

## **FREQUENTLY ASKED QUESTIONS (FAQs)**

### **CIVIL SERVICE LAYOFFS**

#### **What is a layoff?**

A layoff is a stoppage of work required by management and due to the elimination of the employee's position.

#### **Why are layoffs happening now?**

WIU is undergoing personnel reductions due to demonstrable enrollment reduction. The layoff is considered a permanent reduction.

#### **What rule guides the layoff process for civil service employees?**

The Illinois State Universities Civil Service Act, 110 ILCS 70/ et seq., governs the process.

#### **How much notice will be given?**

Pursuant to law, civil service employees must be given 30-day notice. The WIU Administration has elected to provide 90-day notice to civil service employees who are notified of their position elimination in August 2024.

#### **Can I appeal my layoff or position elimination?**

No. Layoffs and position eliminations may not be appealed.

#### **How is seniority calculated?**

Seniority is the amount of hours worked in a classification. It is accumulated upon completion of the probationary period and dates back to the day of original employment in the classification. There are instances when seniority does not accumulate (e.g., during suspension, layoff exceeding 30 consecutive workdays, etc.).

#### **Can seniority transfer to another state university or place of employment?**

No. Seniority cannot transfer to another university or place of employment.

#### **What opportunities exist for reemployment?**

Individuals may have bumping or retreat rights to a position, depending on the classification, seniority in classification, promotional line and other classifications held. Human Resources will inform employees of available options.

#### **What is bumping?**

Bumping is the right of a more senior status employee to displace a less senior status employee within a classification.

### **How will employees be notified about bumping?**

Civil service employees will be notified of a scheduled appointment to meet with Employment and Benefits specialists from Human Resources to receive pertinent information regarding their rights, options, and benefits impact as a result of the layoff. Employees who have the option to enact their seniority rights to bump a less senior employee will be notified of this and all other options available to them at this meeting.

### **Can an employee bring someone with them to their appointment with Human Resources?**

Yes. An employee can bring their supervisor, partner, colleague, or trusted friend with them to their meeting with Human Resources. They can also bring a union representative.

### **If an employee works on a grant, can they be bumped?**

Yes. Bumping occurs regardless of funding source. However, employees can only be bumped by someone who has more seniority and meets the specialty factors of the position, if applicable.

### **Can a non-negotiated employee bump a negotiated employee?**

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

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

Yes. A part-time employee can bump into a full-time position if the laid off employee has more seniority in the classification.

### **Can an employee be bumped from their position if the position has a defined Specialty Factor?**

Yes, but only by a more senior person who also holds that specialization. Employees in a position with a defined area of specialization cannot be displaced in the layoff process by someone who does not possess the defined area of specialization.

### **What happens to an employee's salary when they bump into a lower classification?**

When a laid off employee enacts their seniority rights and accepts a position in the same classification, the salary of the laid off employee shall be unaffected.

When an employee is bumped to a position with a lesser salary and the employee has previously served in the lower class, the employee's salary reverts to their former salary in the lower class plus any raises (annual, range, merit, etc.) that the employee would have received by remaining in the former class.

When an employee is bumped to a position with a lower salary and the employee has never served in the lower class, the employee's salary reverts to the same numerical step or equivalent, and its dollar value as the employee held in the former range.

**If an employee bumps into a position with the same classification in a different department, can the employee return to their previous department?**

No. Once an employee accepts the position in another department in the same classification, the employee will not be able to return to their previous department.

**If an employee bumps into a position in a lower classification, does the employee get to return to their previous classification?**

It is possible. An employee may be recalled to their previous classification if a position becomes available. An employee will be placed on the reemployment register with their seniority and they will be recalled to that classification in order of seniority.

**Does an employee have to accept a recall?**

An employee has an opportunity to refuse recall to their previous classification up to three times. Once an employee refuses after the third recall, their name is removed from the reemployment register.

**What if an employee chooses not to bump?**

If an employee chooses not to exercise their bumping right, Human Resources will obtain a signed statement from the employee indicating that seniority rights will not be exercised. The statement will become a part of the personnel file. The employee will then be automatically placed on the appropriate reemployment register(s). An employee who chooses not to exercise the right to bump can still be considered for unemployment if they have met all other necessary requirements.

**How many times can an employee refuse an offer of employment after not exercising bumping rights?**

An employee may refuse two additional offers of employment in the classification before being removed from the reemployment or restoral register.

Please note that no available employee shall be on the reemployment register who has greater seniority than an employee working in the same classification or in lower classification 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 an employee be laid off if they are on disability leave?**

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 if able.

**Does an employee continue to accrue seniority from disability when placed in layoff status?**

No. Employees on disability leave will accrue seniority for the first 30 days in a layoff situation. The disability leave is interrupted to prevent unfair accumulation of seniority.

**What does reemployment mean?**

Permanent employees whose positions are afforded layoff rights are eligible for reemployment. Individuals placed on a reemployment 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 reemployment register for the classification from which they were laid off and any classification for which they have seniority.

**Does an employee have to apply to be hired if they are on the reemployment register?**

No. Hiring from a reemployment register is non-competitive. Hiring from this register is based on status and seniority. Individuals hired off a reemployment register are hired without having to go through the formal hiring process.

**Does an employee have to serve another probationary period if hired off the reemployment register?**

No. If hired off the reemployment register, the employee will not have to serve another probationary period.

**How long will an employee's name remain on the reemployment register?**

An employee's name will stay on the reemployment register unless the employee refuses to accept a job three times, in which case the employee will be taken off the register. The employee may also request to be removed at any time.

**How many times can an employee refuse an interview or job offer before being taken off the register?**

An employee can refuse an interview or job offer three times before being taken off the register. But, if an employee refuses to exercise bumping rights, the employee can refuse an interview or job offer two times before being taken off the register.

**BENEFITS**

**How are insurance benefits affected by a layoff?**

Insurance coverage for civil service employees who are laid off on a permanent basis shall be terminated at midnight on the employee's last day of employment.

An employee will be eligible to continue health, dental, and vision coverage including dependent coverage under COBRA. Under COBRA and pursuant to Illinois Department of Central Management Services (CMS) policies, employees have the option to continue coverage for eighteen (18) months by paying both the employer and employee premiums for that coverage plus 2% (102% of the cost of insurance). Learn more at:

<https://cms.illinois.gov/benefits/stateemployee/cobra.html>

Health insurance can also be purchased in the marketplace. Government Health Plans are those created and mandated by the Affordable Care Act. Learn more about Government Plans at: [governmenthealthinsurance.com/](http://governmenthealthinsurance.com/). A layoff constitutes a qualifying event that will entitle an individual to enroll in a marketplace plan outside of the designated enrollment period.

State life insurance coverage ends at midnight on the date of termination of employment. MetLife will mail the employee a form upon termination of employment which may be returned to them to continue the life insurance policy privately. For questions regarding the life insurance policy, please contact MetLife at (800) 880-6394.

### **How are SURS retirement benefits affected by a layoff?**

Employees who are laid off on a permanent basis can elect to have their retirement contributions remain with SURS or elect to receive a lump-sum payout. The lump-sum payout election can only be selected after the employee has been on a permanent layoff for more than 120 days. Payout elections are administered directly by the [SURS office](#).

### **If an employee has had a retirement counseling session with SURS within the past year, will the employee be able to meet with SURS again because of these extenuating circumstances?**

Yes. Employees may schedule another appointment. Employees must contact SURS directly at (800) 275-7877.

### **How long does non-payable sick leave balance count towards additional SURS service credit?**

Non-payable sick leave can be counted for additional SURS service credit for up to 60 days after termination. SURS does not consider an employee to be terminated until 120 days have passed from the effective date of the layoff.

### **If an employee chooses to take a separation refund from SURS for retirement contributions and later returns to work or becomes employed with another SURS employer, can the employee select a new retirement plan?**

No. The plan election is a one-time, irrevocable election. Whatever plan an employee selected when originally employed will be the plan that remains should an employee be employed again within the SURS system.

### **What happens to accrued benefits?**

Vacation Leave

Employees will receive pay for any accrued vacation leave balance as of the date of separation from service.

Employees who are reemployed by the university will not have vacation leave balances restored. However, the service year that establishes rate of accrued leave earning will be determined by adding all previous periods of State service which qualified for earning accrued leave.

Sick Leave

Unused Payable Sick Leave (earned from January 1, 1984–December 31, 1997)

Employees will receive pay for half of the payable sick leave balance as of the date of separation of service. The other half will be considered non-payable sick leave.

Non-Payable Sick Leave

According to the State Universities Civil Service System Merit Board Policy IV.C.4, a former employee who separates in good standing and returns to employment within two years, shall have former accrued Sick Leave restored.

WIU will keep record for two years of non-payable sick leave for all employees who are permanently laid off.

Unused, Unpaid Sick Leave (if retiring)

If an employee elects to retire, the non-payable sick leave will be reported to SURS at that time. Employees will receive additional service credit for any unused and unpaid sick leave earned in accordance with an employer’s generally applicable sick leave policy *if the retirement annuity begins within 60 days* after termination of employment covered by SURS or one of the other systems subject to the Illinois Retirement System Reciprocal Act.

<u>Full Work Days</u>	<u>Additional Service Credit</u>
20-59 Days	¼ Year
60-119 Days	½ Year
120-179 Days	¾ Year
180 or more Days	1 Year

**When are sick, vacation, or compensatory time/overtime pay payouts received?**

Eligible sick, vacation, or compensatory time payouts will be processed in the next payroll cycle following separation.

### **Are laid-off employees eligible for unemployment compensation?**

Yes. Employees who receive notice of permanent layoff may apply for unemployment benefits with the Illinois Department of Employment Security (IDES) at [ides.illinois.gov](http://ides.illinois.gov). Please note that the University does not process applications or have the ability to inform an impacted employee of any actual benefit entitlement. Questions should be directed to IDES at (800) 244-5631.

### **Is employee assistance counseling available?**

Yes. The Employee Assistance Program (EAP) is a confidential service free to all benefits-eligible University employees and their families. The EAP provides professional assistance to individuals experiencing a range of personal and work-related concerns. The EAP offers confidential counseling, legal support, financial information, and personalized resources as part of the coverage. To contact the EAP, call (800) 851-1714 or go to <https://www.guidanceresources.com/groWeb/login/login.xhtml> and use the member Web ID code: StateofIllinois.

### **What happens to the tuition waiver benefit for an employee or their child?**

If the employee taking a class is in active status on the first day of the class, the waiver will continue until the end of the semester.

If the employee has a child enrolled at WIU, the tuition waiver will continue until the end of the semester. Eligibility for the 50% tuition waiver benefit is conditioned upon the parent being employed as of the first day of the academic term (in accordance with the academic calendar where the student is enrolled) for which the tuition waiver benefit would apply. In the event a child loses eligibility through a parent's separation from employment during any given academic term or semester, the benefit shall not be rescinded for the duration of that term or semester. However, no future benefits may be extended until such time as the employee regains eligibility status.

## **CONTACT INFORMATION**

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