

123:1-41-18

Notification of reinstatement or reemployment.

(A) Notification of recall. Each employee recalled from layoff shall be notified of the offer of reinstatement or reemployment by certified letter. The notices of reinstatement or reemployment shall be in accordance with a format prescribed by the director.

- (1) The notice of reinstatement shall contain a statement that refusal of reinstatement shall result in removal of such employee's name from the appointing authority's recall list.
- (2) The notice of reemployment shall contain a statement that refusal of reemployment shall result in removal of such employee's name from the jurisdictional recall list.
- (3) For vacancies with position-specific minimum qualifications, the notice of reinstatement or reemployment shall contain a statement that position-specific minimum qualifications exist and a valid proficiency instrument will be administered to determine that the person qualifies for the vacancy. The notice shall also state that failure to meet the position-specific minimum qualifications will result in disqualification for that vacancy, but his or her name will remain on the recall lists.

(B) Period for response. Each recalled employee shall be allowed ten calendar days from the date of receipt of the letter to return to work, and such time limit shall be explained to the employee in the notification of recall letter.

In the event of extenuating circumstances (e.g., illness, injury, absence from city or state or other good cause as determined by the director) preventing the employee from returning within the above time limit, the employer shall grant a reasonable extension, not to exceed sixty calendar days.

In the absence of extenuating circumstances, an employee not accepting reinstatement or reemployment within ten calendar days shall be deemed to have declined reinstatement or reemployment and the employee's name shall be removed from consideration for reinstatement or reemployment in accordance with rule 123:1-41-19 of the Administrative Code.

(C) Current address for purposes of reinstatement and reemployment. The employee shall be responsible for keeping a current address on file with his or her appointing authority. The appointing authority of state agencies, boards, or commissions and county human services departments shall notify the director of any changes in address of employees on recall lists. When the employee's agency no longer exists, the employee is responsible to notify the director of any address changes while on the recall list.

- (D) Selection of counties for reinstatement or reemployment. When a state employee is laid off or displaced, he or she may select the county or counties within the affected layoff jurisdiction in which he or she is willing to accept reemployment or reinstatement. If a laid-off or displaced employee designates no counties, the employee shall be placed on recall lists for reinstatement or reemployment in all of the counties within his or her layoff jurisdiction.

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CERTIFIED ELECTRONICALLY

Certification

08/12/2005

Date

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