

Layoff Information for State Classified Employees

Revised: July 14, 2015



Overview

LAYOFF INFORMATION FOR STATE CLASSIFIED EMPLOYEES

- Employees facing potential layoffs confront several questions that may have never been considered. This PowerPoint presentation consolidates resources about common questions for employees who have been, or are about to be laid off.
- The PowerPoint provides a basic overview of issues that employees may face and provides links to resources that can be accessed to assist with various subjects. Links to websites are underlined throughout this presentation.
- Questions regarding this presentation should be addressed to the Department of State Civil Service, Employee Relations Division at 225-342-8274.

Table of Contents

- ❖ **Layoff & Department Preferred Re-Employment Information**
- ❖ **Unemployment Compensation Benefits**
- ❖ **Worker's Compensation**
- ❖ **Finding a New Job**
- ❖ **Insurance & Benefits**
- ❖ **Retirement & Deferred Compensation Information**
- ❖ **Leave Time Issues**
- ❖ **Contact Numbers**

Louisiana

SCS

State Civil Service

Layoff & Department Preferred Re-Employment



Layoff & Department Preferred Re-Employment Information

Information on layoff and department preferred re-employment can be found in **Chapter 17** of the Civil Service rules:

- Chapter 17 (Layoffs)
- Section 1 (General 17.1-17.4)
- Section 2 (Layoff Avoidance Measures 17.5-17.10)
- Section 3 (Agency Layoff Plans 17.11-17.21)
- Section 4 (Applicant Pools and Recall Lists 17.22-17.26)

Your HR office can provide additional guidance on how layoff and department preferred re-employment will occur at your agency.

Unemployment Compensation Benefits



Louisiana Workforce Commission

Three steps to file for unemployment

Step #1 - File a Claim

File your claim online at LAWorks.net or by calling 866-783-5567.

Step #2 - Register for Work

After the claim is filed, you must register for work at a Business and Career Solutions Center.

Step #3 - File Weekly Claims Online or by Telephone to Receive Benefits

To receive your benefits you must file weekly claims online at the LAWorks.net website or by telephone through the Easy Call System at 866-783-5567.

If you have questions regarding eligibility, please contact your Human Resources office or the Louisiana Workforce Commission.

Worker's Compensation



Worker's Compensation

- ❖ If you are currently receiving worker's compensation and are laid off, you will continue to earn workers' compensation benefits provided that a physician still certifies that you are medically unable to perform your duties.
- ❖ There are no exemptions to a layoff if you are receiving workers' compensation. This is because the Office of Employment Security may determine that the employee is eligible for other types of work.

Finding a New Job



Looking for a New Job

Within State Government

Be sure that you have an account in the LA Careers system.

- ❖ Go to the website www.jobs.la.gov
- ❖ Go to Finding a Job, then Current Job Opportunities.
- ❖ Select Applicant Login in the top right corner.
- ❖ Create a Username and Password.
- ❖ Under your username in the top right corner, select Profile.
- ❖ Complete your profile with your current, up-to-date information.
- ❖ Remember to include all work experience and education.

Ensure all of your information is updated in the system.

Louisiana

SCS

State Civil Service

Looking for a New Job

Within State Government

Search for positions that are announced on the website:

- ❖ Go to www.jobs.la.gov
- ❖ Go to Finding a Job, then Current Job Opportunities.
- ❖ Fill in the search fields (i.e. location, categories, etc.) that meet your requirements and then Apply Search.
- ❖ You may also opt to have an email sent to you when jobs are posted that meet some of your requirements:
 - From the Current Job Opportunities page, select Job Notifications from the menu on the right.
 - Fill in the required information. When jobs are posted that meet those requirements, you will be sent an email.

Louisiana

SCS

State Civil Service

Looking for a New Job

Within State Government

Apply for positions in which you are interested:

- ❖ Read the posting **carefully**. If the job interests you, select Apply on the right side of the posting.
- ❖ You will then be asked for your Username and Password. All of the information on your profile will then be applied towards this application.
- ❖ Please read **carefully**; you may have to answer additional questions that are not asked on the profile. Remember to answer any Supplemental Questions.

Louisiana

SCS

State Civil Service

Looking for a New Job:

Within State Government

Apply for positions in which you are interested:

- ❖ Check the status of your applications:
- ❖ Go to www.jobs.la.gov
- ❖ Go to Finding a Job, then Current Job Opportunities.
- ❖ Select Applicant Login in the top right corner.
- ❖ Enter your Username and Password.
- ❖ Your Application Status is displayed to the right of each posting to which you've applied.

Looking for a New Job:

Outside of State Government

❖ [LAWorks.net](https://www.laworks.net)

The Louisiana Workforce Commission's website is a one-stop resource for all your job search needs. Thousands of jobs in Louisiana are included, so click the state worker-specific icon, log on, post your résumé, and use our online tools to further your career.

❖ **Business & Career Solutions Centers**

These centers are located throughout Louisiana and serve as a local resource for job search assistance. Among personalized services available are résumé preparation, career exploration, skills assessment, and training. All services are offered at no charge.

Looking for a New Job:

Outside of State Government

Below is a partial listing of job search websites that will connect you to opportunities within the Federal Government and private sector:

- ❖ www.usajobs.gov
- ❖ www.monster.com
- ❖ www.careerbuilder.com
- ❖ www.dice.com
- ❖ www.hotjobs.com

Insurance & Benefits



Insurance and Benefits

Frequently Asked Questions
of the Office of Group Benefits (OGB) of Laid Off Employees

Q. How long will I have OGB Health/Life coverage following termination of employment?

A. Coverage as an employee will terminate on the last day of the month in which employment terminates. EX: Employment terminates 2/22/10—coverage will terminate 2/28/10 at midnight.

Q. What is COBRA?

A. COBRA coverage is a continuation of Plan coverage when coverage would otherwise end because of a “qualifying event.”

Q. Who is entitled to COBRA?

A. If you are an employee, you will be entitled to elect COBRA coverage if you lose your group health coverage under the Plan because either one of the following qualifying events happens:

- ❖ Your hours of employment are reduced, or
- ❖ Your employment ends for any reason other than gross misconduct.
- ❖ Your dependents may also be eligible for COBRA coverage.

Louisiana

SCS

State Civil Service

Insurance and Benefits

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

Q. When is COBRA available?

A. When the qualifying event is the end of employment or reduction in hours of employment, the Plan will offer COBRA coverage to qualified beneficiaries only after the Office of Group Benefits has been timely notified that a qualifying event has occurred. The participant employer must notify the Office of Group Benefits of the qualifying event within 30 days following the date coverage ends. Once the Office of Group Benefits receives timely notice of the qualified event, each qualified beneficiary will have an independent right to elect COBRA coverage. Any qualified beneficiary for whom COBRA coverage is not elected within the 60-day election period **WILL LOSE HIS OR HER RIGHT TO ELECT COBRA COVERAGE.**

Q. How long does COBRA coverage last?

A. When the qualifying event is the end of employment or reduction of the employee's hours, COBRA coverage generally can last for only up to a total of 18 mos. There are some specific circumstances when the coverage may extend beyond 18 mos.

Louisiana

SCS

State Civil Service

Insurance and Benefits

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

Q. What is the premium for COBRA coverage?

A. The normal COBRA premium is 102% of the total premium for the plan and class of coverage you choose.

Q. What is the COBRA subsidy?

A. The American Recovery and Reinvestment Act of 2009 established an employer-provided subsidy for employees who lost their jobs involuntarily. Under this Act, Assistance Eligible Individuals would qualify for a 65% premium subsidy paid by their employer. This was extended under the Department of Defense Appropriations Act of 2010.

Louisiana

SCS

State Civil Service

Insurance and Benefits

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

Q. Who are Assistance Eligible Individuals?

- A. An assistance-eligible individual can be any COBRA qualified beneficiary associated with the related covered employee, such as a dependent child of an employee, who is covered immediately prior to the qualifying event.
- ❖ The qualifying event for purposes of eligibility for the subsidy is involuntary termination of the covered employee's employment that occurs during the period beginning Sept. 1, 2008, and ending 02/28/10.
 - ❖ The individual must also be eligible for COBRA coverage, or similar state coverage, during this period. Unless Congress extends the COBRA subsidy, only those employees involuntarily terminated before 2/28/10 will be eligible to receive assistance.

Louisiana

SCS

State Civil Service

Insurance and Benefits

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

Q. How long does the subsidy last?

A. Under the ARRA of 2009, the subsidy was for 9 months. Under the DOD Act of 2010, it was extended to 15 months. The COBRA subsidy does not change the eligibility or length of continued coverage allowed under regular COBRA.

Q. Can I “freeze” my retirement and have the insurance as a retiree when I become eligible for retirement benefits?

A. To be eligible as a retiree, you must meet the definition of a retiree as defined in our Plan Document. Contact the Office of Group Benefits with any questions regarding your retiree status as defined in the Plan Document.

Louisiana

SCS

State Civil Service

Insurance and Benefits

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

- Q. How does this affect my “participation” with OGB if I return to work with another agency that offers OGB coverage?**
- A. Any time you have coverage with one of OGB’s plans as an active employee counts toward participation for the purpose of calculating the employer’s portion of premiums for retirees.
- Q. Can my spouse, who has insurance with OGB through his /her employment, add me to their plan?**
- A. Yes, they need to be sure there is no lapse in coverage in order to avoid any pre-existing condition limitations.

Louisiana

SCS

State Civil Service

Insurance and Benefits:

Prudential Life Insurance

Frequently Asked Questions of the Office of Group Benefits (OGB) of Laid Off Employees:

Q. What happens to my life insurance?

A. The Prudential Term Life coverage you have through Office of Group Benefits will terminate on the last day of the month in which employment is terminated.

Q. Is there any cash value?

A. No, Term Life Insurance does not build any cash value.

Q. Can I keep the life coverage on an individual basis?

A. If you have been actively employed prior to leaving your employer, and you are not retiring or disabled, you may apply for Group Term Life Insurance coverage under Prudential's portability option. This option may be available to you and your covered dependents (if you continue coverage). Portable coverage terminates according to the terms of the group portability contract; however coverage will not be continued beyond age 80. Portability rates are based on the employee's age.

Applications and rates are available on OGB's website.

Louisiana

SCS

State Civil Service

Insurance and Benefits:

Flexible Spending Accounts (FSAs)

Flexible Benefits Participants Options in the Event of a Layoff:

Q. In a layoff situation, what happens to an employee participating in a Dependent Care Flexible Spending Arrangement (Account)?

A. The employee's participation in a Dependent Care FSA ends on the termination date.

Agencies are asked to fax a termination notice containing the employee's name, employee's social security number, and termination date to DataPath Administrative Services, Attention: Ben Robbins, fax number 1-888-472-6777.

The employee being laid off can not receive reimbursement for qualifying employment-related expenses incurred after their termination date. However, the employee can claim reimbursement for qualifying employment-related expenses incurred during the Flex Plan Year prior to the termination date. After reimbursement of all qualifying employment-related expenses for dependent care incurred prior to the termination date, any balance remaining in the Dependent Care Flexible Spending Arrangement Account is forfeited by the employee.

Louisiana

SCS

State Civil Service

Insurance and Benefits:

Flexible Spending Accounts (FSAs)

Health Care FSA COBRA Continuation:

- ❖ Health Care FSA COBRA continuation requires the employee to have a positive Health Care FSA Account balance at the time of termination. The employee is responsible for 102 percent of the monthly Health Care FSA Account premium plus the monthly administrative fee. The employee must pay monthly Health Care FSA COBRA premiums directly to OGB.
- ❖ Health Care FSA COBRA participation is available only for the flexible benefits plan year in which the layoff occurs. Health Care FSA COBRA participation ceases at the end of the grace period for that plan year and cannot be continued for the next plan year.
- ❖ After reimbursements have been made for all qualifying medical care expenses incurred during the plan year and the grace period for that plan year, any balance remaining in the Health Care FSA is forfeited by the employee.

Louisiana

SCS

State Civil Service

Retirement Information & Deferred Compensation: LASERS

The following options are for employees with Louisiana State Employees' Retirement System (LASERS). Please contact LASERS to determine which option is best for you.

Retirement Eligibility (*Regular Plan Members):

Hired before 7/1/06: Accrual rate 2.5%, Contribution rate is 7.5%, 36 months Final Average Compensation (FAC)

- 10 years at age 60
- 25 years at age 55
- 30 years at any age
- 20 years at any age, actuarially reduced benefit

Hired on or after 7/1/06 (Act 992 of the 2010 Regular Legislative Session): Accrual rate 2.5%, Contribution rate is 8.0%, 60 months FAC 5 years at age 60

Hired on or after 7/1/15 (Act 226 of 2014 Regular Legislative Session): Accrual rate 2.5 %, Contribution rate 8.0%, 50 month FAC 5 years at age 62

It is the member's responsibility to determine eligibility and date of retirement. A member who has obtained the minimum number of years for retirement in their plan, who withdraw from state employment, may apply to receive a monthly benefit upon reaching the minimum age requirement for their plan.

Louisiana

SCS

State Civil Service

Retirement Information & Deferred Compensation: LASERS

Additional Helpful Information from LASERS:

Annual and Sick Leave Credit:

- ❖ Agency will pay a portion of annual leave at current hourly rate of pay
- ❖ Unused, accumulated leave may not be used to meet retirement eligibility
- ❖ Once eligible, member may convert unused/unpaid leave hours to service or receive actuarial lump sum payment
- ❖ Annual and sick leave questions should be directed to Human Resources at your agency

Louisiana

SCS

State Civil Service

Retirement Information & Deferred Compensation: LASERS

Additional Helpful Information from LASERS:

Service Credit:

- ❖ Service credit is earned based on actual earnings divided by the full time base earnings
- ❖ Service credit is earned in tenths of a year and is rounded up to the nearest tenth
- ❖ Contributions are paid on earnings*
 - Hired before 7/1/06: Contribute 7.5%
 - Hired on/after 7/1/06: Contribute 8.0%
- ❖ No service credit is given if contributions are not received
 - Provisions are for regular plan members. Please note that other classes of members may have different eligibility requirements and contribution rates.

Retirement Information & Deferred Compensation: LASERS

Additional Helpful Information from LASERS:

Purchase of Service:

(Additional information on Purchases may be found in the LASERS *Membership Handbook*)

- ❖ Leave without pay (LWOP) may be purchased once the leave has ended
- ❖ Form 2-10, Application for Purchase of Leave and \$150 non-refundable fee
- ❖ LWOP purchase is the greater of the employee and employer contributions and interest or the actuarial amount which totally offsets increased liability to the system
- ❖ Member cannot pay contributions while on LWOP unless it is USERRA military leave without pay. Members employed at colleges or universities can purchase a maximum of 30 days of voluntary or involuntary furlough per fiscal year.

Retirement Information & Deferred Compensation: LASERS

Additional Helpful Information from LASERS:

Refund of Contributions:

- ❖ Inactive members are not required to refund their contributions
- ❖ If member refunds, only the employee contributions are returned less 20% federal tax withholding. Contributions are state tax exempt. Additional tax implications may apply if member refunds contributions and is under age 59 ½. Consult a tax professional for additional information.
- ❖ Member loses all years of service when contributions are refunded
- ❖ If a member refunds and later returns to state service, they will return under Act 226 of the Regular Legislative Session
 - Eligibility: 5 years at age 62
 - Contribution rate: 8%
- ❖ Refunded contributions may be rolled into a qualified IRA or the Louisiana Deferred Compensation Plan
- ❖ Member may repay refund plus interest to restore service credit after re-employed for 18 months

Retirement & Deferred Compensation Information



Retirement Information & Deferred Compensation: Teacher's Retirement System of Louisiana

Frequently Asked Questions for Members that Participate in TRSL:

Membership/Vesting Questions:

Q: What are my options as a member with less than 5 years of TRSL service? Are there retirement options?

A: With less than five years of service, there are no retirement options. However, you have the option of leaving your contributions in TRSL in the event you later return to TRSL-covered employment, or you can refund your employee contributions. Refunded contributions can be rolled over into another tax-qualified plan or be paid directly to you. To request a refund, you will need to complete an Application for Refund (Form 7). Employers cannot certify the refund application until 90 days after termination of employment. Refunds do not include interest or employer contributions.

Retirement Information & Deferred Compensation: Teacher's Retirement System of Louisiana

Frequently Asked Questions for Members that Participate in TRSL:

Membership/Vesting Questions:

Q: What are my options as a member with 5 years or more of TRSL service?

A: With five or more years of service, you can leave your contributions with TRSL and receive a lifetime, monthly retirement benefit upon reaching age 60. If you would like to request a refund of your member contributions, you will need to complete both an Application for Refund (Form 7) and a Request for Refund Rather than Retirement Benefit (Form 7E), which is provided by TRSL. Employers cannot certify the refund application until 90 days after termination of employment. Refunds do not include interest or employer contributions.

Q: Can I continue my membership in TRSL when I get another job?

A: If you are not vested but get a job in another TRSL-eligible position, yes. If you are not vested and get a job that is ineligible for TRSL membership, no. If you are vested, you can retain your membership with TRSL if employed with a state agency that isn't TRSL eligible.

Retirement Information & Deferred Compensation:

Teacher's Retirement System of Louisiana

Frequently Asked [Purchase Questions](#) for Members that Participate in TRSL:

Q: Will TRSL allow me to buy what I need to get to 5 years, 20 years, 25 years, 30 years, etc.?

A: Only certain types of service can be purchased (Refunded, Out-of-State Public School, In-State Private School, Military, LWOP, Substitute Teaching, etc.). "Air time" cannot be purchased.

Q: What about buying time like in a case of disasters to reach eligibility to retire?

A: Service credit can be purchased only for periods of time in which a TRSL member was involuntarily furloughed because of the temporary closure of his or her employer due to a gubernatorial declared disaster or emergency. Strike time is not considered a period of involuntary furlough.

Q: Are there options for purchasing time at a reduced rate if I was within a couple of years from retiring?

A: No

Q: If employment becomes available (within a few years?) can I purchase the laid off time?

A: No

Q: Can I elect to pay contributions during my lay off period, for a specified time period, in hopes to seek other employment that contributes to TRSL?

A: No

Retirement Information & Deferred Compensation:

Teacher's Retirement System of Louisiana

Frequently Asked [Refund Questions](#) for Members that Participate in TRSL:

Q: How do I refund my contributions?

A: To request a refund, please complete and submit an Application for Refund (Form 7). Employers cannot certify the refund application until 90 days after termination of employment. Refunds do not include interest or employer contributions.

Q: How long does it take to process a refund (how long before I get my money)?

A: Once a member has been terminated for at least 90 days and TRSL receives the completed, certified application, the refund will be processed within nine days on average. Refunds are issued on the 5th and 20th of the month. If you have at least five years of service credit you will also need to complete a Request for Refund Rather than Retirement Benefit (Form 7E), which is provided by TRSL.

Q: Will I be able to purchase any refunded time if reemployed by a State agency?

A: If you become employed in a TRSL-eligible position, you may be eligible to purchase any prior refunded time to add back to your service credit. If you become employed in a position that contributes to another Louisiana public retirement system, you may be eligible to purchase any prior TRSL refunded time to transfer to your new retirement system.

Q: If I refund and get another job in the future that contributes to TRSL, can I restore my refunded time?

A: Yes

Retirement Information & Deferred Compensation:

Teacher's Retirement System of Louisiana

Frequently Asked [Retirement Questions](#) for Members that Participate in TRSL:

Q: If I retire, how soon will I get a retirement check?

A: There is a mandatory 30 day waiting period from date of retirement until you receive your first check. DROP members are considered retired; therefore, as long as they participate at least 30 days in DROP, there is no waiting period.

Q: Some members may ask if they would be able to receive a portion of their retirement (a lump sum amount).

A: You cannot withdraw a portion of your contributions. If you refund, it must be the entire amount. If you are eligible to retire, you can take an Initial Lump-Sum Benefit (ILSB), which gives you a one-time, lump sum payment of up to 36 months of the maximum benefit to which you are eligible. You would still receive a monthly benefit at a reduced amount. If you participated in DROP and you have terminated employment and officially retired, you can begin taking withdrawals from your DROP account.

Q: Can you do estimates so that I can show them I need just a half a year to retire with the 2.5% and the difference it will make rather than retiring at 2%?

A: Yes, register for TRSL's Member Access at www.trsl.org, and use the online calculators (preloaded with your retirement information) to get a benefit estimate. You can also request a benefit estimate by submitting to TRSL a Benefit Estimate Request (Form 10).

Retirement Information & Deferred Compensation:

LA Deferred Compensation

Frequently Asked Questions for Members that Participate in Deferred Compensation:

Q. When am I eligible to withdraw funds from my LA. Deferred Compensation Plan?

A. Separation of service (such as layoff), retirement, disability and death.

Q. What are my distribution options?

A. Funds can remain in the plan, partial lump sum, lump sum, periodic payments, lifetime payment, rollovers. ** Loans and Hardship withdrawals are allowed during employment only.**

Q. What about taxes?

A. There is a mandatory 20% withholding for federal taxes at the time of withdrawal. Distributions are taxed at your working/ordinary income tax bracket; therefore you may owe more than the 20% or you may be owed a refund when you file taxes the following year. You can request to have more than the 20% withheld at the time of withdrawal.

Retirement Information & Deferred Compensation:

LA Deferred Compensation

Frequently Asked Questions for Members that Participate in Deferred Compensation:

Q. Is there an age penalty if I want to withdraw some of my funds?

A. No, there are no age restrictions on (457) Deferred Compensation Plans. A participant can be any age and request withdrawal of their funds, but they can no longer be working for the State of Louisiana (or government entity that the Plan covers).

Q. Can I leave my funds in the LA Deferred Compensation Plan even though I am leaving state employment?

A. Yes, your funds may stay invested with LA Deferred Compensation until you turn 70 ½. At age 70 ½ you will be required to take a minimum distribution.

Q. Can I continue to contribute to the LA Deferred Compensation Plan after I leave state employment?

A. No, contributions can only be made while employed by the State of Louisiana (or participating government entity). If you have additional questions, please call LA Deferred Compensation at (225) 926-8082 or (800) 937-7604.

Louisiana

SCS

State Civil Service

Retirement Information & Deferred Compensation:

LA Deferred Compensation

Questions for Members that Participate in Deferred Compensation:

Q. Can I roll my 300 hour payment of annual leave into Deferred Compensation?

A. Yes, this payment can be rolled into your Deferred Compensation account. Please contact LA Deferred Compensation at (225) 926-8082 for the form prior to your leave payout.

Q. Can I roll any of my remaining leave into Deferred Compensation?

A. YES, if you are a retirement eligible employee. Please contact LA Deferred Compensation at (225) 926-8082 for the form prior to your leave payout.

Louisiana

SCS

State Civil Service

Leave Time Issues



Leave Time Issues: Payment and Re-Payment of Leave

- ❖ When an employee is separated from state service, such as a layoff, the employee shall be paid the value of their annual leave up to 300 hours.
- ❖ The annual leave payment will be made using the employee's regular rate of pay. If the employee is on detail to special duty, the payment is calculated using his pay rate in the position he "owns" (not the detail pay rate).
- ❖ You may be required to buy back some of the leave time that was paid to you if you are re-employed in a classified position within a certain time frame after your separation from state service.

Leave Time Issues: Leave Balances

- ❖ Generally, remaining sick and annual leave balances of employees are cancelled by the agency when that employee separates from the state classified service. However, if the employee is re-employed in an unclassified position without a working day break in service, all of the employee's annual and sick leave is usually transferred with them to the new agency.
- ❖ Employees who are rehired into a probationary or permanent position within 5 years of separation will have all annual and sick leave re-credited to them (unless the last separation was by dismissal or resignation to avoid dismissal). If the employee is rehired under any other type of appointment, he is not eligible for re-crediting of leave.

Contact Numbers



Contact Numbers

Louisiana Department of State Civil Service Employee Relations Unit (225) 342-8274

Louisiana State Employees Retirement System (LASERS) (225) 922-0600 or (800) 256-3000

LWC Unemployment Insurance Call Center (866) 783-5567

Louisiana Workforce Commission (225) 342-3111

Louisiana Deferred Compensation (225) 926-8082 or (800) 937-7604

Office of Group Benefits (225) 925-6625 or (800) 272-8451

Teacher's Retirement System of Louisiana (225) 925-6446 or (877) 275-8775