Office of Human Resources

Layoff and Recall

Provided herein is important information pertaining to Florida A&M University’s employee layoff and recall processes and the related services available to affected employees. Matters pertaining to layoffs and recalls are governed by the applicable collective bargaining agreement and University Regulation 10.113 as appropriate. A detailed explanation of the rights of University Faculty members is set forth in the Collective Bargaining Agreement between the Florida Agricultural and Mechanical University Board of Trustees and the United Faculty of Florida. The rights of University Support Personnel System (USPS) employees are set forth in the Collective Bargaining Agreement between the Florida Agricultural and Mechanical University Board of Trustees and the American Federation of State, County and Municipal Employees, AFL-CIO. Additional information relating to insurance and retirement benefits is available through the Office of Human Resources, unless otherwise indicated in the following.

Health and Supplemental Insurance

- Laid-off employees may choose to continue health insurance coverage through COBRA (the Consolidated Omnibus Budget Reconciliation Act) or through Extended Coverage via the State Group Health Insurance Plan.
- COBRA coverage continues for up to 18 months following layoff; Extended Coverage continues for up to 24 months after layoff, under a layoff continuation option.
- COBRA premiums are paid fully by the laid-off employee, including both the employee premiums and the employer contributions.
- If a laid-off employee wishes to continue the health insurance under COBRA or Extended Coverage plan, he/she must contact the People First Service Center at 1-866-663-4735 within 31 days after the end of employment.

Health Insurance Continuation - Spouse Program

As long as one spouse remains in a benefits-earning position, that employee will have the option of continuing full coverage by contacting the People First Service Center within 31 days of the layoff effective date to convert the policy to family coverage or an individual plan; or the employee may contact the Office of Human Resources for health coverage and premium information.

NOTE: A change in employment status does not give an employee the option to switch health insurance companies (i.e., Preferred Provider Organization (PPO) to Health Maintenance Organization (HMO)).
Supplemental Insurance Continuation

Insurance premiums are paid one month in advance. Most supplemental plans will terminate the last day of the month following the month of employment separation. If an employee elected dental coverage, it may be continued 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 supplemental plans such as life, vision, hospitalization, cancer/intensive care and accident disability may be continued under a personal plan. Please contact the insurance companies directly.

Flexible Spending Accounts and/or Health Savings Account Continuation

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 separation date.

Flexible Spending Accounts may be reimbursed for services rendered on or before the separation date. To receive monies, the FSA Claim Form must be completed and submitted to the People First Service Center for processing. Employees have until April 15\(^{th}\) of the year following the employment separation date to submit claim forms for reimbursement. Questions regarding the Flexible Spending Account should be addressed by contacting the People First Service Center toll free at 1-866-663-4735.

Employees with the Health Savings Accounts may continue paying claims for services rendered until the account is depleted. Questions regarding the Health Savings Account should be addressed by contacting the HSA Service Line toll free at 1-877-367-4472.

Leave Payments Upon Layoff

Annual Leave

Upon layoff, University Support Personnel System Employees may receive a terminal leave payment for a maximum of two hundred forty (240) hours of unused annual leave; or the employee may request that the leave be held in abeyance, pending reemployment within one year following layoff. If payment is requested and the employee is re-employed within one year, the leave may be restored, provided that repayment of the leave is made in full no later than sixty days after re-employment. If the leave was held in abeyance and the employee is not re-employed by the University within one year after layoff, then the unpaid leave balance must be paid to the employee.

Salaried Faculty and Administrative and Professional employees are eligible to receive annual and sick leave payouts upon layoff in accordance with the chart below.
**Sick Leave**

Employees who have ten or more years of creditable service shall be paid for unused sick leave in accordance with Section 110.122, Florida Statutes, or they may request that such leave be held in abeyance pending reemployment with the University within one year following layoff.

Employees with less than 10 years of creditable service shall not be paid for any unused sick leave and such leave shall be forfeited, unless the employee is reemployed by the University within one year of layoff.

If a laid-off employee is recalled by the University within one year following layoff, all unpaid sick leave shall be restored and any sick leave paid at the time of layoff shall be restored upon request and repayment by the employee within 60 days of reemployment.

**Leave Payouts**

<table>
<thead>
<tr>
<th>Employee Pay Plan</th>
<th>Employee Category</th>
<th>Annual Leave Maximum</th>
<th>Sick Leave Maximum With 10yrs. Service</th>
<th>Compensatory Leave Special, Overtime &amp; Regular (USPS Only)</th>
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<tr>
<td>Faculty</td>
<td>9 month</td>
<td>N/A</td>
<td>480 Hours</td>
<td>N/A</td>
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<tr>
<td></td>
<td>10 month</td>
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<td>480 Hours</td>
<td>N/A</td>
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<tr>
<td></td>
<td>12 month</td>
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<td>480 Hours</td>
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<tr>
<td></td>
<td>N/A</td>
<td>352 Hours</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>480 Hours</td>
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<tr>
<td></td>
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<td>480 Hours</td>
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<td>N/A</td>
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<tr>
<td>A&amp; P</td>
<td>Executive Service Regular</td>
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<td>480 Hours 480 Hours</td>
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<td></td>
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<td>480 Hours 480 Hours</td>
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</tr>
<tr>
<td>USPS</td>
<td>Exempt Non-Exempt</td>
<td>240 Hours 240 Hours</td>
<td>480 Hours 480 Hours</td>
<td>Number of hours accumulated at time of separation</td>
</tr>
<tr>
<td></td>
<td>240 Hours 240 Hours</td>
<td>480 Hours 480 Hours</td>
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<td>N/A</td>
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<td>OPS</td>
<td>Adjunct Faculty, Grad Assists, Staff, Students, Others</td>
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<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Retirement

Retirement Plan Status When Fully Vested

An employee in the Florida Retirement System (FRS) Pension Plan who has six (6) or more years of creditable service or is in the Florida Retirement System Investment Plan and has one (1) or more years of creditable service, is eligible to retire. For more information regarding retirement, please contact the Florida Division of Retirement at (850) 488-6491, option 2, or the Office of Human Resources.

An employee in the Optional Retirement Program (ORP), is vested immediately. Employees may retire at age 59½ without a tax penalty. There are certain circumstances in which an employee may retire at age 55 without a tax penalty. Please contact the ORP provider and/or tax advisor for more information.

Retirement Plan Status When Not Vested

An employee in the Optional Retirement Plan (ORP) is vested immediately; therefore, monies in the account belong to the employee. An employee in the Florida Retirement System (FRS) Pension Plan must have a minimum of six (6) years to be vested. With less than six (6) years in the plan, the employee retains ownership of that service credit, but does not qualify for a future benefit until such time as the employee accrues a total of six (6) years of creditable service (which do not have to be consecutive or with the same employer).

An employee in the FRS Investment Plan has a vesting period of one (1) year. With less than one (1) year in the plan, the employee must be re-employed with an FRS participating employer (in a benefits-earning position) within 5 years in order to retain ownership of the account. If not employed with a participating agency within 5 years, the employee will forfeit the unvested account balance.

Eligible to Retire - Health Insurance Status

If the employee is eligible to retire, he/she may continue the health insurance benefit as a retiree. Regardless of the retirement plan, the employee is eligible to remain with the same health provider. Please contact the Human Resources Benefits Section for further information.

Voluntary Retirement Account – 403(b) Status

Upon layoff, the funds invested in these accounts may be retained in the plan, transferred to another provider or withdrawn (less taxes, if applicable). Employees who wish to withdraw or transfer funds, upon separation may contact the investment provider.
Deferred Retirement Option Program (DROP)

Deferred Retirement Option Program participants are not guaranteed employment. DROP participants are subject to layoff in the same manner as before participation in DROP began.

DROP Status upon Layoff

An employee in DROP who is not reemployed in a State of Florida, Florida Retirement System, benefits-earning position by the end of the month following the layoff date will be considered retired, and must start to collect the retirement benefit. Please contact the Office of Human Resources Benefits Section for additional information.

Health Insurance Status if in DROP

An employee in DROP is considered retired and may, therefore, continue the health insurance as a retiree.

Questions regarding the preceding information may be directed to the Office of Human Resources, which is located in Room 211, Foote-Hilyer Administration Center, telephone number, 850-599-3611; or to the appropriate Collective Bargaining Representative.