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# RE-EMPLOYMENT PROGRAM

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The Program was originally established under Article 5 of the 2001-2003 State of Nebraska NAPE/AFSCME Labor Contract.

Under statutory authority (81-1317) exercised by the State Personnel Director, the terms and conditions of the Program have been applied to permanent employees covered by the Classified System Personnel Rules and Regulations.

## EMPLOYEE GUIDELINES

### ELIGIBILITY

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- A permanent employee, who has successfully completed the original probationary period, occupying a position covered by the FOP 88 contract, NAPE/AFSCME contract, or the Classified System Personnel Rules and Regulations whose lay-off date is effective following July 1, 2001, is eligible to enroll.
- Employees who elect to retire are not eligible to participate in the Program.

### ENROLLMENT REQUIREMENTS

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The laid-off employee is responsible for initiating contact with DAS State Personnel Recruitment Unit, of their intent to enroll in the Program. Employees identified as being laid off will receive a letter from DAS-State Personnel informing them of the Re-Employment Program and the steps they need to follow in order to enroll. The employee has 30 days within the identified lay-off date to meet the following enrollment requirements:

- Provide a copy of their lay-off notice to DAS State Personnel Division.
- Complete and submit the State of Nebraska on-line employment application.
- Complete an interview with their assigned DAS State Personnel Division Recruiter to outline their qualifications and career goals.

All enrollment requirements must be met prior to being considered for a position.

### PARTICIPATION IN THE RE-EMPLOYMENT PROGRAM

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If a Program member fails to respond to contacts initiated by DAS State Personnel, they will be removed from the Program. The individual will be sent a letter informing them of their removal.

The laid off employee shall be removed from the Program upon accepting either a full time or part-time permanent position within State government.

Should the laid-off employee decline an offer for a position, they shall be removed from the Program.

If a laid-off employee is offered a position, they shall notify the hiring agency of their decision within three calendar days.

If a laid-off employee accepts a position and does not complete the required original probationary period, they will be allowed to re-enroll in the Program one time.

- The individual must inform DAS-Personnel of their intent to re-enroll. They must do so within 30 calendar days of their last day of employment, and submit a new employment application.
- Re-enrollment in the Program will not be granted if the employee has been terminated from their position for cause.

If the employee declines a permanent position after re-enrolling in the program, the employee is no longer eligible for the Program and will be removed.

Members, who were retirement-eligible at the time of lay-off and chose to defer payment of their sick leave account, can no longer be enrolled once the pay-out of sick leave has occurred.

## AGENCY GUIDELINES

### NOTIFICATION

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Agencies implementing a lay-off shall include language in the employee's lay-off notice informing them of the Re-Employment Program. Agencies should ensure the employee understands that enrolling in the Program is an option available to them only if they are in a lay-off status.

### PRIORITY CONSIDERATION

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Section 5.20 of the FOP 88 and NAPE/AFSCME and State of Nebraska Labor Contracts states that priority consideration shall mean an offer of employment. When filling a position externally, priority consideration is to be given to the employee(s) enrolled in the Program.

Program Members are eligible for priority consideration when the position is at the same or a lower minimum rate of pay (hiring rate for Rules-covered) than the employee's prior position, and it has been determined they meet the minimum requirements of the position.

DAS State Personnel Division and the hiring agency shall have the responsibility of evaluating and determining if the Member meets the minimum qualifications for a position. The minimum qualification review will be based on the Qualifications/Requirements section of the Job Requisition.

A conscientious effort will be made by DAS State Personnel, to determine whether a Program Member is eligible for priority consideration **before** the position vacancy is listed externally.

A general informational interview with the Program member should take place. This is an opportunity for the hiring agency to describe to him/her in detail, the work to be performed, supervisor, work hours, schedule, etc.

At the Agency Head's discretion, the employee may be required to serve an original probationary period.

If more than one laid-off employee in the Re-Employment Program is eligible for priority consideration, those qualified shall participate in the agency's interview process, and the candidate with the highest score shall be offered the position.

Agencies may contact the laid-off employee's previous employing agency to gather documented employment information; however, this information cannot be used to dispute the eligibility for priority consideration.

Any questions regarding these guidelines, should be directed to Kevin Workman at (402) 471-2833 or by e-mail at [kevin.workman@nebraska.gov](mailto:kevin.workman@nebraska.gov), or Sean Davis at (402) 471-8292 or email [sean.davis@nebraska.gov](mailto:sean.davis@nebraska.gov).