

Layoff Worksheet for Classified, Non-Restricted Employees

Position Converting from Full-time to Part-time Employment

Employee Demographics:

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|---|--|
| Employee Name: | |
| Employee Classification: | |
| Position Title: | |
| Length of Service: | |
| Time in Position: | |
| Previous Position Restricted or Non-Restricted: | |
| Current Position Restricted or Non-Restricted: | |
| Funding Source Documentation: | |
| Documents Illustrating Restricted or Non-Restricted Status: | |
| Preferential Hiring Rights Eligibility: | |
| WTA Eligibility: | |
| Severance Eligibility: | |
| Number of Hours for Part-time: | |

Employee Relations Assessment for Layoff – Full-time to Part-time Position for Lack of Funding:

1. **Question:** Is it permissible for classified, non-restricted employees to decline a part-time position and elect layoff with preferential hiring rights (PHR)? *It's acceptable.*

Per DHRM policy 1.30 LAYOFF,

- *Agencies may reduce a full-time classified position to a part-time classified status (minimum of 20 hours per week) to achieve the required savings.*
 - *If the employee chooses to remain in the part-time position, the employee is eligible for recall rights and continuation of health and life insurance benefits for up to twelve months.*
 - *If an eligible employee declines to remain in a part-time position, the employee may be eligible for layoff and severance benefits.*
2. Employee Relations views a reduction in hours to part-time as a layoff, instead of a status change, because the reduction of hours will alter the employee's annual salary or wages. As a result, Employee Relations will finalize and provide a copy of the standard, initial notice of layoff ("yellow card") letter to the area's/department's HR Business Partners. Management is responsible for delivering the initial layoff notice to the classified employee(s). Letter for [Initial Notice of Layoff Non-Restricted WTA](#) .

NOTE: Even if the position status alters to part-time and the duties remain the same, Employee Relations consider this employment change as two separate positions; full-time position and the part-time position. As a result, the Employee Relations Consultant will advise their HR Business Partners of the two separate actions.

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1. Issue layoff letter (“yellow card”)
 - The area/department must provide a 60-day notice by delivering the initial layoff notice. The initial layoff notice is required, even if the area/department offers a part-time position to the classified employee as a placement option.
 - If the employee accepts the part-time placement, the second action (below) will occur.
 - Eligible employees who decline placement to part-time positions will be placed on leave without pay-layoff (“blue card”) and will be eligible for layoff benefits and severance benefits (if applicable).
2. Offer part-time position
 - If the employee accepts the part-time position, they will have recall rights for 12 months.
 - Employee Relations Consultant reminds their HRBP of the recomputing for the employee’s annual salary, and to ensure the reduction to part-time does not impede the employee from receiving health benefits. Also, the number of hours being reduced, could trigger the conversion to non-exempt.
 - The salary threshold was increased to \$684 a week (\$35,568 annualized) from \$455 a week (\$23,660 annualized) as of January 1, 2020.
 - A second initial layoff notice (“yellow card”) is delivered, if the area/department does not obtain additional funding for the full-time or part-time position within the 12-month period.
 - Will the employee relinquish their status as a classified employee if they accept the part-time position?
 - If they accept the part-time placement, employees may retain their classified status, if they choose to do so.
 - Will the employee return to their full-time position as a classified employee, after accepting the part-time position?
 - If the employee is called back to their full-time position, they may also retain their classified status.
 - Employee(s) should seek guidance from Benefits when there is an interest in converting to UStaff.
 - Employee Relations Consultants should request a copy of the signed, status change letter from their HR Business Partner. Letter should reveal:
 - The effective date of status change.
 - Part-time annualized salary or hourly wage.

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- The length of time the part-time placement is being offered.
 - What will occur if additional funding isn't obtained during the 12-month period.
 - Area's/Department's management will deliver a 60-day layoff notice.
 - Employee Relations Consultant checks in with their HR Business Partner 90-days prior to the 12-month period concludes. HR Business Partner(s) will seek clarification from management on the additional funding for the part-time or full-time position.
 - If additional funding isn't provided, proceed with layoff notice.
2. Was employee informed of lack of funding previously?
- Yes – Employee Relations supports management having an opened discussion with the employee about their plans for reducing hours to part-time, before given the official 60-day notice.
 - No – Proceed with issuing the 60-day notice, without apprising the employee of the area's/department's plans for converting the position to part-time. Notify the employee of the part-time opportunity at the time of issuing an initial notice of layoff to the employee.
3. Do we have copy of the funding source?
- Ensure a copy of the funding source is obtained.
 - The HR Business Partner should request documents from the employee's management.
 - The HR Business Partner or the area's/department/s management should contact the Office of Sponsored Programs for the funding source documentation, is not available.
 - **DHRM 1.30** NOTE: Restricted employees whose positions are contingent upon project grants as defined in the Catalog of Federal Domestic Assistance are not eligible to receive severance benefits unless the funding source has agreed to assume all financial responsibility in its written contract with the Commonwealth.

DHRM 1.30 - Reduction to Part-time To achieve the required savings, or to respond to changed workload patterns, agencies may reduce a full-time classified position to part-time status (minimum of 20 hours per week). If the employee chooses to remain in the part-time position, he or she is eligible for recall rights and continuation of health benefits for one year through this policy. If an eligible employee declines to remain, he or she may be eligible for layoff and severance benefits.

4. Is furlough an option for classified employees? Furlough is an option. However, it is unacceptable for classified employees to utilize their UVA leave, while on furlough. The employee would have the option to apply for unemployment, during this timeframe.

List of Resources:

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1. DHRM Policy 1.30 Layoff – https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol1_30layoff.pdf?sfvrsn=522ab14a_8
2. Layoff Guide for Employees - https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/assets/pol1_30layofffaq.pdf?sfvrsn=2
3. DHRM Policy 1.57 Severance Benefits - [https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/1-57-severance-revised-\(4\)0468e39bb7484bc4921b8d0d92a49861.pdf?sfvrsn=61852fa_0](https://www.dhrm.virginia.gov/docs/default-source/hrpolicy/1-57-severance-revised-(4)0468e39bb7484bc4921b8d0d92a49861.pdf?sfvrsn=61852fa_0)