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|  <p>State of Connecticut<br/>Department of Correction</p> <p><b>ADMINISTRATIVE<br/>DIRECTIVE</b></p> | Directive Number<br>2.4   | Effective Date<br>09/30/15 | Page 1 of 5 |
|   | Supersedes<br>Employee Separation and Reemployment,<br>Dated 12/15/2005 |                            |             |
| Approved By:<br><br><br>Commissioner Scott Semple  | Title<br><br>Employee Separation and Reemployment                       |                            |             |

1. **Policy.** The Department of Correction shall provide consistent and uniform practices for the separation and reemployment of employees. The Department may conduct an exit interview with each departing employee.
2. **Authority and Reference.**
  - A. Connecticut General Statutes, Sections 5-142, 5-142(a), 5-241, 5-243, 5-244, 5-255 and 18-81.
  - B. Regulations of Connecticut State Agencies, Sections 5-241-1, 5-241-2, 5-243-1 and 5-248-5.
  - C. State of Connecticut, Bureau of Personnel and Labor Relations, Letter of Withdrawal of Resignation, October 25, 1988.
  - D. General Letter 216, Retired Employee Reemployment Pool, Revised, July 9, 1990.
  - E. Collective Bargaining Contracts:
    1. New England Health Care Employees Union, District 1199 (P-1) Bargaining Unit, July 2009, Articles 16 and 28.
    2. American Federation of State, County and Municipal Employees (P-2) Bargaining Unit, July 2009, Articles 13 and 39.
    3. Connecticut State Employees Association (P-3B) Bargaining Unit, July 2011, Articles 37 and 46.
    4. Connecticut State Employees Association (P-4) Bargaining Unit, July 2009, Articles 13 and 22.
    5. Administrative and Residual Employees Union (P-5) Bargaining Unit, July 2011, Articles 13 and 35.
    6. Connecticut Employees Union Independent (NP-2) Bargaining Unit, July 2008, Articles 13, 24 and 39.
    7. American Federation of State, County and Municipal Employees (NP-3) Bargaining Unit, July 2009, Articles 14 and 27A.
    8. American Federation of State, County and Municipal Employees (NP-4) Bargaining Unit, July 2011, Articles 11 and 26.
    9. New England Health Care Employees Union, District 1199 (NP-6) Bargaining Unit, July 2009, Articles 16 and 28.
    10. Connecticut State Employees Association (NP-8) Bargaining Unit, December 2013, Articles 16 and 29.
  - F. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-1C-01.
  - G. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standard 4-4048.

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- H. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standard 4-ALDF-7E-01.
- I. American Correctional Association, Standards for Adult Probation and Parole Field Services, Third Edition, August 1998, Standard 3-3032.
- J. American Correctional Association, Standards for Correctional Training Academies, First Edition, May 1993, Standard 1-CTA-1C-01.
- K. Administrative Directive 2.6, Employee Discipline.

3. Definitions. For the purposes stated herein, the following definitions apply:

- A. Appointing Authority. The Commissioner or designee.
- B. Exit Interview. An interview conducted by a Human Resources representative to determine factors involved in the employee's separation.
- C. Reemployment List. A list of names of persons who are eligible for preference in hiring based on previous status in the State classified service.
- D. Working Notice. A working notice shall be a consecutive number of business days in which an employee is responsible for working prior to a resignation in good standing.
- E. Working Test Period. A probationary period, which is part of the selection process, during which the work and conduct of the employee shall be evaluated, and a determination made whether the employee merits permanent appointment.

4. Resignation. Resignation from State service shall be as follows:

- A. An employee in the classified service who wishes to voluntarily resign from State service in good standing shall give, in writing, to the Unit Administrator at least two (2) weeks working notice prior to the expected date of the resignation except that the appointing authority may require, in writing, as much as four (4) weeks working notice if the employee occupies a professional or supervisory position. Such notice shall indicate the last date of work and shall be communicated by the Unit Administrator to the Human Resources Unit.
- B. Following receipt of employee notification of resignation, no Personal Leave (PL) time shall be approved.
- C. All resignations, including those without proper notification as specified in Section 4(A) of this Directive, shall be reported by the Human Resources Unit to the Commissioner of the Department of Administrative Services (DAS) or designee.
- D. The departing employee shall be notified in writing if the resignation is not in good standing and of the right to file an appeal with the Commissioner of DAS, 165 Capitol Avenue, Hartford, CT 06106.
- E. An unauthorized absence of five (5) consecutive working days may be deemed to be a resignation not in good standing.
- F. Dismissal from State service shall be in accordance with the provisions of Administrative Directive 2.6, Employee Discipline.

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5. Exit Interview. Prior to separation, each employee may receive form CN 2401, Exit Interview Questionnaire from the appropriate Human Resources representative to review, complete and return. When an exit interview cannot be conducted prior to separation, a copy of form CN 2401, Exit Interview Questionnaire may be mailed (via standard U.S. Postal Service) to the employee's home address with a self-addressed, stamped envelope attached. To ensure proper analysis, the appropriate Human Resources representative shall follow-up on any forms sent to separating employees.
  
6. Exit Interview Analysis. Exit interview questionnaires shall be maintained by the appropriate Human Resources representative in a separate administrative file and shall not be incorporated into the employee's personnel file. Records of each interview shall be retained for analysis. At the close of each quarter, a summary report shall be prepared by the Human Resources Unit to include recommendations concerning training, supervision, and policies and procedures to improve employee retention. This report shall be forwarded to the Deputy Commissioner of Administration. Exit interview questionnaires citing sexual harassment or any issue of discrimination as one of the reasons for separation shall be forwarded to the Affirmative Action Unit for review and possible investigation.
  
7. Notice of Reemployment Eligibility. The appropriate Human Resources representative shall inform each employee resigning in good standing of the employee's right to withdraw or rescind the resignation.
  
8. Reinstatement Upon Withdrawal of Resignation. When an employee who has resigned in good standing withdraws a resignation, in writing, within one (1) year, the Commissioner of DAS shall refer the name of the employee requesting restoration to the appointing authority for possible reinstatement to available positions in those job classifications in which the employee previously attained permanent status. Such employee may be reinstated at the discretion of the appointing authority.
  
9. Reemployment Lists. Any permanent employee eligible for reemployment shall be placed on a reemployment list for any class in which the employee previously held permanent status in order of seniority in State service and shall remain on such lists for a period of two (2) years.
  - A. State service shall include creditable military service. Seniority in State service shall be the total length of State service without regard to classification or agency in which employed or as otherwise defined by contract.
  - B. The employee shall be entitled to placement on the reemployment list for any class in which permanent status was held. An employee appointed to a position from a reemployment list, at a lower salary group, shall remain eligible for employment in the higher salary group.
  - C. In the case of layoff or demotion due to lack of work, economy, insufficient appropriations, change in departmental organization, or elimination of position, the name of a permanent employee eligible for reemployment shall remain on the appropriate

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reemployment list for a period of three (3) years for any class in which the employee had permanent status.

- D. Reemployment lists for classes treated competitively shall be maintained by the Commissioner of DAS.
  - E. An employee appointed from a reemployment list to a position in the employee's former salary group shall be appointed at the same step in such group as the employee last held in State service. An employee so appointed to a position in a lower salary group shall be appointed at the same step in the salary group as that employee last held in State service.
10. Layoff. The order of layoffs shall be governed by Section 5-241 of the Connecticut General Statutes and the applicable collective bargaining agreement as stated in the Order of Layoff and Reemployment article of such contracts. Employees not covered by collective bargaining agreements shall be given the appropriate amount of notice as outlined within the Connecticut General Statutes and applicable State Regulations. Said notice shall be in writing stating the reason(s) for the layoff. A copy of the notice shall be sent to the Commissioner of DAS. The Commissioner of DAS may arrange to have the employee transferred to a vacancy in any similar or comparable class in any other department, agency or institution. If there is no available vacancy or the employee refuses a transfer offer, the employee shall be placed on all reemployment lists which the employee qualified for based on permanent status or has the ability to qualify for. An employee shall be rehired in the classification from which the employee was laid off, as vacancies occur, in the reverse order of layoff.
11. Transfer or Separation Resulting from Infirmities. Any employee who becomes incapable of efficiently performing the position's duties may be separated from the current position in good standing subject to the following:
- A. When an appointing authority recommends that an employee be transferred to less arduous duties or separated from State service, the Director of Human Resources shall recommend separation or transfer to less arduous duties, in writing, to the Commissioner of DAS and detail the reasons for such recommendations.
  - B. If the Department request for a less arduous duty search is made, the Commissioner of DAS shall attempt to find a suitable position for the affected employee in accordance with the requirements of Section 5-244 of the Connecticut General Statutes.
  - C. When no other accommodation can be arranged, the employee shall be separated in good standing.
  - D. Such employees may be eligible for disability retirement or vested retirement.
12. Workers' Compensation. An employee, separated under this Directive and eligible for Workers' Compensation shall continue to receive Workers' Compensation benefits to the extent allowable. An employee on Workers' Compensation who is unable to return to hazardous duty may qualify for a Disability Retirement in accordance with Section 14 of this Directive or for retraining through rehabilitation programs offered by the Workers' Compensation Commission.

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13. Retirement Notification. An employee shall notify the appropriate Human Resources representative, in writing, of retirement plans at least 90 days in advance or as far as possible in advance of the anticipated retirement date. However, a completed Attachment A, CO-898, Application for Retirement Benefits for a member of the retirement system shall be received by the Retirement Division not later than the last working day of the month preceding the date of retirement. A birth certificate and any other documentation, as specified by the Retirement Division, shall be required to process Attachment A, CO-898, Application for Retirement Benefits.
14. Minimum Disability Retirement. Any disability retiree shall receive a minimum retirement benefit as determined by the Office of the Comptroller, State Retirement Division.
  - A. Filing. All paperwork necessary to process a disability retirement application shall be submitted to the appropriate Human Resources representative.
  - B. Retirement Date. The effective date of retirement shall be the first day of the month following receipt of Attachment A, CO-898, Application for Retirement Benefits by the Retirement Division.
15. Reemployment of Retired Employees. A retired state employee who is re-employed by the Department cannot exceed 120 working days in any one (1) calendar year without impacting pension benefits. Exceeding this statutory limit shall result in a loss of retirement income. The Human Resources Unit shall be responsible for monitoring the amount of time worked. Retirees who participate in this program shall not be eligible for benefits (e.g., holidays, vacations, sick leave, etc.).
16. Forms and Attachments. The following forms and attachments apply to this Administrative Directive and shall be utilized for the intended function:
  - A. CN 2401, Exit Interview Questionnaire; and,
  - B. Attachment A, CO-898, Application for Retirement Benefits.
17. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.