

123:1-41-10

**Notification of layoff or displacement.**

- (A) Notification of layoff or displacement. Each employee to be laid off ~~shall~~will be given advance written notice by the appointing authority after the employee's retention points have been verified by the director. Such written notice ~~shall~~will be hand-delivered to the employee at least fourteen calendar days before the effective date of layoff or displacement and the day of the hand-delivery will be the first day of the fourteen day period. ~~or mailed by certified mail to the employee's last known address on file with the appointing authority. If hand-delivered, such notice shall be given at least fourteen calendar days before the effective date of layoff or displacement and the day of hand-delivery shall be the first day of the fourteen-day period. Such written notice may instead be mailed by certified mail to the employee's last know address on file with the appointing authority.~~ If mailed, such notice ~~shall~~will be mailed at least seventeen calendar days before the effective date of the layoff or displacement. The day the letter is mailed ~~shall~~will be the first day of the seventeen-day period.
- (B) Content of layoff or displacement notice. Each notice of layoff or displacement ~~shall~~will contain the following information:
- (1) The reason for layoff or displacement;
  - (2) The effective date of the layoff or displacement;
  - (3) The employee's accumulated retention points;
  - (4) The right of the employee to appeal a layoff or displacement to the state personnel board of review and that the appeal ~~must~~ be filed or postmarked within ten calendar days after the employee is notified that he or she is to be laid off or displaced;
  - (5) A statement advising the employee of the right to displace another employee and that the employee ~~must~~will exercise displacement rights within five calendar days of the date the employee is notified of the displacement or layoff;
  - (6) A statement advising the employee of the right to reinstatement or reemployment;
  - (7) A statement that, upon request by the employee, the appointing authority will make available a copy of Chapter 123:1-41 of the Administrative Code;
  - (8) A statement that the employee is responsible for maintaining a current address with his or her appointing authority;
  - (9) A statement that the employee may have the option to convert accrued unused leave, if such opportunity to convert leave exists; and

- (10) For employees of state agencies, boards, or commissions, a statement that the employee has the option to select the counties within the layoff district that the employee desires to be on the recall lists.

Effective: 12/1/2022  
Five Year Review (FYR) Dates: 9/15/2022 and 09/15/2027

CERTIFIED ELECTRONICALLY

---

Certification

11/21/2022

---

Date

Promulgated Under: 119.03  
Statutory Authority: 124.09  
Rule Amplifies: 124.321  
Prior Effective Dates: 07/31/1982, 02/04/1996