Layoff Frequently Asked Questions

What rule guides the layoff process?

The layoff process is governed by the Illinois State Universities Civil Service Act.

What is a layoff and why is it happening now?

A layoff is the involuntary separation of employment of an employee due to the abolishment of the employee’s position.

At this time, EIU is undergoing a layoff due to our current economic situation, which has been impacted by decreasing state appropriations and declining enrollment.

How were positions identified for elimination?

The Vice Presidents of the respective areas were charged with the task of developing a plan to identify positions for elimination that required final Presidential approval. The Vice Presidents worked with their direct reports to determine affected employees.

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

No. Positions targeted for layoff are permanently eliminated and are no longer available.

How will I be notified if my position has been identified for layoff?

When possible, employees in positions identified for layoff will be notified in person by Human Resources.

How are layoffs determined?

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 time worked in a classification or in classifications within the same promotional line, and is based on the number of hours worked in a classification.
Before any status employee is 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 temporary upgrading assignments.
c. Provisional employees.
d. Employees serving probationary period.
e. Status employees.

**How can I find out where I rank on the seniority list?**

Employees may contact the Employment/Examinations Office at employment@eiu.edu to find out information regarding their seniority ranking.

**How is seniority calculated?**

Seniority is calculated by status and the total number of hours physically worked in the classification.

**Do I retain seniority in the classification if I resigned my position to accept a non-civil service position and then later returned to the same classification?**

If an employee resigned their civil service position to accept a non-civil service position, seniority is retained only if the employee returns to the original classification within 12-months. If the employee returns to the same classification after the 12-month period, the employee’s seniority will start over.

**How much notice will I received before being laid-off?**

Human Resources will provide a minimum of a 30-day notice regarding any position elimination. Information on bumping rights will be explained at that time.

**Is the layoff permanent?**

Yes.
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. *(terminate)*
b. Employees on temporary upgrading assignments. *(terminate)*
c. Provisional employees. *(terminate)*
d. Employees serving probationary period.
e. Status employees.

For more information on layoffs and bumping, please refer to [www.sucess.illinois.gov](http://www.sucess.illinois.gov).

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.

What if I choose not to bump?

If an employee chooses not to exercise their bumping rights, he/she will be informed that he/she is laid-off 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.

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 remove the employee’s name from the re-employment register in the applicable classification.

**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.

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

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

**EXAMPLE:**

Seniority List for Classification Z
- Employee A
- Employee B
- Employee C
- Employee D
- Employee E

If C's position is 100%-time and is subject to elimination due to lack of funds or other reasons and F's position is 75%-time, then C may bump E (least senior in 100% position). E may then bump F. F may then exercise bumping rights in other classifications.

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

Seniority cannot transfer to another state University.
What if I am on disability leave, can I still be laid-off?

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 do not accrue seniority in a layoff situation. The disability leave is interrupted to prevent unfair accumulation of seniority.

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.

Can I appeal my layoff or position elimination?

No. Layoffs and position eliminations are not open for appeal.

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.

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

No, employees impacted by layoff will automatically be 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 for a minimum of two years unless the employee refuses to accept a job three times, in which case the employee may be taken off the register sooner.

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 accrued leave if placed on a re-employment register?

Accrued annual leave will be paid out. Sick leave accrual 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.

What happens to my benefits if I am laid off?

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

- **Annual Leave**
  - Employees will receive pay for any accrued leave balances as of the date of separation from service, unless service is terminated prior to the completion of a probationary period.

- **Compensatory Time**
  - Employees will receive pay for any compensatory time balance as of the date of separation from service.

- **Accrued Sick leave**
  - Employees will receive pay for half of the payable sick leave balance (earned from January 1, 1984 - December 31, 1997) as of the date of separation of service. The other half will be considered non-payable sick leave.
  - EIU will keep a record of non-payable sick leave for all employees who are permanently laid off for two years. After that time, the sick leave will be removed from the employee’s balances.
• Retirement
  ▪ Contact SURS at 800-275-7877 for more information.

• Health Insurance
  ▪ State of Illinois insurance coverage will end at midnight on the last day of employment, not the date of the layoff notice. Affected employees may continue health insurance 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 Benefits Services at 217-581-5825 for further guidance.

• Upon termination of health insurance, Central Management Services (CMS) will provide information regarding a conversion policy (COBRA).

• Unemployment Insurance
  ▪ Unemployment claims are filed with the Illinois Department of Employment Security (IDES) at www.ides.illinois.gov. Questions should be directed to IDES at 800-244-5631.

What type of assistance will the University provide me after I am given notice?

The University is committed to providing our employees with assistance to help them transition to other employment during this period. Human Resources is working with external agencies and is organizing a career fair to assist employees: Areas being explored include:
  • Resume Writing
  • Job Searching
  • Development of Interview Skills
  • Coaching

What will my last paycheck include?

The employee’s last paycheck will include any regular hours worked for the notice period, and if applicable, will also include accrued annual leave, compensatory time, and any payable sick leave. Any outstanding balances due to the University should be paid prior to separation.

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

Yes. Impacted employees may apply for benefits at 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. Other questions should be directed to the unemployment office.
What happens to my tuition waiver for my child or myself if I am laid-off?

If the employee has a child enrolled at EIU, the tuition waiver may continue for up to 8 continuous semesters, depending on the child’s status in school. The tuition waiver will follow the same rules established by statute for the child of a civil service employee.

For employees taking classes, if the employee is in active status on the first day of classes, the waiver shall continue until the end of the semester.

Can a non-negotiated employee bump a negotiated employee?

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

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

Will I receive a severance package when I am laid-off?

No.

What is the difference between a layoff and a furlough?

A layoff is the permanent elimination of a position. A furlough is the reduction of pay based on days not worked. Per University Policy, employees may be required to take up to 24 furlough days within a 12-month period.