

General Questions & Answers for Employees who have been Laid Off from State Service

Department of Administrative Services – Statewide HR Management

1) Where do I find more information about the layoffs?

Answer: The DAS Website contains a wide variety of information, please proceed as follows:

- Go to <http://DAS.CT.Gov>; and
- Under “[Administrative Services](#)” click on “[Information and Assistance for State Employees Affected by Layoffs](#)”

2) What is Re-employment?

Answer: The employee receives re-employment rights to the job class s/he was in when s/he was laid off as well as to job classes that are comparable to that job class. (If the employee has not completed the working test period and has not attained permanent status in the class s/he was laid off in, s/he does not receive re-employment rights to this class or to comparable classes.) Note: the employee also receives re-employment rights to job classes that s/he held permanent status in prior to being laid off. For more information, refer to [Q&A's for Reemployment](#) on the DAS website.

3) What is SEBAC?

Answer: The employee is eligible to receive SEBAC rights to job classes s/he has held and job classes deemed comparable to these classes, assuming s/he still meets the minimum entry requirements for these classes. The employee also is eligible to receive SEBAC rights to most job classes for which s/he meets the minimum entry requirements. Employees laid off from a position in a bargaining unit do not receive SEBAC rights to managerial or confidential classes/positions. Employees laid off from a position outside of a bargaining unit do not receive SEBAC rights to jobs at a higher salary group than the class held at the time of layoff. For more information, refer to [Q&A's for SEBAC](#) on the DAS website.

4) If I am laid off from state service, what will the reason for separation say in Core-CT and on other official documentation?

Answer: The coding used in Core-CT and on all official documentation will reflect that the separation was due to layoff. If you opt to retire in lieu of layoff, the coding will reflect retirement in lieu of layoff.

5) If I am laid off from state service, will I be paid for unused vacation time? Personal Leave (PL)? Unused sick time?

Answer: If otherwise eligible to have used vacation leave, you will be paid for your vacation leave balance at time of separation. Payment is not made (to any employee separating from state service) for unused personal leave and sick leave. (Please note, if you are rehired to state service on a permanent basis, sick leave is restored to your leave balances {[State Personnel Regulation §5-247-9](#)}. Similarly, if you are rehired within the same calendar year, your PL balance will be restored.) However, if you are transitioning directly into retirement, one-quarter of your sick leave up to 60 days will be paid in a lump sum.

6) Who should I contact to provide change of address information?

Answer: Generally, notification of a change in address should be made to the agency where last employed and to the Office of the State Comptroller. The Department of Administrative Services must also be notified when an employee is on a Re-employment or SEBAC list or examination certification list.

7) How do I go about obtaining a position with the State of Connecticut in the future?

Answer: Aside from Re-employment and SEBAC rights (for eligible individuals), you may wish to apply for job openings in other job classes. Whether you are eligible for appointment into a particular job depends upon the type of position. You can ascertain what category a position falls into by looking at the top, left-hand side of the class specification established by DAS for the position. Class specifications can be found on the DAS Website – under [Statewide Human Resources Administration](#) and [Class Specifications](#) links.

- Competitive position: This type of position requires an examination. You must take and pass a state examination for the job title associated with the competitive position to be considered for a job opening in a classified competitive position. Once you take and pass an examination, you will be placed on a current state examination certification list for that job title and thereafter will be eligible to apply for job postings in the title. There are three types of state exams and the rules vary regarding who may apply for exams and how appointments may be made from each exam certification list:
 - Open Competitive examination: This type of exam is open to the public (as well as all state employees – both classified and unclassified). As such, you need not be employed by the state at time of appointment.
 - Statewide Promotional examination: This type of exam is open only to employees who have attained permanent status in the classified service. You must be employed by the State of Connecticut at time of appointment.
 - Agency Promotional examination: This type of exam is open only to employees who have attained permanent status in the classified service and who have been employed for at least six months in the hiring agency. You must be employed by the agency at time of appointment.
- Non-examined position: This type of position does not require an examination. Rather, in order to be appointed to a non-examined position, you must possess the specific certification or licensure or advanced degree required of the position (e.g., attorney or physician).
- Non-competitive position: This type of position does not require an examination and is often an entry level or training position (e.g., clerk or Connecticut Career Trainee) or as a bridge class (e.g., Pre-Professional Trainee or Leadership Associate). You must meet the minimum qualifications of the target classification in order to be appointed to that job class; the maximum length of training program is three years. (See class specifications for additional information.)
- Unclassified position: Same as Non-competitive and Non-examined; some Unclassified positions are appointed, some are not. You must meet the experience and training requirements of the position in order to be appointed.

8) If I separate from state service, what type of assistance may I receive from the state in finding a new job?

Answer: DAS provides visitors to our website with a wide variety of information to assist job seekers with finding employment: DAS.CT.Gov – Employment Connection link. Here you may register for the [eAlert System](#) to receive notification of exam announcements and job postings as they are posted to the DAS website.

9) What happens if I am on workers' compensation and receive a layoff notice?

Answer: Notwithstanding your notice for layoff, you will continue to receive the workers' compensation benefits to which you are legally entitled. Specific questions should be directed to your agency human resources office.

10) What happens if I am out of work on a leave of absence (FMLA, Military Leave, etc) and receive a layoff notice?

Answer: During the notice period, your specific leave of absence status will remain unchanged. Effective the date of layoff, your leave of absence will end and you will be separated from state service due to layoff.

11) What happens if I am out on workers' compensation or a leave of absence and have received a notice for layoff and subsequently receive documentation allowing me to return to work prior to the effective date of layoff?

Answer: You will not return to work and will be placed on a paid leave of absence during notice period due to position elimination.

Department of Labor – Unemployment Insurance

12) Will my employer provide me with a "pink" slip? If so, what will be stated for the reason for the separation? If not, can I file for Unemployment Insurance (UI) benefits anyway?

Answer: Yes, every employer should provide a separating employee with a "pink" slip. Please see the response to Question #4 above regarding the listed reason for separation, although the precise language on the "pink" slip may vary. A "pink" slip is not necessary to file an initial claim for UI benefits. Note: Officially, a "pink slip" is an Unemployment Separation Package; it may be downloaded from the CT DOL website: <http://www.ctdol.state.ct.us/tic/sep-pack.html>

13) How do I file for UI benefits the first time?

Answer: You may file your initial claim online at www.FileCTUI.com any time or by telephone (Telebenefit Line) during regular business hours. Please see more detailed instructions on DOL website: www.ctdol.state.ct.us

14) What are the basic requirements for eligibility?

Answer: To be eligible for unemployment, you must:

- Be monetarily eligible;
- Be totally or partially unemployed;

- Have an approvable job separation (the law imposes a disqualification for certain types of separations); and
- Meet certain weekly legal requirements (weekly requirements include being physically and mentally able to work, being available for and seeking work, and filing your weekly claim for benefits on a timely basis).

15) Is the fact that I am filing for UI benefits public information?

Answer: No, not at the first level – Conn. Gen. Stat. § 31-254; however, if either party files an appeal, the records are open to public inspection (with some redactions, such as a claimant's social security number) pursuant to Conn. State Agencies Regs. § 31-237g-7(b).

16) Will the amount of vacation I have accrued affect the amount of my UI benefits?

Answer: Per the Regulations of Conn. State Agencies § 31-236-47, "...where the vacation pay relates to... identifiable weeks, the Administrator shall allocate the vacation payment." Yes, where vacation pay relates to an identifiable week(s), it shall be allocated against the receipt of unemployment compensation benefits. UI benefits will be delayed until such identifiable vacation weeks have been exhausted.

17) If I receive a pension, will that affect the amount of my UI benefits in any way?

Answer: Yes, if an individual is receiving a pension from a base period employer, Conn. Gen. Stat. § 31-227(g) requires the retiree's weekly benefit rate to be offset by the prorated weekly amount of his or her pension if:

- the pension at issue was maintained or contributed by a base period employer, e.g., the CTDOL; and
- the services performed for the pensioning employer in the Base Period affected the retiree's eligibility for the pension, or increased its amount.

18) Will the amount of wages in lieu of notice (WILON) that I received or will receive upon separation affect the amount of my UI benefits?

Answer: Potentially. If the receipt of the WILON was not conditioned upon a waiver of statutory or common law rights, per the Regulations of Conn. State Agencies § 31-236-46, then the WILON payments would be allocable against the receipt of unemployment compensation benefits and payments could be delayed until the WILON payments have been exhausted.

19) Does the fact that I have rights to other positions in state service or receive offers for positions because of re-employment rights affect my receipt of UI benefits in any way?

Answer: Yes, it may. Conn. Gen. Stat. § 31-236(a)(1) bars payment to claimants who refuse an offer of available, suitable work without sufficient cause. If you are offered another position in state service through Reemployment, SEBAC or otherwise, depending upon the particular circumstances, such offer may constitute an offer of suitable work, and your failure to accept it may constitute a refusal of suitable work.

The following conditions may be looked at by DOL to determine whether or not they would be accepted as an extenuating circumstance and not be considered refusal of suitable work: nature of hours, similarity to previous job, transportation issues, and mileage (i.e., travelling across state).

Office of State Ethics

20) After I leave state service, may I accept a position with a company that is regulated by my (former) agency?

Answer: Under Conn. Gen. Stat. § 1-84b (c), former public officials and state employees who held certain specifically designated positions (with significant decision-making or supervisory responsibility) at certain state regulatory agencies* are prohibited from seeking or accepting employment with any business subject to regulation by the individual's agency within one year of leaving the agency. A list of the designated positions can be found in § 1-92-40a of the Regulations of Connecticut State Agencies. (Note that there are exceptions for certain members of boards or commissions [e.g., ex officio members]).

* The agencies include the Office of Health Care Access division within the Department of Public Health, the Connecticut Siting Council, the Department of Banking, the Insurance Department, the Department of Emergency Services and Public Protection, the office within the Department of Consumer Protection that carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Public Utilities Regulatory Authority, including the Office of the Consumer Counsel, and the Department of Consumer Protection.

21) After I leave state service, may I accept a position with a company that is doing business with my (former) agency?

Answer: Under Conn. Gen. Stat. § 1-84b (f), a former public official or state employee is prohibited for one year after leaving state service from accepting employment with a party to a state contract valued at \$50,000 or more if he or she participated substantially in, or supervised, the negotiation or award of that contract, and if the contract was signed within his or her last year of state service.

For example, six months before leaving state service, a public official was substantially involved in negotiating a state contract with Company X. However, the contract was not signed until one month after the public official left state service. The public official may accept employment with Company X upon leaving state service because the contract was not signed until after the public official left state service, therefore the one-year prohibition in § 1-84b (f) is not triggered.

22) Are there any prohibitions to my contacting my former state colleagues after I leave state service?

Answer: Under Conn. Gen. Stat. § 1-84b (b), a former public official or state employee is prohibited for one year after leaving state service from representing anyone, other than the state, for compensation before his or her former agency concerning any matter in which the state has a substantial interest. "Represent" is defined broadly to include any activity that reveals the identity of the former employee to his former agency, such as making a personal appearance or phone call, or submitting a document on which the former employee's name appears.

For example, a month after leaving state service, a former public official accepts a job with a company that is seeking a contract from his former state agency. Shortly afterwards, he invites a

friend/colleague from his former state agency to lunch. This is permissible. However, the former public official may not use this social occasion to improperly represent his new employer before his former state agency. In fact, it would be improper for him to deliberately inform former colleagues of his new position and employer, if the new employer has pending business before the state agency. Although there will be occasions when, through inadvertence, the former public official's new position will be revealed, deliberate and/or repeated efforts by the former public official to reveal his new role would violate § 1-84b (b).

23) Are there other rules under the Code of Ethics about which public officials and state employees leaving state service should be aware?

Answer: Yes, the Code of Ethics sets forth two lifetime bans for those leaving state service:

- Under Conn. Gen. Stat. § 1-84a, a former public official or state employee may never disclose any confidential information learned during the course of state service for anyone's financial gain.
- Under Conn. Gen. Stat. § 1-84b (a), a former public official or state employee may never represent anyone, other than the state, regarding a "particular matter" (e.g., contract, grant, investigation) in which he or she was personally or substantially involved while in state service and in which the state has a substantial interest. This prevents side-switching in the midst of on-going state proceedings.

Additionally, there are two provisions that apply only to certain former public officials and state employees:

- Under Conn. Gen. Stat. § 1-84b (d)-(e), certain former employees of the Department of Consumer Protection, Gaming Division and Gaming Policy Board, and the Department of Emergency Services and Public Protection Safety are prohibited from accepting employment within 2 years after leaving state service with (a) a business entity engaged in Indian gaming operations in the state, and in which a federally-recognized Indian tribe in the state owns a controlling interest, or (b) a governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state. A list of the designated position, subject to Conn. Gen. Stat. §184b (d), can be found in § 1-92-40 of the Regulations of Connecticut State Agencies.
- Under Conn. Gen. Stat. § 1-84b (g), no member or director of a quasi-public agency who participates substantially in, or supervises, the negotiation or award of a contract valued at \$50,000 or more shall seek, accept, or hold employment with a party to the contract for a period of one year after the signing of the contract.

24) What are the dates and requirements for Statement of Financial Interests ("SFI") ethics filings after leaving state service? May public officials and state employees who are required to file the SFI filing upon leaving state service wait until 2018 to do so?

Answer: If an individual leaves a SFI-designated position before January 1, 2018 (i.e., December 31, 2017 or earlier), he or she will have one reporting obligation. That is, the individual will have to file a SFI for the portion of calendar year 2017 served. The individual will be notified of this obligation by the Office of State Ethics within 60 days of his or her departure and must file the statement within 60 days after receipt of the notification.

25) What are “vested rights”?

Answer: Employees who leave state service after completing the minimum service requirements to be eligible for a pension but have not reached the minimum age at which payments can begin, are considered to have vested rights to a future pension.

26) Will individuals still have normal access to state pension plan websites after leaving state service?

Answer: Yes. Information is available on the website of the Office of the State Comptroller at www.osc.state.ct.us . To access retirement information, enter the category “For State Employees” and click on the link for “Retirement Information”. A menu for “State Employees Retirement Information” appears and includes Summary Plan Descriptions and a Retirement Calculator for the various retirement plans:

[Connecticut State Employees Retirement System - Tier I](#)
[Connecticut State Employees Retirement Calculator - Tier II & IIA](#)
[Connecticut State Employees Retirement System - Hazardous Duty](#)

27) For those who are pension-qualified, but too young to collect, what is required (and by what date) to initiate payments? Should employees submit any special paperwork before they separate?

Answer: Agency Human Resources Office personnel must complete a Vested Rights Retirement Application (CO-898) for vested employees who are separating from state service. This application should be signed by the employee and their Agency’s representative and submitted to the Retirement Services Division. The vested employee should notify the Retirement Services Division of any change of address. Copies of the employee’s birth certificate and if applicable, the spouse’s birth certificate and marriage certificate will be required prior to retirement benefits commencing.

28) Upon separation, will retirement contributions be refunded if I am not eligible for retirement upon separation from state service?

Answer: Refer to the “[Effect of Layoff on Benefits and Payroll Deductions](#)” chart.

29) What happens to an employee’s contributions if laid off from a hazardous duty position and transitioned into a non-hazardous duty position through bumping rights?

Answer: The excess contributions remain within SERS until separation/retirement. Refunds cannot be issued to active employees per the Internal Revenue Services (IRS) rules and regulations.

30) What are the options for an employee that gets laid off from a hazardous duty position? Will retirement contributions be refunded?

Answer: The following may apply:

- The employee may transition directly into retirement for either an early or normal retirement if eligibility requirements are met and have the excess hazardous duty contributions refunded;
- If the employee is term vested, a vested rights retirement application should be completed for a future retirement benefit and upon separation, the excess hazardous duty contributions may be refunded; or
- If not vested, the employee may request a refund of the hazardous duty contributions.

Office of State Comptroller – Healthcare Policy & Benefit Services Division

31) If I separate from state service, what should I do to get a refund of my 3% Retiree Health Fund contributions?

Answer: Refer to the “[Effect of Layoff on Benefits and Payroll Deductions](#)” chart. If you are seeking a refund the following procedures will assure prompt processing. Fill out the Application for Refund (CO-1301) and give it to your Agency’s Human Resources Office before your termination date. If you are eligible for a refund that office should process the refund through Core-CT and send a copy of the CO-1301 to the Healthcare Policy & Benefit Services Division. The CO-1301 form is available via the [OSC website](#). Note: You will **not** be eligible for a refund of these contributions if you are eligible for retiree health benefits.

32) How long will health and dental insurance coverages remain at the amount currently deducted from my paycheck?

Answer: Refer to the “[Effect of Layoff on Benefits and Payroll Deductions](#)” chart.

33) What about the COBRA Continuation of Benefits? What rights do employees leaving state service have under COBRA, and are there any requirements that employees should be aware of prior to terminating with the state? How long does COBRA last?

Answer: Under the Public Health Services Act, commonly referred to as “COBRA,” each enrolled person in health benefits must receive a COBRA notice which must be mailed to their last known address once coverage has been lost due to termination of employment or retirement. (This is called a COBRA qualifying event.) For the purpose of this discussion, the word “termination” in all its forms will also refer to retiring employees.

Upon termination, employees will receive a notice allowing them to continue the type of coverage previously in force. For example, the employee with family coverage may choose to continue that coverage but is not required to do so. They may choose enroll in individual or plus 1 coverage. However, they will only be able to enroll in the highest level of coverage they had at the time of termination. For example, they won’t have the option of choosing family coverage if they were not enrolled in family coverage. They may only choose the plan they were enrolled in, meaning, if enrolled in the POE plan upon termination, they may only enroll in the POE plan. No additional dependents may be added if they were not enrolled at termination.

Each qualified beneficiary (dependent) will also receive a COBRA notice in their own name allowing them to select individual coverage for themselves. Each person entitled to a COBRA notice must receive his/her own notice. Agencies may give a copy to the terminating employee but that does not relieve the employer of its obligation to mail a COBRA notice to each dependent at his/her last known address.

COBRA provides continuing coverage for terminating employees and their dependents for up to 30 months.

34) Can employees leaving state service convert Life Insurance and Supplemental Life Insurance Benefits?

Answer: Yes.

Retiring employees: Retiring employees insured under the State’s Group Life Insurance Policy will receive a paid-up policy and may convert the balance of the policy without evidence of insurability. For example, if the insured employee has 25 years of actual state service and an \$85,000 basic policy, the amount of the

paid-up benefit is \$42,500 (pro-rated for those with less than 25 years) and the amount eligible for conversion will be \$42,500. Retirees will receive a letter and a conversion form from the Office of the State Comptroller (OSC) automatically after they retire. Note that the retiree must make a direct transition to retirement in order to be eligible for a paid-up policy. Vested rights retirees are not eligible to receive a paid up policy.

Group Supplemental Life Insurance is not considered when calculating a paid up policy at retirement. If applicable, the amount of supplemental insurance will be included in the amount eligible on the conversion application. For example, if the amount of basic conversion is \$42,500 and the amount of supplemental life is \$20,000, the amount eligible for conversion is \$62,500. The conversion of supplemental is also not subject to evidence of insurability.

Terminating Employees: Individuals who do not make a direct transition into retirement or are otherwise ineligible for retirement benefits may convert the entire amount of the policy without evidence of insurability. However, unlike retirees, they will not automatically receive a letter from the OSC. Individuals in this circumstance must contact the Group Life Insurance Unit of OSC's Healthcare Policy and Benefit Services Division at 860-702-3537 to request a conversion application within 30 days of the termination.

35) Will I be eligible for retiree health benefits?

Answer: In order to be eligible for retiree health coverage, you must first be eligible for a retirement benefit. Upon commencing your retirement, either as a direct transition or a vested rights retiree, you may be eligible to enroll in retiree health benefits effective the first of the month following your retirement. For specific details on retiree health eligibility as it relates to your pension tier and service, refer to [Division Memorandum 2013-06 "Eligibility for Retiree Health Coverage"](#).

For specific health benefit plan options available to retirees, refer to the annual Retiree Health Care Options Planner available on the [OSC Website](#).

36) What is the Rule of 75 and who does it apply to?

Answer: Terminating employees may not be entitled to health coverage as a retired state employee unless and until the combination of their age and Actual State Service equals 75 or more. The following rules apply to separating employees:

- If you had 10 years of actual state service as of July 1, 2009, you are not subject to the Rule of 75 for purposes of retiree healthcare coverage.
- If you are entitled to and commence Normal or Early Retirement Benefits immediately upon leaving service and have at least 10 years of actual state service, (or 5 years of actual state service in the case of someone age 62 or older*), you are eligible for retiree health coverage and are not subject to the Rule of 75. *This only applies to those who were actively employed as of April 21, 2009 and were age 52 or older as of July 1, 2009.
- If you did not accrue 10 years of actual state service until after July 1, 2009 and do not transition directly to retirement upon separation from service, you will be subject to the Rule of 75. When you commence Normal or Early Retirement benefits you will not be eligible for retiree health coverage until the combination of your age and actual service equals 75.

This stipulation is outlined in the SEBAC 2009 Agreement as follows:

Retiree insurance for employees who have less than (10) years of actual state service as of July 1, 2009. An employee who has less than ten (10) years of actual state service as of July 1, 2009, shall not be entitled to health insurance as a retired state employee unless and until the combination of their age and actual state service equals seventy-five (75) or more. Provided, however, any employee who retires on or after July 1, 2009, who directly transitions from employment to retirement and begins receiving a Normal or Early Retirement Benefit shall be entitled to health insurance as a retired state employee if they have ten (10) or more years of actual state service. Further provided, any current employee who is age fifty-two (52) or older as of July 1, 2009 who directly transitions from employment to retirement and begins receiving a Normal or Early Retirement Benefit shall be entitled to health insurance as a retired state employee in accordance with existing practice.

37) If I retire early will I pay a different amount for my health benefits than a normal retiree?

Answer: In accordance with the SEBAC 2011 agreement, members who retire before they reach their normal retirement age will pay a percent of the full health insurance premium based on a grid which considers their years and months of service and the number of months early they are retiring. The premium for any given early retiree will be the lesser of the premium grid value or 25% of their pension. When an Early Retiree reaches their Normal Retirement Age or age 65 (whichever is earlier), their health insurance cost based on their Early Retirement will end and the retiree premium share will be equal to the rules for Normal Retirees enrolled in the same benefit plan.

38) Can I still continue to contribute to the Deferred Compensation Plan? Or do I need to find a new plan? What happens to the money I have in my Deferred Compensation account? Will access to the 457 plan website remain in place?

Answer:

- All contributions will cease with your last paycheck. Keep in mind that you may contribute your payout for unused vacation (and sick leave if you are retiring) to 457 Plan or to the 403(b) Plan if you are eligible. This deferral must be arranged prior to termination.
- Participants are allowed to leave funds in the plan; you will continue to have online access to your account in the Plan and are entitled to use all services available to participants (including access to retirement counselors) after termination
- You may roll over or withdraw funds as soon as your termination date has been confirmed to the plan administrator
- There is no IRS tax penalty on withdrawals from the 457 Plan regardless of age
- There may be an IRS tax penalty on withdrawals from the 403(b) Plan prior to age 59½ (or age 55 if separated from state service)
- If you are planning on making a withdrawal or rollover, the Office of the State Comptroller must confirm your termination date to the provider
- Contact Office of the State Comptroller, Healthcare Policy & Benefit Services Division's Employee Benefits Unit at 860-702-3543 or Prudential, the plan administrator at 877-505-7283.

39) What will happen to existing Homeowners/Auto coverage benefits?

Answer: Refer to the "[Effect of Layoff on Benefits and Payroll Deductions](#)" chart.