

SAMPLE NOTICE 3
(LAYOFF OR TRANSFER IN LIEU OF LAYOFF)

State of California

MEMORANDUM

TO: John Smith
Title

DATE: March 5, 2008

FROM: Joe Jones
Personnel Office

SUBJECT: Notice of Layoff or Transfer in-Lieu-of Layoff

The Department of Celestial Motorvation is required to reduce its staffing for the 2008-2009 Fiscal Year. All options to layoff, including transfers to vacant positions and the use of the State Restriction of Appointments process, have been explored, and it is still necessary to abolish 45 filled positions.

Five positions in the class of Space Shuttle Driver must be abolished, and five employees must be laid off, because there are no vacancies and no demotional paths. The positions to be abolished are all in Barstow. The layoff is, however, being conducted on a statewide basis, and the five employees in the class with the least seniority are located in San Diego (2), El Centro (2), and Riverside (1). The five least-senior employees in Barstow, of which you are one, will be offered the opportunity to involuntarily transfer to San Diego, El Centro, or Riverside. The entire statewide seniority list is available for viewing during normal work hours 8 a.m. to 5 p.m., Monday through Friday, in the Business Office, Department of Celestial Motorvation, 2001 Milky Way, Barstow, CA.

Attached to this Notice is Department of Personnel Administration Form DPA-015. Part I of the form does not apply to you, because there are no demotional paths available. In Part II, indicate which, if any, of the transfers you are interested in, and, if more than one, prioritize your choices. The decision of which position is offered to each of the five Space Shuttle Drivers in Barstow will be based on seniority. For example, if three employees select Riverside as their top priority, the employee with the highest seniority score will be offered the position. If you do not wish to be transferred, please indicate in Part III which alternative you select. Complete Part IV to assist us in placing you on a reemployment list. Reemployment list eligibility is for five years. In Part IV, please indicate the types of appointment and time base and locations in which you are interested. If you elect to be laid off and are not interested in immediate reemployment, you may elect to have your name placed on an inactive reemployment list. You may reactivate your name by writing to the State Personnel Board. Please sign the Form DPA-015, insert your current telephone number and mailing address, and return original of the Form to the Personnel Office no later than March 15, 2008. You should retain a copy of the Form for your records and use.

Once you are laid off, you are eligible for Unemployment Insurance (UI). You should access the Employment Development Department (EDD) website to identify how to apply for UI. If you intend to choose an earlier layoff date (Part III of the Form DPA-015), contact the EDD Office BEFORE YOU MAKE THE DECISION to see if it will impact your benefits.

You can continue health, dental, and vision coverage for yourself and your dependents for up to 18 months after layoff by applying for COBRA continuation coverage. COBRA is the abbreviation for Consolidated Omnibus Budget Reconciliation Act, the federal law that allows individuals to continue participation in their employer's group plan if they are laid off.

If you elect to be laid off, the Department of Celestial Motorvation will issue you a check for unused vacation or annual leave and compensating time off to which you are entitled. Any sick leave will remain in your records and be credited to you if you return to State service while you are still on a reemployment list.

You may appeal this notice as provided by DPA Rule 599.904, unless otherwise provided by your collective bargaining agreement.

If you have any questions, please contact [Contact Name], at telephone number [Phone Number].

Signature

Title

Date

Attachment

NOTES:

SEND THIS NOTICE TO THE EMPLOYEE VIA CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED. PROOF OF SERVICE SHOULD BE COMPLETED.