

DEPARTMENT OF EDUCATION
CLASSIFIED STAFF REDUCTION-IN-FORCE (RIF)

Employee Questions and Answers - Section 1

GENERAL

Q1: What is a RIF?

A1: A Reduction-in-Force (RIF) is a layoff of a permanent civil service employee whose position has been identified for abolishment or unfunding due to lack of work, lack of funds, or other legitimate reasons. Support Services Personnel (SSP) will also be afforded RIF rights pursuant to the collective bargaining agreement.

Q2: How much notice is given when there is a RIF?

A2: A written 90-calendar day notice of RIF is issued only to the permanent (regular) civil service or SSP employee whose position is identified for abolishment or unfunding. Employees who are bumped or displaced will not be given 90 days notification.

Q3: Do temporary employees have RIF rights?

A3: No. Temporary employees do not have RIF rights.

Q4: Are there limitations on which employees may be bumped?

A4: Yes. A civil service employee's RIF placement is limited to only civil service positions in the same bargaining unit, and a SSP employee's RIF placement is limited to only SSP positions in the same bargaining unit.

RIF PROCESS FOR PERMANENT CIVIL SERVICE AND SSP EMPLOYEES

Q5: How will I know if I'm affected by a RIF?

A5: You will be given official written notice at least 90-calendar days before the scheduled date of termination. The notice will also include the reason for the layoff, your RIF placement rights and information about the RIF application and Work Force Reduction Questionnaire.

Q6: What happens after I receive the official RIF notice?

A6: If you need assistance, contact the Office of Human Resources, your union representative or your personnel regional officer. You must complete and submit either an online or hard copy RIF application and Work Force Reduction Questionnaire to the Department of Education, Office of Human Resources (OHR) by the required deadline. All applications and Work Force Reduction Questionnaires will be forwarded to your State Personnel Officer to begin the departmental search.

DEPARTMENTAL RIF SEARCH

Q7: How is the job search conducted?

A7: OHR will conduct the job search within the department and identify appropriate positions in your bargaining unit for which you meet all the minimum qualification requirements, based on your responses to the Work Force Reduction Questionnaire. If there is no appropriate vacant position, then bumping may take place in the order prescribed by your bargaining agreement provided you have not waived your bumping rights.

Q8: How does bumping work?

A8: OHR will consider the positions in your bargaining unit which meet the terms specified in your Work Force Reduction Questionnaire and for which you meet the minimum qualifications. Your bargaining unit agreement establishes the specific order in which bumping shall occur. Bumping is only permitted within the Department of Education.

Q9: How are retention points calculated?

A9: Retention points are generally computed on the basis of one (1) point for each full month of continuous creditable service in the jurisdiction, i.e. Department of Education and determining the employees' rights under RIF provisions. Service in another the executive branch is generally creditable for employees that were legislative transferred from the executive branch into the department under Act 253 or Act 51.

Q10: What happens if I bump another employee? How much notice will that bumped employee get before being terminated?

A10: Unlike the permanent civil service or SSP employee whose position is being abolished or unfunded and receives a 90-calendar day notice, employees who are bumped or displaced will have a shorter notification period in accordance with their collective bargaining agreement.

Q 11: What happens if I am offered a position but I turn it down?

A 11: Your employment will be severed at the end of the notification period. Provided a placement opportunity exists, an employee is entitled to only one offer.

Q12: What happens if there are no vacant positions and I can't bump?

A12: You will be given a written notice of termination, and placed on the appropriate recall list.

Q13: What is a recall list?

A13: The recall list is a list of former regular employees of bargaining units 02, 03, 04 and 13 who were terminated from service due to a reduction-in-force. Persons on the recall list have the highest priority for reemployment for vacancies in the class or related class (if any) from which they were laid off and which may be filled through open competition.

GENERAL EMPLOYEE INFORMATION

Employee Questions and Answers - Section 2

UNION ASSISTANCE

Q1: Should I contact my union agent?

A1: You have the right to do so and the agent may be able help explain the process to you.

UNEMPLOYMENT BENEFITS

Q2: How do I file for unemployment benefits?

A2: When you become unemployed, a claim for unemployment benefits must be filed. If you reside in Hawaii, are totally unemployed and have no other employment, you can file via the internet at www.hawaii.gov/labor/ui. Click on the "Apply Online" button to begin the claim filing process. If you cannot file via internet, you can call 643-5555 to file via Hawaii Tele-Claim. (If you are in another state, Canada, Puerto Rico, or the Virgin Islands, you can call toll-free 1-877-215-5793 to file your claim.) You can also report in person to the nearest Unemployment Insurance Office located on the island where you reside.

Do not delay filing for unemployment insurance, as your claim will start only from the week in which you file your claim.

When you file your claim, be prepared with your social security number and all employment history for the last 18 months (name of employer, dates of employment, and reason for separation), including any part-time work.

If you have any questions, we recommend that you first go to www.hawaii.gov/labor/ui where you will find additional information including videos describing the unemployment insurance program. You can also contact your nearest local office for assistance:

Honolulu Claims Office..... 586-8970 or 586-8971
Waipahu Claims Office.....675-0030
Kaneohe Claims Office.....233-3679
Hilo Claims Office.....974-4086
Kona Claims Office.....322-4822
Maui Claims Office.....984-8400
Molokai Claims Office.....553-1750
Kauai Claims Office.....274-3043

Q3: Does waiving my displacement (bumping) rights on “Workforce Reduction Placement Questionnaire,” affect my unemployment benefits?

A3: No. Waiving your displacement (bumping) rights on the DOE’s applicable form does not affect your eligibility for unemployment benefits.

HEALTH INSURANCE BENEFITS

Q4: What will happen to my EUTF (Hawaii Employer-Union Health Benefits Trust Fund) health and life insurance benefits if I am laid off?

A4: Your **health benefits coverage** (medical, drug, dental, vision, chiropractic) will stop on the last day of the pay period in which your employment is terminated. So, for example, if your employment was terminated on September 25, 2009, your health benefits coverage will stop on September 30, 2009. You will be able to continue your health benefits coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act).

The EUTF will mail a "COBRA Continuation Coverage Election Notice" and a "Continuation Coverage (COBRA) Election Form" directly to you with instructions and information regarding COBRA, so please be sure to notify the EUTF if you have any change in your mailing address. You will have 60 days after receiving the Notice or your termination date, whichever is later, to decide whether you want continued health coverage under COBRA or not.

If you have further questions about COBRA, you may:

- E-mail the EUTF at eutf@hawaii.gov,
- Call them at 808-586-7390 or from the Neighbor Islands,
- 1-800-295-0089, or
- Visit their website at www.eutf.hawaii.gov.

Your **life insurance coverage** will end as of the date of your termination. There is a 31-day conversion period, during which you may convert to an individual policy. If you have further questions about converting your life insurance to an individual policy, you may call Standard Insurance Company at 1-888-408-2298.

Q5: What will happen to my Union-sponsored health and life insurance benefits if I am laid off?

A5: You will need to check with your Union Plan Administrator or union office. If you are receiving health and life insurance benefits from the Hawaii State Teachers Association VEBA Trust (BU 05 and BU45 employees), please contact: (808) 591-2823 (Oahu) or 1-800-637-4926 (Neighbor Islands).

Q6: What is COBRA?

A6: COBRA is the acronym for Consolidated Omnibus Budget Reconciliation Act of 1985, which is a federal law that requires employers subject to the Act to extend temporary health care coverage to employees and their dependents at group rates under certain instances where coverage would end. In the case of layoffs, the extension would be 18 months in duration, from the date you lost health care coverage.

EMPLOYEES' RETIREMENT SYSTEM

Q7: Am I entitled to any retirement benefits if I am laid off?

A7: If you are in the Hybrid Plan: You are entitled to retirement benefits if you have at least 5 years of creditable service at the time of separation and you do not withdraw your accumulated contributions. If you have at least 20 years of service, you can apply for retirement benefits as early as age 55. If you have at least 5 but less than 20 years of creditable service at time of termination, you must wait until age 62 to receive retirement benefits.

If you are in the Noncontributory Plan: You are entitled to retirement benefits if you have at least 10 years of creditable service at the time of separation. If you have at least 20 years of service, you can apply for retirement benefits as early as age 55. If you have at least 10 but less than 20 years of creditable service, and are below age 62 when you separate, you must wait until age 65 to receive retirement benefits.

If you are in the Contributory Plan: You are entitled to retirement benefits if you have at least 5 years of creditable service at the time of separation and you do not withdraw your accumulated contributions. You can apply for retirement benefits as early as age 55 or at any age if you have at least 25 years of creditable service.

For additional retirement information, please contact the Employees' Retirement System as follows:

- On Oahu call them at 808-586-1735 or from the Neighbor Islands toll free at 974-4000, ext. 61736 (Hawaii), 984-2400, ext. 61736 (Maui), 274-3141, ext. 61736 (Kauai) or 1-800-468-4644, ext. 61736 (Molokai/Lanai), or
- Visit their website at www4.hawaii.gov/ers/

TAX DEFERRED PROGRAMS

Q8: What happens to my tax deferred program contributions?

A8: For questions related to Tax-Sheltered Annuity (TSA) deferrals, please contact your TSA provider and National Benefit Services, LLC at: 1-(866) 439-2289, ext. 165 or visit: <http://www.hawaiidoe403b.com>.

For questions related to the State's Deferred Compensation Plan (Island Savings Plan), please contact ING: 1- (888) 712-5642 or visit: <https://islandsavings.ingplans.com>.

DOE Office of Human Resources (OHR) Contacts:

Classified Recruitment: Kerry Tom
Phone: (808) 586-3473
Email: kerry_tom@notes.k12.hi.us

Records & Transactions: Glenn Kunitake
Phone: (808) 586-3273
Email: glenn_kunitake@notes.k12.hi.us

Employee Benefits: Chasity Dezzani
Phone: (808) 586-3246
Email: chasity_dezzani@notes.k12.hi.us

Workers' Compensation: Keith Nakanishi
Phone: (808) 587-4086
Email: keith_nakanishi@notes.k12.hi.us

Labor Relations: Susan LaVine
Phone: (808) 586-3240
Email: sue_la_vine@notes.k12.hi.us