

REINSTATEMENT

P1-Type 099 Reinstatement

Requires Approvals by: PA DEPT COMP

- A reinstatement P1 can only be used to return a former permanent executive branch state employee (who terminated for other than just cause and did not retire) to payroll, and it is up to the hiring department to decide whether they want to reemploy or reinstate an employee who meets these criteria.
- Employee should be brought in at the minimum of the pay grade for the job class unless the employee has been approved for an advanced appointment on a Special Pay/Appointment Action form (M40).
- The Employee Status of a reinstated employee is determined by the hiring authority and can be set as either probationary or permanent.
- The employee shall receive a new Date of Employment and Seniority Date based on the date of reinstatement.
- Employee will accrue vacation at the same rate as at the time they separated from state employment, and the employee's previous Vacation Anniversary date minus the period of separation shall be restored.
- If the employee was laid off or separated due to an on-the-job injury or illness, and is reemployed by any state agency within two years following the date of layoff or medical release, the employee's unused accrued sick leave shall be restored.
- **Quick Reference:** Refer to the "Step Incr-Vac Ann Date" tab of the [Pre-Audit Calculators](#) to calculate what the employee's adjusted vacation anniversary date should be.

Administrative Rule 53.6(12) and 57.5

53.5(1) Individual advanced appointment rate. For new hires, reinstatements, or promotions of employees in contract classes, the appointing authority may request pay in excess of the minimum based on education and experience directly related to duties that exceed the minimum qualifications of the class. The appointing authority shall maintain a written record of the justification for the advanced appointment rate. The record shall be a part of the official employee file. All employees possessing equivalent qualifications in the same class and with the same appointing authority may be adjusted to the advanced rate. Individual advanced appointment rates are subject to prior approval by the department.

57.5(8A) Reinstatement. A permanent employee who left employment for other than just cause may be reinstated with permanent or probationary status to any class for which qualified at the discretion of an appointing authority. Reinstatement shall not require appointment from a list of eligibles. Former employees who retired and applied for retirement benefits under an eligible state retirement system or program are not eligible for reinstatement unless otherwise permitted by law.

A permanent employee who demotes may at any time be reinstated to a position in the class occupied prior to the demotion at the discretion of the appointing authority. Reinstatement shall not require appointment from a list of eligibles.

Former employees who are reinstated shall accrue vacation at the same rate as at the time they separated from state employment, and the employee's previous vacation anniversary date minus the period of separation shall be restored. This paragraph shall be effective retroactive to January 1, 1995.

REINSTATEMENT CONTINUED

63.3(10) All accrued sick leave shall be canceled on the date of separation, and no employee shall be reimbursed for accrued sick leave unused at the time of separation except as provided for in Iowa Code section 70A.23, or the applicable collective bargaining agreement. However, if an employee is laid off and is reemployed by any state agency within two years following the date of layoff, or an employee is separated due to an on-the-job injury or illness and is reemployed by any state agency within two years following the date of medical release, the employee's unused accrued sick leave shall be restored, except to the extent that the sick leave hours have been credited to a sick leave bank pursuant to Iowa Code section 70A.23 and the provisions of 11—64.16(8A). Employees participating in the sick leave insurance program who return to permanent employment will not have prior sick leave amounts restored.

Step Increase Date

The step increase date will be set to 26 weeks from the date of reinstatement.