

STATE OF MAINE  
DEPARTMENT OF ADMINISTRATION  
Bureau of Human Resources

(12/7/90 ADDENDUM 5-90A  
FOLLOWS)

HUMAN RESOURCES MEMORANDUM 5-90

March 16, 1990

To: Agency/Department Heads, Personnel Officers

Subject: Summary of Layoff and Recall Procedures

I. PURPOSE: The purpose of this Memorandum is to provide policy and procedural guidance in the administration of layoff and recalls, and the use of employment registers which contain employees on layoff status.

II. DEFINITIONS - Categories of State Employees: For the purposes of this memorandum, State employees fall into one of the following categories:

**C/BU** Classified employees who are covered by a collective bargaining agreement and assigned to a bargaining unit.

**U/BU** Unclassified employees who are covered by a collective bargaining agreement and assigned to a bargaining unit.

**C/X** Classified employees who are not covered by a collective bargaining agreement whose position is designated as Confidential.

**U/X** Unclassified employees who are not covered by a collective bargaining agreement whose position is designated as Confidential.

**U/H,O,Y,Z** Unclassified H - employees who are not covered by a collective bargaining agreement whose position is designated as a major policy influencing position in Title 5 MSRS.

Unclassified Q - employees who are not covered by a collective bargaining agreement whose position's salary is set by statute.

Unclassified Y - employees who are not covered by a collective bargaining agreement whose position's salary is set by Financial Order.

Unclassified Z - employees are not covered by a collective bargaining agreement because of other statutory reasons.

III. **CALCULATION OF SENIORITY:** The computation of seniority of employees in the above categories is governed as follows:

1. C/BU and U/BU employees' seniority points are calculated in accordance with applicable collective bargaining agreements.
2. C/X employees' seniority points are calculated in accordance with Personnel Bulletin 12.2 (copy attached).
3. U/X and U-H,O,Y,Z employees serve at the pleasure of the appointing authority and therefore, do **not** accrue seniority points **unless** they have seniority based on having previously served in a C/BU or U/BU position.

IV. **LAYOFF, DISPLACEMENT (BUMPING) AND DEMOTION PROCEDURES:** The following procedures apply when the agency determines that a layoff situation is about to occur for a C/BU, U/BU or C/X employee.

[NOTE: Employees in categories U/X and U/H,O,Y,Z serve at the pleasure of the appointing authority and therefore, do **not** have layoff, displacement (bumping) and demotion rights **unless** they have previously held a position covered by a collective bargaining agreement and that agreement allows return rights to the employee, **or** they specifically have such rights as may be authorized in statute in which case, the following procedures would apply.]

1. The appointing authority identifies the specific positions to be

to be abolished within the organizational unit.

2. The appointing authority then sends a list of these positions to the Bureau of Human Resources requesting lower related class information. (A copy of this list is also sent by the agency to the Bureau of Employee Relations). This request should include:
  - a. The incumbent (or incumbents') name(s).
  - b. Classification title & option of the position(s).
  - c. The agency contact person (Personnel Officer or central Administrative contact).
3. The Bureau of Human Resources prepares a list of lower related classes (by option and program area if appropriate) and reviews this list with the agency contact person.
4. The agency then determines specific displacement (bumping) or demotion options for the affected employee(s) in accordance with the applicable **bargaining contract** in force or **Civil Service Rules** if employees are not covered by contract.
5. The agency determines if the **person** is qualified to perform the duties of a lower related position. (Are there diverse programs requiring substantial training beyond a reasonable orientation period?)

[NOTE: If the Agency determines a person is **not** qualified for a lower related position, this determination will need to be reviewed by the Bureau of Human Resources **before** the employee is notified.]
6. The Agency formally notifies affected employee(s) as appropriate and sends a copy of **all** such correspondence to the Bureau of Human Resources and the Bureau of Employee Relations.
7. The agency submits the FORM PER 14 (Official Notice of Layoff) to the Bureau of Human Resources. (Copy attached).
8. The Bureau of Human Resources notifies affected employee(s) of their recall and related rights.

V: **RECALL AND FILLING OF VACANCIES:** All permanent and probationary employees in categories C/BU, U/BU and C/X who have promotional rights and are in a layoff status are eligible for recall and for consideration in the filling of other vacancies as outlined below:

1. **Filling of Competitive Vacancies:** (Classified positions in categories C/BU & C/X). Whenever a position is to be filled in a competitive classification, a FORM PER 15 (Requisition for Employee) will be submitted to the Bureau of Human Resources by the hiring agency. (Copy attached).
  - a. Layoff (Recall) Class Register - The Bureau of Human Resources will maintain a layoff register by classification, on **all** employees laid off from competitive positions. Recall from these registers will be made in accordance with Bargaining Unit Contract Provisions or Civil Service Rules as applicable.
  - b. Lower Related Class Register - The Bureau of Human Resources will maintain and place employees on layoff on lower related class registers as "**demotion - lower related**". These names are then certified to hiring agencies as **extra** names. Individuals certified in this manner **must** be contacted for interview.
  - c. Other Class Registers - Employees on layoff can apply for **any** other classification (higher or lower) by submitting completed applications marked "**LAYOFF**". Their names will be placed on these registers as **promotional** candidates in all cases. They will be certified based on their score and promotional status for the applicable register.

[NOTE: Employees in category U/X do **not** have recall rights; however, they have promotional rights in the filling of vacancies. Accordingly, these employees may get on lower related registers and apply for other classifications and receive consideration in filling of vacancies as outlined in paragraphs 1 - b & c above.]

2. **Filling of Non-Competitive, Direct Hire Vacancies.** (Unclassified & Classified positions in categories C/BU, U/BU, C/X). The filling

of these types of vacancies are subject to the identical requirements for preference in recall and filling of vacancies as the competitive positions. The agency is responsible for obtaining the names of eligible employees on layoff from the layoff (recall) and lower related registers for appropriate consideration **before** filling **any** vacancy.

- a. Layoff Registers - The Bureau of Human Resources will maintain a layoff register by classification, on **all** employees laid off from non-competitive, direct hire positions. Recall from these registers will be made by seniority in accordance with applicable Bargaining Unit Contract Provisions or Civil Service Rules.
  
- b. Lower Related Class Registers - The Bureau of Human Resources will maintain and will place employees on layoff on lower related registers as "**demotion - lower related**". These names are then certified to hiring agencies as **extra** names. Individuals certified in this manner **must** be contacted for interview.
  
- c. Other Vacancies - Employees on layoff can apply directly to agencies for other non-competitive, direct hire vacancies and they retain promotional rights for three (3) years from date of layoff.

Agencies are responsible for obtaining the names of appropriate referrals **before** filling **any** vacancy by submitting a FORM PER 15 to the Bureau of Human Resources. A FORM PER 17 (Certification of Eligibles) will then be sent to the agency listing any employees with layoff or lower related preferences. (Copy attached). When the position is filled, the FORM PER 17 **must** be returned to this Bureau to serve as verification that layoff and lower related registers were checked **prior** to filling the vacancy.

The Bureau of Human Resources recognizes that this is a new requirement and every effort will be made to process requests for names from layoff registers as quickly as possible.

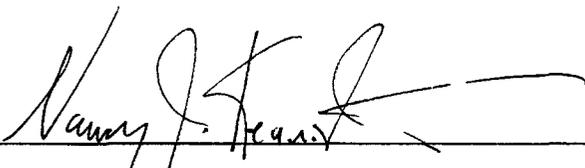
3. **Probationary Provision:** Positions being filled by employees in layoff status (same class, lower related or demotion), will **not** require the employee to serve a probationary period providing that the employee was **not** in probationary status when laid off.

Employees laid off during their probationary period will be credited with time served on probation upon reinstatement from a layoff register. These rules apply regardless of employee category.

VI. **SUMMARY OF LAYOFF, DISPLACEMENT (BUMPING), DEMOTION, RECALL AND FILLING OF VACANCY RIGHTS:**

	CATEGORY OF EMPLOYEES				
	<u>C/BU</u>	<u>U/BU</u>	<u>C/X</u>	<u>U/X</u>	<u>U/H,O,Y,Z</u>
LAYOFF (RECALL - SAME CLASS)	Y	Y	Y	N (1)	N (1)
DISPLACEMENT (BUMPING)	Y	Y	Y	N (1)	N (1)
DEMOTION	Y	Y	Y	N (1)	N (1)
FILLING OF VACANCIES	Y	Y	Y	Y	N (1)

[NOTE: (1) Employees in these categories are **not** eligible for these rights unless they retain any of these rights by having **previously** held a position in a bargaining unit.]

  
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 Nancy J. Kenniston, Director  
 BUREAU OF HUMAN RESOURCES

ATTACHMENTS:

1. Personnel Bulletin 12.2 (This bulletin applies only to  
Classified Confidential positions)
2. FORM PER 14 - Official Notice of Layoff
3. FORM PER 15 - Requisition for Employee
4. FORM PER 17 - Certification of Eligibles
5. Sample BHR form letter to affected employee outlining layoff  
rights & disposition of benefits.

STATE OF MAINE  
BUREAU OF HUMAN RESOURCES

May 12, 1975

**PERSONNEL BULLETIN 12.2**

**TO:** All Agency Heads

**SUBJECT:** Employment, Seniority and Layoff

**REFERENCES:** Title 5, M.R.S.A., Sec. 555  
Personnel Rules 7.1; 8.2; 8.10; 12.3; 12.4; 12.8

- I. GENERAL - The purpose of this bulletin is to clarify terms and procedures governing employment, seniority and layoff in the State's classified service. These procedures will be administered in a manner which is not discriminatory to any employee on account of political or religious opinions or affiliations or because of race or national origin, sex or marital status, or age or physical disability, unless based upon a bona fide occupational qualification.
- II. DEFINITION OF TERMS - For the purposes of this bulletin, the following words and terms shall have the meaning indicated below:
- A. Agency. "Agency" means a department, commission, board or other separate entity not subordinate to another department of the State service, in which all positions are under the same appointing authority.
  - B. Appointing Authority. "Appointing Authority" means an agency head who may delegate certain responsibilities.
  - C. Class of Work. "Class of Work" means the classification in which an individual is employed. Each option within a classification shall be considered as a separate "class of work."
  - D. Seniority. "Seniority" means the length of continuous service in a specific class of work (classification) in a specific agency. In the case of an employee demoted in lieu of layoff, seniority shall be limited to service in the agency and shall consist of the combined total of all prior seniority in the class to which demotion occurs, in all higher classes and in all other classes which the Director of Personnel determines to be sufficiently similar to the class to which demotion occurs. (Refer to Personnel Law and Rules covering "breaks in service," "restoration of seniority," "suspensions," "resignations", etc. for complete provisions regarding determination of seniority).

- E. Organizational Unit. "Organizational Unit" means a plan for the grouping together of positions within an agency on the basis of geographic, functional, budgetary, statutory or other approved lines which must be approved by the Director of Personnel and which best serve the needs of State Government.

### III. PROCEDURE

- A. Proposal of Organizational Units. An appointing authority may propose to the Director of Personnel subdivision of his agency into organizational units for the purpose of employment or layoff. Such units may be proposed upon the basis of geographic, functional, budgetary, statutory or other lines considered to best serve the needs of State Government. Units reflecting geographic boundaries will be considered, provided that geography is not the only basis for the proposal and that they are not unduly restrictive.

In the absence of a specific proposal by an appointing authority for the subdivision of the agency, the agency will be considered as a single unit for the purposes of employment and layoff.

Appointing authorities will be notified of the approval/disapproval of organizational unit plans. Once a plan has been approved, appointing authorities shall post a copy of such a plan or shall distribute copies to affected employees in each unit.

Unit plans may be changed in accordance with Personnel Rule 12.3b.

- B. Employment. Henceforth, all requests for employees shall indicate, in addition to the customary information required on the Requisition for Employees (Pers. Form 15) the Organizational Unit to which the position is assigned. Such information to be recorded in the space provided for COMMENTS until such time as said form is revised. All employees newly-appointed, promoted, transferred, demoted, etc., shall be informed of the organizational unit to which the position is assigned.
- C. Layoff. When, because of abolition of positions, shortage of work or funds, or other reasons outside the employee's control and which do not reflect discredit on the services of an employee, an appointing authority determines that a layoff is necessary, he/she shall determine the positions within each Organizational Unit which are to be abolished. The seniority of each

employee in the Organizational Unit shall be determined as provided by Personnel Law and Rule and shall consider all of the service in a specific class of work (classification) in that agency. The seniority of part-time and seasonal employees with probationary or permanent status shall be computed on the basis of time actually worked.

Before any employees are laid off, the appointing authority shall terminate all persons serving in project and intermittent positions, all provisional, emergency or temporary appointments and all employees who have not completed an initial probationary period in the affected class in the appropriate Organizational Unit.

Thereafter, the employee with the least seniority in the affected class of the Organizational Unit shall be laid off unless he/she accepts a demotion as provided below.

- D. Demotion. An employee whose position is abolished or who is displaced by a more senior employee in the Organizational Unit shall, with his/her consent, be demoted to the next lower classification in that Organizational Unit in which he/she has seniority, provided that positions in such classes of work (classifications) are to be retained.

Employees so demoted will be eligible only for those classes of work (classifications) in which they have previously served in the agency. Seniority in the class of work (classification) to which the employee is demoted shall be determined as previously indicated in this bulletin.

Employees who decline demotion within the Organizational Unit in order to preserve continuity of employment shall be placed upon appropriate eligible layoff registers as provided by Personnel Law and Rules. Such a register shall be maintained for a period of three years from date of layoff. Declination of reinstatement to the classification and location from which laid off shall be cause for removal from such a register.

- E. Reinstatement/Reemployment. Layoff registers will be maintained by the Department of Personnel as well as by the agency/Organizational Unit involved, by classification, on all employees laid off from active service employment. Whenever a position is to be filled, the customary Requisition for Employees (Pers. Form 15) will be submitted. The order of referral from layoff registers shall be:

1. Organizational Unit
2. Agency
3. Statewide

If the position to be filled is a non-competitive one, agencies will submit a Personnel Form 15 in the same manner as for a competitive position. The Department of Personnel will make a determination of appropriateness of referral of employees in layoff status. If no referral is possible, the Appointing Authority will then be authorized to make an appointment in the usual manner for the filling of non-competitive positions.

F. Responsibilities

1. Agencies. It shall be the responsibility of the agencies of government to conduct the research necessary to compute the seniority of each of their employees based upon service in their respective agencies. If it is determined that a reduction in force is necessary, the agency will present to the Department of Personnel for approval, its layoff plan. Approved plans will be forwarded to the Office of State Employee Relations for review. Agencies shall then provide affected employees and the Director of Personnel with the 15-day "Notification of Layoff" required by Personnel Law and Rules.
2. Department of Personnel. The Department of Personnel will monitor the agencies of government to determine that seniority and demotional rights are determined in accordance with Personnel Law and Rules and this bulletin. It will coordinate the implementation of layoff plans with the Office of State Employee Relations.

In the absence of records or in contested matters, the records and determinations of the department or board shall prevail.

3. Office of State Employee Relations. The Office of State Employee Relations will be responsible for informing interested employee representative organizations of impending reductions in force.

- G. Dissemination of Information - It shall be the responsibility of Appointing Authorities to insure that the contents of this bulletin are brought to the attention of all employees within their jurisdiction and to provide interpretation as necessary.

Appointing authorities may direct questions regarding implementation of this bulletin to Gary Mather, Department of Personnel, State Office Building, Augusta, ME 04333, Telephone 289-3761.

NICHOLAS L. CARAGANIS  
Director of Personnel

**STATE OF MAINE**  
**Department of Personnel**  
**Official Notice of Layoff**

Name of Employee		Agency		Unit Division	
Social Security Number		Class Code	Class Title		Option
Seniority Points	Bargaining Unit		Effective Date of Layoff		Home Telephone
Home Address (Address where employee can be reached while on lay-off status)					
Street		City		State	Zip Code
Were Bumping Rights Exercised Yes <input type="checkbox"/> No <input type="checkbox"/>		Class Bumping Into		Unit Div. Bumping Into	
Signature of Employee				Date	
Signature of Appointing Authority				Date	

**WORK LOCATION DESIGNATION**  
 (To be completed by employee)

The geographic locations to the right are to designate where and under what conditions you will accept work. Before completing this section consider where you might like to live (urban or rural); availability of housing suitable to you; costs of relocation (buying or selling a home; obtaining a new apartment); or commuting costs (fuel, wear and tear on a car, etc.) AFTER CONSIDERING THESE THINGS DESIGNATE ALL THE AREAS IN WHICH YOU WOULD TRULY ACCEPT EMPLOYMENT. If your plans or situations change you can always update this information by contacting the Certification Supervisor.

**GEOGRAPHIC LOCATIONS**

**ANYWHERE IN THE STATE:** If you will work anywhere please check all the counties. Conditions of Work must be the same for all counties.

**ANYWHERE IN A SPECIFIC COUNTY:** If you will work anywhere in a specific county check the county. This will include any specific locations listed under that county.

**IN A SPECIFIC LOCATION:** If you wish to work in a specific location check that location only.

**CONDITIONS OF WORK**

**FULL-TIME:** If you designate Full-time we will refer you to vacancies which require 40 hours per week. Specific positions may require shift, weekend, overtime, callout, standby or non-standard duty hours.

**PART-TIME:** If you designate Part-Time we will refer you to vacancies which require less than 40 hours per week. If you wish to be considered for Job Sharing also check this box.

**TEMPORARY:** If you designate Temporary we will refer you to vacancies which normally are of less than 6 months duration. This includes Acting Capacity assignments.

**SEASONAL:** If you designate Seasonal we will refer you to vacancies in Seasonal positions as required by the work...(recreational, agricultural, tax processing, etc.)

**GEOGRAPHIC LOCATIONS**

Counties are in **BOLD** print and the conditions of work areas are shaded.

		Conditions of Work				
		Full Time	Part Time	Temp	Seas	Other
ANDROSCOGGIN	1					
Lewiston	2					
Livermore	3					
<b>AROSTOOK</b>	4					
Caribou	5					
Fort Kent	6					
Houlton	7					
Madawaska	8					
Presque Isle	9					
Van Buren	10					
<b>CUMBERLAND</b>	11					
Portland	12					
Pineland Center	13					
<b>FRANKLIN</b>	14					
Farmington	15					
Rangeley	16					
<b>HANCOCK</b>	17					
Bar Harbor	18					
Bucksport	19					
Ellsworth	20					
<b>KENNEBEC</b>	21					
Augusta	22					
Waterville	23					
<b>KNOX</b>	24					
Rockland	25					
Thomaston	26					
<b>LINCOLN</b>	27					
Boothbay	28					
<b>OXFORD</b>	29					
Norway	30					
Rumford	31					
<b>PENOBSCOT</b>	32					
Bangor	33					
Millinocket	34					
<b>PISCATAQUIS</b>	35					
Greenville	36					
<b>SAGadahoc</b>	37					
Bath	38					
Brunswick	39					
<b>SOMERSET</b>	40					
Skowhegan	41					
<b>WALDO</b>	42					
Belfast	43					
<b>WASHINGTON</b>	44					
Calais	45					
Eastport	46					
Machias	47					
<b>YORK</b>	48					
Biddeford	49					
Kittery	50					
Saco	51					
Sanford	52					

**DEPARTMENT OF PERSONNEL USE ONLY**

Previously Held Classes		Lower Related Classes	
Signature of Records Supervisor		Signature of Job Analysis Supervisor	



# CERTIFICATE OF ELIGIBLES

CERTIFICATION NUMBER \_\_\_\_\_

CERTIFICATION DATE \_\_\_\_\_

CERTIFICATION EXPIRATION DATE \_\_\_\_\_

DEPARTMENT		BUREAU/DIVISION		CLASS TITLE (Option or Worker Interest)			
CLASS CODE	DEPARTMENT NUMBER	JOB NUMBER	TYPE	WORK LOCATION	ORGANIZATION UNIT CODE		
<b>CERTIFICATION METHOD</b> <input type="checkbox"/> 1. AGENCY ONLY <input type="checkbox"/> 2. STATEWIDE ONLY <input type="checkbox"/> 3. AGENCY & STATEWIDE <input type="checkbox"/> 4. STANDARD (Agency, Statewide & Open Competitive) <input type="checkbox"/> 5. OPEN COMPETITIVE <input type="checkbox"/> 6. SELECTIVE <input type="checkbox"/> 7. DEMOTIONS <input type="checkbox"/> 8. TRANSFER <input type="checkbox"/> 9. ACTING CAPACITY <input type="checkbox"/> 10. REEMPLOYMENT <input type="checkbox"/> 11. AGENCY TRAINEE							
<b>SPECIAL INFORMATION</b> <input type="checkbox"/> SHIFT WORK <input type="checkbox"/> DRIVERS LICENSE <input type="checkbox"/> OTHER (Specify)							
NAME/ADDRESS/TELEPHONE/PRESENT DEPARTMENT			CERTIFICATION CODE(S)	ACTION & BRIEF EXPLANATION WITH DATES OF INTERVIEWS AND DATES OF HIRE			INTERVIEWER
PREPARED BY:	DATE	I certify that every attempt was made to contact the eligibles to appear for the interview and that those interviewed have been informed of the results.  _____ DATE			APPROVED BY:	DATE:	



John R. McKernan, Jr.  
Governor

Nancy J. Kenniston  
Director

**DEPARTMENT OF ADMINISTRATION**

**Bureau of Human Resources**  
Telephone (207) 289-3761

DATE

NAME  
ADDRESS

Dear :

We have received notification from the Department of Marine Resources that you have been placed in layoff status or that you have bumped another employee in lieu of layoff. The following is a summary of your rights and responsibilities as a result of your status.

1. You will be placed on the layoff register for your current classification of Marketing Specialist. If you bumped another employee in your class outside of your unit division, you have recall rights to your previous unit division only. If you were actually laid off, or bumped another employee in a lower related class, or a class previously held, you have recall rights to your old classification in any unit division, organizational unit, or other agencies where the vacancy may occur. Recalls are prioritized by seniority points. Your placement on this register is valid for three (3) years. While on layoff status, your seniority continues to accrue.
2. While on layoff, you have limited referral rights to lower related classes and to classes previously held. The following is a list of related classes and classes you previously held:

You can be placed on the above registers as a layoff - lower related without regard to examination, but you must let us know, in writing, which of the above registers you wish to be placed on. Your name will be referred as an additional name and you must be interviewed; however, the agency does not have to hire you as a result of this referral.

3. You can apply for any other competitive job classification, whether the classification is currently open to recruitment or not. Simply fill out and submit the standard state application and mark the application "ON LAYOFF STATUS". Your placement and referral on these other registers will be based on your examination score.

4. You may wish to pursue Direct Hire opportunities. Call this office for information and assistance.
5. You may be eligible to continue your health and dental insurance at group rates. An attached information sheet explains your options regarding these benefits. If you are interested, you must contact the Employee Health Insurance Program office within ten (10) calendar days of this communication:

Employee Health Insurance Program  
Station #114  
Augusta, Maine 04333 Telephone (207) 289-3626  
1-800-422-4503

6. Questions pertaining to retirement and/or State Group Life Insurance should be directed to the Maine State Retirement System, Station #46, Augusta, Maine 04333 or by calling (207) 289-3461.

Your rights, as described above, continue for three (3) years or until forfeited or no longer needed in accordance with applicable collective bargaining agreements. You should keep our office apprised of your current address, status and situation which may affect your rights. Should you have any questions concerning your rights or status, please call the Certification Supervisor, Bureau of Human Resources.

Sincerely,

Nancy J. Kenniston  
Director

NJK/glr

Inclosure  
as stated

## **HEALTH AND DENTAL INSURANCE OPTIONS FOR LAID OFF STATE EMPLOYEES**

The purpose of this summary is to provide you with some important information concerning health and dental insurance benefits and options for continuation of coverage for laid off state employees.

### **DISCONTINUANCE OF EMPLOYER PAID HEALTH/DENTAL BENEFITS**

An employee who is on layoff status becomes ineligible for the state funded health and dental insurance at the end of the period for which health and dental insurance premium was paid and/or deducted from the payroll check.

**EXAMPLE 1:** An employee's layoff date is March 2, 1990. The employee will receive a final check for two weeks' work on March 14th. Since health and dental premiums were paid on the March 14th check, benefits are paid through March 15th.

**EXAMPLE 2:** An employee's layoff date is March 9, 1990. The employee will receive a check for two weeks' work on March 14th and a final check for one week's work on March 28th. Since health and dental premiums were paid on the March 28th check, benefits are paid through March 31, 1990.

### **OPTIONS FOR CONTINUED HEALTH/DENTAL BENEFITS**

An employee who is laid off has several options to consider when deciding to continue health and/or dental insurance.

1. The individual may elect to continue health and/or dental insurance for a period of 18 months at a cost to the individual of 102% of the group health/dental insurance premium. This provision is made as a result of COBRA (Consolidated Omnibus Budget Reconciliation Act).
2. The individual may elect to continue health and/or dental insurance for a period of 12 months at a cost to the individual of 100% of the group health/dental insurance premium, provided that the individual is unemployed. COBRA rights must be waived with the selections of this option. This provision is made as a result of certain bargaining agreements (see your bargaining unit's agreement).
3. If applicable, the individual's working spouse may be entitled to a health/dental insurance program through his/her employer. The individual being laid off by the State should inquire through the spouse's employer whether the individual may be eligible to make application, as a dependent, to the spouse's plan.
4. The individual should review other coverages available to other family members. In some cases, the laid off individual may want to delete coverage for family members who have other coverage available.
5. The individual may wish to seek non-group health insurance coverage through the Blue Cross/Blue Shield organization, a commercial insurance company or insurance agent. In some cases, coverage may meet very basic needs and cost less.

## RECALL FROM LAYOFF OR REHIRE

When an individual is recalled from layoff or rehired, the individual is treated as a newly hired employee. Coverage begins on the first of the month following the completion of one month of employment.

**EXAMPLE 1:** An employee is recalled from layoff or rehired on December 1, 1990. Coverage will begin on January 1, 1991. Premiums will be paid or deducted from the first check in January.

**EXAMPLE 2:** An employee is recalled from layoff or rehired on December 3, 1990. Coverage will begin on February 1, 1991. Premium will be paid or deducted from the first check in February.

## RETIREMENT

Retiring employees may continue their health insurance under the Maine State Retirement System (MSRS) as long as coverage has been in effect for at least one year as an active employee prior to application for retirement benefits.

Before an individual retires, he/she should contact the MSRS and follow the necessary steps to have group health insurance transferred to the retirees' group. This is **not** done automatically.

The MSRS will advise the individual to complete a form which will transfer coverage from the active group to the MSRS. This form will be included with other retirement papers provided by the MSRS.

## QUESTIONS

Any individual having questions concerning the continuation of coverage options, should contact the Maine State Employees Health Insurance Program at 289-6780 (all 7 digits **must** be dialed) or toll free, at 1-800-422-4503.

2/8/90

DEPARTMENT OF ADMINISTRATION

Bureau of Human Resources

December 7, 1990

**HUMAN RESOURCES MEMORANDUM 5-90A**

**TO:** Agency/Department Heads/Personnel Officers

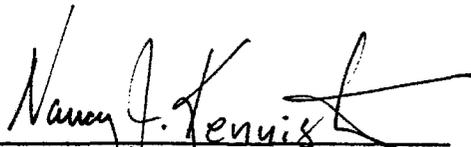
**SUBJECT:** Summary of Layoff and Recall Procedures

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- I. **Purpose:** The purpose of this memorandum is to amend Section IV, Paragraph 4 of Human Resources Memorandum 5-90. The entire paragraph has been reproduced in this memorandum, with the additional information underlined for clarity. Please note the change and file this memorandum with Human Resources Memorandum 5-90, dated 3/16/90.

**Section IV, Paragraph 4**

4. The agency then determines specific displacement (bumping) or demotion options for the affected employee(s) in accordance with the applicable bargaining contract in force or Civil Service Rules if the employee(s) are not covered by contract. NOTE: CIVIL SERVICE RULES PROHIBIT THE LAYOFF OF ANY PROBATIONARY OR PERMANENT EMPLOYEE WHILE ANY TEMPORARY EMPLOYEE IS CONTINUED IN A POSITION IN THE SAME CLASS IN THE SAME AGENCY OR OTHER ORGANIZATIONAL UNIT INVOLVED.

  
Nancy J. Kenniston, Director  
BUREAU OF HUMAN RESOURCES

MAY BE REPRODUCED LOCALLY TO MEET DISTRIBUTION NEEDS