

CONTRACT-COVERED RECALL – TERMINATED EMPLOYEE

P-1 Type 058 Recall of Term Employee to State Employment

NOTE: Recalls can get confusing as each individual's situation is unique. Please call or email DAS-HRE Pre-Audit if you have any questions at all regarding recalls.

- A 058 Recall – Term P1 is used to recall an employee who is currently “Terminated” in HRIS.
- Enter the BrassRing number of the Recall list in the P1 remarks as well as the “Cert. Number” line.
- Upon recall, the employee shall be paid at the same pay rate as when laid off or bumped.
- Employee will receive any pay grade, pay plan, class or general salary increases that occurred during the time the employee was on layoff.
- Enter a note in the P1 remarks about any increases the employee missed while on layoff (step increases, ATBs, etc). Also include calculations for the new rate of pay, if applicable.
- The Step Increase date will be adjusted forward by the period of time on layoff if laid off for more than 30 days. Please refer to the section below for instructions on how to adjust the Step Increase date.
- Employee will have a permanent Employee Status upon recall. If recalled to a class not previously held, the employee will serve a probationary period; however, this will not be reflected on the recall P1. Instead, the probationary period is tracked within the employing department.
- The Date of Employment, Seniority Date and Vacation Anniversary date will be restored to what they were at the time of layoff.
- Employee's unused accrued sick leave shall be restored if the employee is reemployed within two years following the date of layoff.
- If an employee is recalled in the same fiscal year in which laid off, the “care and necessary attention” leave (“personal” leave for UE/IUP Social Services Unit-covered classes, “temporary care of immediate family” for UE/IUP Science Unit employees) balance at the time of layoff will be restored.
- If recalled in a subsequent fiscal year, personal leave for employees recalled to UE/IUP Social Services classes will be prorated based on the date of recall. Employees recalled to SPOC classes (temporary care of immediate family leave), or AFSCME classes (care and necessary attention leave) may use up to 40 hours during the remainder of the fiscal year, regardless of the date of recall.

Administrative Rule 53.6(11)

53.6(11) Recall. If an employee is recalled in accordance with 11—subrule 60.3(6), the employee shall be paid at the same step or pay rate as when laid off or bumped, including any pay grade, pay plan, class or general salary increases, except as provided in subrules 53.6(1) and 53.6(2). For setting eligibility dates, see subrule 53.7(5).

Also refer to Managers & Supervisors Manual: Chapter 16 Layoff – Section 16.25 Recall

Step Increase Date

If an employee was laid off for more than 30 days the step increase date must be adjusted forward by the period of time on layoff. If an employee was laid off for 30 days or less no adjustment needs to be made.

Past-Due Step Increase Date: If an employee's step increase date **passed** while they were on layoff, the employee will receive the increase upon return. The step increase date will be set to 52 weeks from their old step increase date **and** be adjusted forward by the length of time on layoff (if laid off for more than 30 days).

Example:

Laid off: 01/05/2012 Recalled: 03/30/2012 Step increase date at time of layoff: 02/17/2012
The employee receives the step increase upon recall because it is past-due.
The step increase date is then adjusted to 02/15/2013 + 6 pay periods on layoff (85 days / 14)
= **05/10/2013** adjusted step increase date

CONTRACT-COVERED RECALL CONTINUED

NOTE: It may not always be possible to give an employee their past-due step increase on a "Recall - Term" P1 if the employee is recalled to a different class than the one they were laid off from. If the employee is recalled to a class in a lower pay grade, the employee may be at the max of the new pay grade. If that is the case, the employee will be unable to receive the missed step increase until they are recalled to the class from which they were laid off on a "Recall - Active" P1.

With a situation like this, add detailed remarks to the "Recall - Term" P1, including calculations for any increase(s) due to the employee, even if the employee isn't able to receive an increase at the time.

Example remarks for the "Recall - Term" P1:

- Laid off 01/05/12 from Workforce Advisor position, pay grade 24. Biweekly salary was \$1974.40.
- Recalled 03/30/12 to Workforce Associate position, pay grade 18, with biweekly salary of \$1640.80 (MX).
- Laid off 85 days (01/05/12 - 03/30/12). $85 / 14 = 6$ pay periods to adjust the step increase date.
- Step increase date prior to layoff: 02/17/12. Since this is past-due, the employee's salary s/b made whole.
- $\$1974.40 \text{ biweekly} / 80 = \$24.68/\text{hr} * 1.045 * 80 = \2063.20 new biweekly amount. This is above the max of the employee's current pay grade, however, so the increase cannot be given at this time.
- Will give overdue increase and make adjustment to step increase date upon recall to original class.

Future Step Increase Date: If the step increase date is in the **future** when the employee is recalled, it is adjusted forward by the length of time the employee was on layoff.

Example:

Laid off: 01/05/2012 Recalled: 03/30/2012 Step increase date at time of layoff: 04/27/2012
The step increase date is adjusted 04/27/2012 + 6 pay periods on layoff (85 days / 14)
= **07/20/2012** adjusted step increase date

Quick Reference: *Adjusting the Step Increase Date* document for instructions and link to the Time/Date Calculator, <http://www.timeanddate.com/date/duration.html>.