

FREQUENTLY ASKED QUESTIONS ABOUT “HARDSHIP” REDUCTION IN FORCE (RIF) FOR A REASSIGNED DUTY STATION

Please be advised this document is intended to provide general information about the hardship reduction in force (RIF) provisions of the collective bargaining agreement relating to certain reassignments of an employee's duty station. This is an overview and individual situations may vary. It is important to read the contract language and contact your department's Human Resources Administrator if you have specific questions. The contractual provisions – not this summary – ultimately apply.

What is a hardship Reduction in Force (RIF)?

A hardship RIF may occur when an employee is prevented from accepting an involuntary reassignment to a new duty station because of a personal or family hardship(s). If approved, the employee is laid off and entitled to RIF reemployment rights as specified in the collective bargaining agreement.

Who can request a “hardship RIF”?

You may request a “hardship RIF” if you:

- Are a permanent or limited status classified employee; and
- Have been officially reassigned to a duty station that is more than 15 road miles from your current one; and
- Can demonstrate a personal or family hardship(s) that prevents you from accepting the reassignment.

Note: if your new duty station is more than 35 miles away from your current one, you may qualify for RIF rights under different provisions in the contract (Geographic RIF). If your reassigned duty station is less than 15 miles from your current one, the “hardship RIF” provisions are not applicable.

Who will review/approve my request?

Your request will be subject to review and approval by your Department Head and the Commissioner of Human Resources.

If my request is approved, what happens?

1. You will be laid off and separated from your job effective at the close of business on the last day you're assigned to work at your current duty station, or effective at the close of business on the day your request is approved, whichever is later.
2. Your mandatory RIF reemployment rights would begin the day after your separation from employment. At that time, you go right onto the RIF reemployment list. You do not have RIF rights for any period prior to the effective date of separation.
3. Once you are on the RIF reemployment list, the contractual RIF reemployment rights, obligations, and benefits apply.
4. RIF reemployment offers cannot be made until you have filed an updated on-line employment application and established parameters for mandatory RIF job offers with the Department of Human Resources' Recruitment Services Division. Contact information may be found at http://humanresources.vermont.gov/career_center .

5. RIF reemployment rights are in effect for two years from the effective date of RIF, unless otherwise terminated (or extended) in accordance with contract provisions.

What happens if my “hardship RIF” request is not granted?

You must report to your new duty station. If you decline to do so, you may be deemed to have voluntarily resigned.

Would I have any “bumping” rights in a “hardship RIF” situation?

No. If your request for a hardship RIF is approved, you are placed directly onto the RIF reemployment list. The “bumping” of less senior employee(s) is not applicable.

Will I still get paid if I request a “hardship RIF”?

Yes. You will get paid until the effective date of separation from employment. Some accrued leave time is paid off at the time of separation under the RIF provisions of the contract.

Can I collect unemployment compensation if I am a “hardship RIF”?

Eligibility for unemployment compensation is determined by law and applicable rules of the Vermont Department of Labor. We urge all employees considering hardship RIF to determine their individual eligibility before requesting a hardship RIF. More information about unemployment benefits is available at <http://labor.vermont.gov>.

Will I get my old job back if/when the Waterbury complex reopens?

No. You would not automatically be reemployed or rehired into your old job or any other job except through the RIF rehire process or as a result of applying for vacant State positions through the regular recruitment process.

How do I apply for a “hardship RIF”?

Once you are notified that you have been reassigned to a duty station more than 15 road miles from your current one, submit a written request for a hardship RIF to your Department Head, who would forward approved requests to the DHR Commissioner. The request should clearly identify the personal and/or family hardship(s) that prevent you from accepting the reassignment of your duty station. Make your request as soon as possible after notification of reassignment.

Where can I get more information about RIFs?

Read the Reduction In Force FAQs on the Department of Human Resources’ website: http://humanresources.vermont.gov/services/labor/reduction_in_force