN RESOURCES**

**GENERAL GUIDELINES FOR LAYOFF**

**Please Note:** This chart is prepared for general comparison of employees regularly scheduled 20 or more hours per week. Individual circumstances may change certain benefits. Please contact your payroll clerk or the Division of Human Resources if you have any questions about your specific situation.

<b>Benefit</b>	<b>Regular (RA)</b>	<b>Temporary (TA)</b>	<b>Emergency (EA)</b>
<b>Recall Rights</b>	Name is put on the layoff/recall list for 3 years and 1 day. Recall is in inverse order of the layoff	There is no provision for recall.	There is no provision for recall.
<b>Eligibility for Unemployment</b>	Unemployment Compensation Office will determine eligibility at the time of filing. FOR DETAILS, SEE ATTACHED SHEETS.		
<b>Vacation &amp; Personal Days</b>	See department to determine if YOU HAVE TIME COMING. Payout will be in a lump sum but time will be allocated as if worked in a report to the State Unemployment Office.		
<b>Compensatory Time/Holiday</b>	See department to determine if you have any accumulated compensatory time, or holiday time coming. Payout will be in lump sum.		
<b>Accumulated Sick Leave</b>	Any unused balance will be restored upon recall within three years and one day from date of layoff.		
<b>Health/Dental Insurance</b>	Coverage stops the last day of the month following the month of layoff as long as all required contributions are made. You may be billed for premiums not deducted from your paycheck. Employees may continue with the County plan(s) via the Federal "COBRA" continuation of benefits law, provided they pay the full monthly premium and a 2% administrative fee on a timely basis. Ceridian our COBRA Administrator will contact you by mail with premium/enrollment information.		
<b>Life Insurance</b>	Coverage stops the last day of the month in which you are laid off. Employees can convert to an individual policy (other than term insurance). Please call MetLife at 1-877-275-6387.		
<b>Dependent Care</b>	You can obtain reimbursement for services incurred prior to your layoff date up to the amount of actual payroll plan deductions taken. Call Ceridian at 1-800-586-5120 for information.		
<b>Medical spending Account</b>	You can obtain reimbursement for qualified services incurred prior to your layoff date up to the amount of your annual deduction. Call 1-800-586-5120 for further information. Employees who participate in the medical spending account may continue this benefit through COBRA provided they pay the full monthly premium and a 2% administrative fee on a timely basis. Ceridian, the County's Cobra Administrator, will contact you by mail with the necessary information.		
<b>Deferred Compensation</b>	Members have 2 options: 1) You may leave your money in the account, or 2) You may make application to withdraw your funds upon layoff. Great West Retirement Services will explain these options in detail. Contact them at (414) 223-1921.		

## **GENERAL GUIDELINES IN THE EVENT OF A LAYOFF QUESTIONS & ANSWERS**

Listed below are some of the more common questions employees may have about their rights and privileges. The answers will satisfy most situations but individual circumstances may change certain benefits. If you have any doubts or questions, contact the Human Resources Manager/Coordinator, the payroll clerk in your department, or the Division of Human Resources.

### **Q. IF I AM LAID OFF WILL I GET MY JOB BACK?**

A. *At this time it is impossible to determine when or if you will get your job back in the event you are laid off. If your position is in the classified service, your name will be placed on a layoff/recall list for your present classification for a period of three years and one day.*

*If vacancies in the classification from which you were laid off are filled during this period, you will be recalled from this list in order of your seniority and you will be required to accept the position offered.*

### **Q. HOW DOES THE RECALL WORK?**

A. *When a vacancy occurs in a particular classification and it is approved to be filled, the most senior person on the layoff/recall list will be contacted to fill that vacancy.*

### **Q. IF RECALLED, CAN I REFUSE AN OFFER AND REMAIN ON THE LAYOFF/RECALL LIST?**

A. *If you refuse an offer of employment in the same classification from which you were laid off, your name will be removed from the layoff/recall list and you will no longer have recall or placement rights.*

### **Q. WHILE I AM ON LAYOFF, MAY I APPLY FOR OTHER COUNTY POSITIONS?**

A. *You may apply as you normally would for original or promotional opportunities.*

### **Q. WHILE I AM ON LAYOFF, CAN I ACCEPT A JOB IN A LOWER CLASSIFICATION FOR MILWAUKEE COUNTY, AND REMAIN ON THE RECALL LIST FOR MY PREVIOUS CLASSIFICATION?**

A. *While on a layoff, you can accept a job in a lower classification. This will not affect your recall rights to your former classification; however, if you refuse an offer of employment in your former classification, your name will be removed from all lists for the same and lower classifications.*

**Q. CAN I BUMP ANOTHER EMPLOYEE?**

A. *Bumping rights depend on your union's contract, if applicable, and how seniority is defined. Bumping possibilities will be processed accordingly. A specific explanation will be given in group and/or individual sessions with DHR. Generally, you can only "bump" a less senior employee in the same classification or a lower classification in a class series.*

**Q. WHAT HAPPENS TO MY MEDICAL INSURANCE UPON TERMINATION OF EMPLOYMENT?**

A. *Layoff or Resignation: You may elect to continue non-Medicare medical coverage for yourself, covered spouse, and dependent children under the federal COBRA continuation laws by paying the full monthly premium, and a 2% administrative expense charge permitted by law. Full details, including application materials and billing information, will be sent to you at the time employment ends.*

*Retirement: For some employees hired before January 1, 1994, who are members of the Retirement System the County pays the full monthly cost of the health insurance to retirees with 15 years or more of creditable pension service as a County employee. Retirees with less than 15 years of service must pay the full monthly cost. (Please check your union contract language to determine your eligibility requirements).*

**Q. WHAT HAPPENS TO MY DENTAL INSURANCE UPON TERMINATION OF EMPLOYMENT?**

A. *Layoff or Resignation: Under federal COBRA continuation laws, you may continue dental coverage by paying the full monthly premium, and a 2% administrative expense charge permitted by law. Full details, including application materials and billing information, will be sent to you at the time employment ends.*

**Q. WHAT HAPPENS TO MY BASIC AND OPTIONAL LIFE INSURANCE COVERAGE IF I'M A CURRENT PARTICIPANT IN THE BASIC PLAN OR BOTH PLANS UPON TERMINATION OF EMPLOYMENT?**

A. *Layoff or Resignation: Basic and Optional coverage may be converted (within 31 days) to any individual life insurance policy then being issued by the insurer, except "term" insurance. You would then pay the new, applicable premiums for your age category directly to the insurer. For further information, please call MetLife at 1-877-275-6387.*

*Retirement: An employee who retires is eligible for Basic Life Insurance if covered at the time of retirement. Retirees hired after January 1, 1994, pay the full monthly cost of premium for the remainder of their lifetime. (Please check your union contract language to determine your eligibility).*

- Q. WHAT HAPPENS TO MY DEFERRED COMPENSATION PARTICIPATION UPON TERMINATION OF EMPLOYMENT?**
- A. *You may leave your money invested in the plan, or withdraw your money in a lump sum, periodic payment, annuity payment, roll over, or take advantage of the minimum distribution option. Remember, 457 plan participants do not have to begin taking withdrawals until age 70-1/2. For additional questions, please contact your local Account Executive at (414) 223-1921.*
- Q. WHAT HAPPENS TO MY DEPENDENT CARE ACCOUNT UPON TERMINATION OF EMPLOYMENT?**
- A. *Your payroll deductions will stop on your termination date. You can obtain reimbursement for services incurred prior to your termination date up to the amount of your actual payroll deductions taken. Claims for dates of service in 2009 prior to your termination date must be filed by March 31, 2010. Please contact Ceridian directly at 1-800-586-5120 for 2008 claims.*
- Q. WHAT HAPPENS TO MY FLEXIBLE MEDICAL SPENDING ACCOUNT UPON TERMINATION OF EMPLOYMENT?**
- A. *Your payroll deductions will stop on your termination date. You can obtain reimbursement for services incurred prior to your termination date up to the amount of your annual election. Claims for dates of service in 2009 prior to your termination date must be filed by March 31, 2010. Please contact your Ceridian account administrator directly at 1-800-586-5120 for 2009 claims. Under the federal COBRA continuation laws, you may continue with the medical spending account by paying the full monthly premium, and a 2% administrative expense charge permitted by law. Full details, including application materials and billing information, will be sent to you at the time employment ends.*
- Q. WHAT HAPPENS TO MY PENSION BENEFITS IF I GET LAID OFF?**
- A. *Being vested means you have earned the right to a pension benefit when you reach your normal retirement date. If you are vested at the time of layoff, you maintain the benefits you have accrued at the time of your layoff. Five years of service is needed to be vested in the pension system. Except for Deputy Sheriff's who require ten years of service to be vested in the pension system. If you are not vested at the time of layoff, your accrued pension benefits are terminated after you are absent from county service for more than five (5) years following layoff.*

**Q. WHAT HAPPENS TO MY PENSION BENEFITS IF I GET CALLED BACK TO WORK IN THE FUTURE?**

A. *You retain the benefits you earned during your prior employment period, and begin to earn new benefits if you were vested when you were laid off.*

*You also retain the benefits you earned during your prior employment period, and begin to earn new benefits even if you were not vested when you were laid off, as long as you are re-employed within five (5) years of the date you were laid off.*

*If you were not vested when you were laid off, and you are re-employed more than five (5) years later, you do not retain the benefits you earned during your prior employment period. You will begin to earn new benefits.*

**Q. HOW WILL I KNOW IF IT IS BETTER TO TAKE A LAYOFF OR TO RETIRE?**

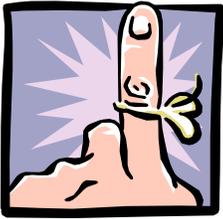
A. *Only you can make this decision based on your needs and present situation. Consideration should be given to such factors as your estimated pension benefit and your chances of being recalled to County service. Please remember that you can only retire under the "Rule of 75", if you meet the eligibility requirements while you are an active employee. Retirement age is 60 years of age or 55 years of age with fifteen years of service (Early retirement with a reduced benefit). The retirement system does not consider you as an active employee if you are on layoff status.*

**Q. IF I CHOOSE TO RETIRE INSTEAD OF BEING LAID OFF, WILL THIS AFFECT MY UNEMPLOYMENT COMPENSATION?**

A. *You may not be eligible to receive Unemployment Compensation. You must contact your local Unemployment Compensation Office for determination of eligibility.*

**Q. IF I CHOOSE TO RETIRE INSTEAD OF BEING LAID OFF, WILL THIS AFFECT MY LAYOFF/RECALL RIGHTS?**

A. *YES, you will be removed from the recall list and any placement lists you may be on. After you are removed from the recall list and placement lists you will no longer be eligible for layoff/recall rights. This will probably affect your eligibility for Unemployment Compensation. Check with your local Unemployment Compensation Office regarding eligibility for Unemployment Compensation.*



# IMPORTANT INFORMATION TO REMEMBER

- \* Please remember to utilize Ceridian Self Service to indicate a change of address or phone number.
- \* Please contact ERS if you are considering retirement at 278-4207.
- \* Return all keys, access cards, purchasing cards and ID's to your supervisor.
- \* Contact the Prime Financial Credit Union regarding any payroll deductions. Main Office No. (414) 486-4500.
- \* Payroll deductions for United Way and United Performing Arts will stop with your last paycheck. (Please contact these organizations directly if you wish to continue paying any pledges directly to the organization.)
- \* Your final PAYROLL CHECKS or Notification of Deposit will be mailed to your home address unless other arrangements are made with your department.
- \* All W-2 FORMS will be mailed to your home address no later than January 31, 2010. (Questions on W-2 computations must be addressed in writing to the Central Payroll Department at the Milwaukee County Courthouse - Room 301.)