

Layoff FAQs for Employees

GENERAL

General Resources for Employees:

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| ▪ UCF Human Resources
407-823-2771
askhr@ucf.edu | HR Employee Relations Section
407-823-2771 | Faculty Relations
407-823-5420 |
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▪ ***What is a layoff?***

A layoff is the involuntary termination of an employee due to abolishment of the employee's position.

▪ ***Can I be laid off?***

Yes. Employees can be laid off if there is a business need to do so. Examples of business need include, but are not limited to, adverse financial circumstances, reallocation of resources, reorganization of programs or functions, curtailment or abolishment of programs or functions, shortage of work, or a material change of duties.

▪ ***How are layoffs determined?***

The university determines the areas in which layoffs will occur. Within a layoff unit, the order in which employees are laid off is governed by applicable university regulations and collective bargaining agreements, and may include considerations of university needs, rank, length of service, and other factors.

▪ ***When and how would I be notified if I am going to be laid off?***

Employees will be notified in writing as soon as practicable. The applicable regulation or collective bargaining agreement provides a minimum notice period, where circumstances permit. The university will seek to give longer notice when possible.

▪ ***What other alternatives did the university explore before making layoff decisions?***

The university may have explored alternatives such as a hiring freeze, reduced work schedules, travel restrictions, and furloughs.

▪ ***If I am laid off, do I have recall rights?***

Many employees with regular status have recall rights. These are described in the applicable regulation or collective bargaining agreement. An employee with recall rights may be offered re-employment in the same or similar position, should a position become available for which the employee is qualified. In the event an offer of re-employment in a comparable position is not accepted, the employee will forfeit any further recall rights.

USPS employees who are on their initial probation and have not achieved regular status, visiting faculty, employees with time-limited appointments, and some other categories of employees do not have layoff or recall rights.

- ***Where can I learn more?***

Layoff and recall are governed by the applicable regulation or collective bargaining agreement. Most faculty and some A&P employees fall under the UFF Collective Bargaining Agreement. Some USPS employees are governed by the UCF layoff regulation, as are out-of-unit faculty and A&P employees. Many USPS employees fall under the AFSCME Collective Bargaining Agreement. These documents are available on-line:

- [UCF Layoff Regulation](#) (for most USPS and for out-of-unit faculty and A&P)
- [UFF Collective Bargaining Agreement](#), Article 13 (for in-unit faculty and A&P)
- [AFSCME Collective Bargaining Agreement](#), Article 17 (for in-unit USPS employees)

BENEFITS

Benefits Resources for Employees:

- **UCF Benefits Section**
 - 407-823-2771 or benefits@ucf.edu
- **People First, Insurance Administrator**
 - Toll Free 1-866-663-4735 or <https://peoplefirst.myflorida.com> (user ID and password required)
- **Division of Retirement**
 - FRS Pension Plan, Toll Free 1-888-738-2252
 - FRS Investment Plan, Toll Free 1-866-446-9377
 - Optional Retirement Program, Toll Free 1-877-378-7677

- ***If I am laid off, what happens to my health insurance?***

Laid-off employees may choose to continue health insurance through one of two options: Extended Coverage (under Florida Statute) or COBRA (under Federal Statute). If you sign up for one you cannot sign up for the other. Extended Coverage continues for up to 24 months. COBRA coverage continues for up to 18 months. Premiums for both options must be paid fully by the laid off employee including both employer and employee premiums.

Both plans are administered by People First. To elect coverage under either Extended Coverage or COBRA you must contact the People First Service Center toll free at 1-866-663-4735 immediately as you have 60 days after the end of employment to enroll in COBRA and 31 days after the end of employment to enroll in the Extended Coverage.

- ***If I am laid off and on the Spouse Program, what happens to my health insurance?***

As long as one spouse remains in a benefits-earning position, they will have the option of continuing full coverage by contacting People First within 31 days to convert the policy to a family plan (or individual plan, if applicable). To contact the People First Service Center, please call toll free 1-866-663-4735. For health coverage and premium information, please visit <http://www.hr.ucf.edu/web/benefits/Health%20Insurance%20website%20info.shtml> Please note that a change in employment status does not permit you to switch insurance companies (i.e., HMO to PPO).

Also see the answer to the preceding question, particularly if both spouses are laid off.

- ***If I am laid off, what happens to my supplemental insurance plans?***

Since employees pay 1 month in advance for insurance, most supplemental plans will terminate the last day of the month following the month of termination (e.g., for a termination date of March 12th, the insurance ends April 30th). Employees who elected dental coverage may continue through COBRA for up to 18 months. To elect COBRA, please contact the People First Service Center toll free at 1-866-663-4735.

Other plans such as life, vision, hospitalization, cancer/ intensive care and accident disability may continue their policies under a personal plan. To inquire about a personal plan, please contact the insurance company directly (e.g., to continue supplemental cancer coverage, contact AFLAC directly to inquire about a personal policy). Employees enrolled in Long-Term Disability through The Gabor Agency will not be able to continue their plan outside of UCF employment.

Employees who have elected Flexible Spending Accounts (FSA) and/or Health Savings Accounts (HSA) will have access to their accounts and may receive monies after their termination date. Employees with Flexible Spending Accounts may be reimbursed for services rendered on or before the termination date. To receive monies, please complete the FSA Claim Form, http://www.hr.ucf.edu/web/forms/benefits/FSA_CLAIM_FORM.pdf, and submit to People First for processing. Employees have until April 15th of the following year of the termination date to submit claim forms for reimbursement. For questions regarding the Flexible Spending Account, please contact the People First Service Center toll free at 1-866-663-4735.

Employees with Health Savings Accounts may continue paying claims for services rendered until they deplete their balance. For questions regarding Health Savings Accounts, please contact the HSA Service Line toll free at 1-877-367-4472.

- ***If I am laid off and eligible to retire, what happens to my health insurance?***

If you are eligible to retire, you may continue your health insurance benefit as a retiree. Regardless of your retirement plan, you are eligible to remain with the same health provider. Please contact the UCF Benefits Section at 407-823-2771 to schedule an appointment regarding retirement options.

- ***If I am laid off and fully vested, what happens to my retirement?***

If you are in the **Florida Retirement System (FRS) Pension Plan or FRS Investment plan and are vested, you may be eligible to retire.** For more information regarding vesting requirements or retiring under the FRS, please contact the UCF Benefits Section at 407-823-2771 to schedule an appointment.

If you are in the **Optional Retirement Program (ORP)**, you are vested immediately. Employees may retire at age 59 ½ without a tax penalty. There are certain circumstances in which an employee may retire at age 55 without a tax penalty. Contact your ORP provider and/or tax advisor for more information.

- ***What happens if I am laid off and not vested in my retirement plan?***

If you are in the **Optional Retirement Program (ORP)**, vesting is immediate and therefore monies in the account belong to you.

If your initial hire date is prior to July 1, 2011, and you are in the **Florida Retirement System (FRS) Pension Plan**, there is a 6-year vesting period. If you have less than 6 years in the plan, you retain ownership of that service credit, but do not qualify for a future benefit until such time that you accrue a total of 6 years of creditable service (which do not have to be consecutive or with the same employer). *For a list of participating FRS Agencies, please visit <https://www.rol.frs.state.fl.us/forms/part-emp.pdf>.*

If your initial hire date is July 1, 2011 or later, and you are in the **Florida Retirement System (FRS) Pension Plan**, there is a 8-year vesting period. If you have less than 8 years in the plan, you retain ownership of that service credit, but do not qualify for a future benefit until such time that you accrue a total of 8 years of creditable service (which do not have to be consecutive or with the same employer). For a list of participating FRS Agencies, please visit <https://www.rol.frs.state.fl.us/forms/part-emp.pdf>.

If you are in the **FRS Investment Plan**, there is a 1-year vesting period. If you have less than 1 year in the plan, you must be re-employed with an FRS participating agency (in a benefits-earning position) within 5 years in order to retain ownership of your account. If you are not employed with a participating agency within 5 years, you will forfeit your unvested account balance.

- ***Am I guaranteed employment if I am enrolled in the Deferred Retirement Option Program (DROP)?***

No. Your employment status is not changed by your DROP participation. You may quit your job or your employer may lay you off or terminate you in the same manner as before your participation in DROP began. *To view the current FRS DROP Brochure, dated September 2006, please visit <http://www.myfrs.com/pdf/forms/dropbrch0906.pdf>.*

- ***If I am in DROP and I am laid off, what happens to my retirement?***

If you are in DROP, and do not find employment by the end of the month following your layoff date in a benefits-earning position at UCF or another agency participating in the Florida Retirement System, you will be considered retired, and must start to draw your retirement benefit. Employees must contact the UCF Benefits Section to complete additional paperwork.

With regards to your DROP lump-sum payout, you would be entitled to receive the accrued amount (including interest and cost of living increases, if applicable) up to the time of termination.

- ***If I am in DROP and I am laid off, what happens to my health insurance?***

If you are in DROP, you are considered retired, and can therefore continue your health insurance.

- ***If I am laid off, what happens to my voluntary retirement account(s)?***

You have several options; you may leave the money where it is, transfer funds to another provider or withdraw the money (less taxes, if applicable). Employees who wish to withdraw or transfer funds must contact their investment provider directly. Be advised that under certain circumstances, a tax penalty may be incurred.

- ***If I am in the 401(a) FICA Alternative Plan or previously participated in this plan and am laid off, how do I access my money?***

Employees who have participated in the FICA Alternative Plan are eligible to access their money once they terminate from the University. Employees participating in the plan from August 2005 – March 2007 have funds with AIG Retirement and employees participating from April 2007 – present have funds with TIAA-CREF. Please contact these companies directly to obtain the proper forms for accessing your money:

- AIG Retirement, toll free 1-800-448-2542
- TIAA CREF, toll free 1-800-842-2776

Note: UCF Benefits Section is required to certify your forms before the company can complete the withdrawal or deferral process.

- ***What other services are available to me if I am laid off?***

The UCF Employee Assistance Program (EAP) administered by Horizon Health is available to assist employees (and their dependents) affected by a layoff. This service is available up to 90 days after the termination date. EAP assistance is completely confidential and can be utilized via phone or face-to-face meeting. EAP resources include, but are not limited to Personal Balance, Emotional Wellness, Stress Management, Marital/relationship issues, Grief Issues, Alcohol and drug issues and financial and legal concerns. To contact an EAP representative, please call 407-788-8822 or toll free 1-800-272-7252. Employees may also view EAP services online at <http://www.horizoncarelink.com> (user ID and password is UCF).

PAYROLL SERVICES

Payroll Resources for Employees:

- **UCF Payroll Services Section**
 - 407-823-2771 or payroll@ucf.edu
- ***Do I receive payments for unused annual leave, sick leave and compensatory time?***

Employees with regular status are eligible to receive payments for unused annual leave up to the maximum limits established by policy. Remaining leave balances are paid out in a lump sum less withholding tax calculated on current rate of pay. The maximum hours payable are contingent upon your classification.

Any employee (except OPS) with 10+ years of service is also eligible to receive a sick leave payment. The employee will be paid a number of hours equal to one quarter of their post 1973 sick leave balance (not to exceed 480 hours) plus one eighth of their pre-1973 sick leave balances.

- ***When would I receive payment of unused annual leave, sick leave and compensatory time?***

Employees who are eligible for unused leave payout will receive payments via direct deposit approximately two pay cycles following the effective date of separation.

▪ ***If I return to work for the University, will I accrue the same bi-weekly leave accrual rate?***

Employees who return to the same or a similar position within the recall period will resume their previous bi-weekly leave accrual rate.

▪ ***What will happen if I am in H1B immigration status and I am laid off?***

In accordance with current immigration law, you will have to depart the United States. Your hiring department will be responsible for the reasonable costs associated with return transportation to your last place of residence abroad.

▪ ***What will happen if I am in F-1 or J-1 immigration status and I am laid off?***

You will need to contact your immigration advisor at the International Services Center at 407-823-2337. You may have to leave the country if you do not have enough financial support to stay in the United States without your job at UCF.

RECRUITMENT

Recruitment Resources for Employees:

- **UCF Recruitment Section**
 - 407-823-2771 or employment@ucf.edu
 - <https://www.jobswithucf.com>

▪ ***If I am laid off, will I be able to get assistance with finding other employment opportunities?***

The Recruitment Section in Human Resources will provide assistance to you in identifying job resources within the university and other sources of employment opportunities outside of UCF. Recruitment staff are available to work with you to update applications, work with the online system, provide feedback on revising application/resume, etc.

▪ ***Where can I find employment opportunities with UCF?***

Visit <https://www.jobswithucf.com>. Vacancies for Staff, A&P, and Faculty positions are posted on our Online Employment System and updated every Friday.

Laid-off former employees may have recall rights to positions that become available in the university. It is important to check the UCF job postings regularly to identify and apply for any positions that are the same as or similar to your previous position.

▪ ***If I am laid off, will I receive preference from UCF hiring managers?***

When you apply for a position at UCF, hiring managers will be notified that you may have recall rights. In-unit faculty or A&P have recall rights if they apply for the same or a similar position that becomes available during their recall period. USPS and non-unit A&P employees with recall rights who apply for a same or similar position, and who meet the specific qualifications and relevant experience, will be given preference for hiring. However, preference

does not guarantee a job at the same level or the same salary. Recall rights continue during the recall period, unless you accept or reject an offer for a comparable position.

▪ ***What other employment assistance is available?***

Workforce Central Florida provides assistance in job search, including job referrals, counseling, and other support services such as filing unemployment claims, preparing resumes, preparing for job interviews, getting help in coping with the stress of job loss, learning about community resources, etc.

The main Workforce Central Florida office is located at 4360 East Colonial Drive, Orlando, FL 32803. Their phone number is 407-531-1227 Ext. 4400. Their office hours are Monday through Thursday from 8:00 a.m. to 6:00 p.m. and Friday from 8:00 a.m. to 5:00 p.m. To find other locations, please visit <http://www.workforcecentralflorida.com/about-us/locations-hours-operations.stml>.

UNEMPLOYMENT COMPENSATION

Unemployment Compensation Resources for Employees:

- **Workforce Central Florida (Unemployment Office)**
 - **407-531-1227 Ext. 4400**

▪ ***If I am laid off, am I eligible for unemployment compensation benefits?***

Yes. An employee who is laid off is eligible for unemployment compensation.

▪ **How do I file a Florida claim for unemployment compensation benefits?**

A claim for unemployment compensation benefits can be filed via the Internet, 7 days a week and 24 hours a day, at http://www.floridajobs.org/unemployment/uc_emp_claims. A claim may also be filed by phone by calling toll free 1-800-204-2418. The phone center is open to process claims Monday through Friday, 8:00am to 5:00pm. You may also file by mail. Claim booklets containing the forms required to file your claim are also available at the Workforce Central Florida office (Agency for Workforce Innovation) throughout Florida. They will also help with filing and claims questions, and computers are available at their offices for filing claims. Their contact information is above under "What other employment assistance is available?"

▪ ***When do I start receiving unemployment compensation benefits?***

Florida law requires that you serve one waiting week during which no unemployment compensation benefits are paid. This waiting week is the first week that an individual files a claim and meets all eligibility requirements. An eligible claimant generally receives his or her first check three to four weeks after filing the initial claim and meeting all eligibility requirements.

▪ ***How much money will I receive each week while receiving unemployment compensation?***

The unemployment compensation for an eligible individual will be between \$32 and \$275 per week, based on previous earnings. An individual's work history determines the duration of the

benefit eligibility. The maximum duration that benefits may be paid is 46 full weeks (including a 20-week extension recently granted by the federal government).

- ***I have questions concerning my unemployment claim. Who can answer these questions for me?***

Please call the Claims Assistance Center toll free at 1-800-204-2418.

- ***When can I file an unemployment compensation claim?***

An individual can file for unemployment compensation benefits after their last day of employment.

- ***Can I volunteer for layoff and still be eligible for unemployment?***

You may volunteer for a layoff, in order to replace another position's layoff. If UCF agrees that it accomplishes the equivalent goal and is in the best interests of UCF, you would be eligible to apply for unemployment benefits.

EMPLOYEE RELATIONS

Employee Relations Resources for Employees:

- **UCF Employee Relations Section** 407-823-2771

- ***If I am laid off, do I have appeal or grievance rights?***

In-unit employees may grieve a violation of the applicable collective bargaining agreement. USPS and non-unit faculty and A&P employees may appeal the layoff if the university's layoff procedure was not properly followed.

- ***Does an employee have "bumping rights" if the employee is laid off?***

No. However, employees may be reassigned within a layoff unit in order to make the best use of employee qualifications and strengths.

OTHER INFORMATION

- **Employee Exit Checklist**

<http://www.hr.ucf.edu/web/forms/records/EmployeeExitChecklist.pdf>

Statements made above in the "Layoff FAQs for Employees" are intended as a general guide to layoff benefits which are subject to modification as a result of changes to laws, regulations and rules related to these programs or services. The descriptions and statements are not intended to include every program detail for programs such as FRS, COBRA, Unemployment Compensation and other benefits and services mentioned in the document. Complete details can be found by following the links provided and contacting the resources identified in the Q & A document. In case of any conflict between this general guide and existing statutes, regulations and rules, the provisions of the statutes, regulations and rules will supercede.