



Human Resources

Room 340
411 West First Street
Duluth, Minnesota 55802

218-730-5210
hrinformation
@duluthmn.gov

FAQ for Layoffs

Benefit Questions

1. **When do my benefits end and what options do I have to continue benefits?**
 - a. Benefits will go through the end of the month following the layoff date. You will receive paperwork in the mail regarding options to continue coverage through COBRA. COBRA information will be mailed from 121 Benefits. Questions regarding benefits can go to: Keely Downs (kdowns@duluthmn.gov)
2. **Can HCSP money be used to pay COBRA payments?**
 - a. Yes. After you leave public employment you can access the money in your HCSP account - regardless of your age - to reimburse eligible medical expenses incurred by you, your spouse, legal tax dependents, and adult children up to age 26. COBRA payments are a qualified expense.
3. **What if I am on sick leave or FMLA, does that protect me? What about the FFCRA (Families First Coronavirus Act)?**
 - a. Although you have job and benefit protections during some leaves, you are not exempt from a layoff.
4. **Can I continue City life insurance during this time?**
 - a. Yes, you have the option to continue your life insurance through COBRA.
5. **What happens to my FSA if I am enrolled for the 2020 plan year?**
 - a. You are still able to submit claims for dates of service and qualified expenses incurred between January 1, 2020 and the end of the month following the layoff date. You will have the opportunity to continue your FSA through COBRA continuation; however, your contributions will be post-tax at that point. For specific questions about flex spending accounts, please contact Keely Downs at kdowns@duluthmn.gov.
6. **Can I still contribute to PERA?**
 - a. No, but you may be eligible to receive up to three (3) months of service credit for a layoff period of missed service once you return to public employment. The option to purchase salary or service credit is not available to members returning from a layoff status. Additional questions should be directed to MN PERA.
 - b. PERA COVID-19 Info: <https://www.mnpera.org/about/covid-19/>
 - c. General / Coordinated Member PERA Handbook: <https://www.mnpera.org/wp-content/uploads/General-Updated.pdf>
 - d. You can speak directly with MN PERA staff by calling (800) 652-9026
7. **Will I remain vested?**
 - a. Yes, you are vested in PERA after 36 months of public service (60 months if first eligible for membership after June 30, 2010). Being vested means you qualify for benefits at the minimum allowable age.



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- 8. If I'm laid off and only a few years away from eligibility for long-term Retiree Health Care, what is the impact of this?**
- For retiree medical coverage, the years of service completed do not need to be continuous years of service.
 - If you are laid off, then re-employed, both your years of service prior to layoff, and after layoff, will count toward "years of service completed" on the retiree medical insurance premium ladder in your bargaining unit contract. The months in which you are laid off will not be counted.

Re-employment Questions

- 1. How does a re-employment list work?**
 - As long as you have completed your probation term, your name will be placed on a re-employment list for the job title from which you were laid off and for all lower job titles in the same series in the order of your total seniority with the City. Human Resources maintains these lists and employees will be recalled from this list as vacancies occur based on their City seniority.
- 2. Do I have to apply to be placed on the re-employment list?**
 - No. Employees impacted by layoff will be automatically placed on re-employment list(s).
- 3. How long will I stay on the re-employment list?**
 - Your name will remain on the re-employment list until you are either re-hired, request to be removed, or refuse to accept an appointment.
- 4. Do I have to apply to be hired if I am on the re-employment list?**
 - No. Hiring from a re-employment list is non-competitive. Hiring from this list is based on seniority. Individuals hired off a re-employment list are hired without having to go through the formal hiring process.
- 5. How does a call-back work?**
 - When an opening occurs, employees will be recalled based on their position on the re-employment list.
- 6. What if I didn't complete a probationary period?**
 - If you did not complete a probation period, your name will be restored to the eligible list from which certification occurred if that list is still active.
- 7. What are my rights as a Provisional employee?**
 - As a Provisional employee, you were not hired under a Civil Service process and do not have automatic re-employment rights to your position. You will, however, be provided the same benefit continuation options as other laid off employees.



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Payroll Related Questions

1. **When can I expect to get my final paycheck after being laid off?**
 - a. Your final check will be deposited on the May 15, 2020 payroll following your last day and will include vacation pay-outs.
2. **Will my vacation be paid out?**
 - a. When you are laid off, you will be paid out for all accrued vacation and compensatory time off on your final paycheck. Personal leave is forfeited.
3. **What are the impacts to my longevity and accrual rates when I return to employment?**
 - a. Your longevity date is calculated based on your seniority date. Your seniority date will be adjusted based on the number of days you were laid off (minus the first 30 days per the contract), as such, your longevity date will be impacted by that number of days. Vacation accrual amounts use your hire date in the calculation, not seniority date, so there will be no impact in reaching the next level when accruing vacation.
4. **When I return to work, will I be placed at the same pay range and step?**
 - a. Yes, as long as you are returned to the same job classification, you will be placed at the same pay range and step.

Miscellaneous Questions

1. **Can I collect unemployment?**
 - a. Unemployment benefits may be an option during a temporary layoff. You can apply for benefits at <https://uimn.org/>. There is also a step by step guide on the Human Resources page.
2. **How do I know if I'm in a job series and can I exercise bumping rights?**
 - a. If you are in a job series and have bumping rights, the layoff letter you received will have indicated that option. If you wish to obtain information about your job series, your union or Human Resources can provide you with that information.
3. **How is seniority determined for a layoff?**
 - a. Seniority is determined by using the employee's original hire date from which they have been continuously employed within the bargaining unit, to determine the least senior. Seniority ties shall be determined in the manner laid out in the contract.
4. **Can I retire instead of being laid off?**
 - a. Yes, but your retirement date must be no later than the layoff effective date. If interested in this option, please send this request to hrinformation@duluthmn.gov



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5. Can I retire if I am laid off?

- a. Once employment is separated, you will not be able to retire while laid off. You have to retire as an active employee to obtain retiree benefits listed in the contract.
- b. In order to get retiree healthcare, you must also have applied for PERA.

6. Will I retain my seniority?

- a. Yes, but your seniority date will be adjusted based on the number of days you were laid off (minus the first 30 days per the contract).