

123:1-41-19

Removal from recall lists.

- (A) Any employee accepting or declining reinstatement to the same classification and appointment type from which the layoff or displacement initially occurred ~~shall will~~ be removed from both the reinstatement and jurisdictional reemployment recall lists; except that any employee declining reinstatement to a different appointment category than that from which he was laid off or displaced or declining reinstatement for reasons of hardship, as approved by the director ~~shall will~~ not be removed from either recall lists.
- (B) Any employee accepting reinstatement to a classification with a pay range lower than the classification from which the employee was laid off or displaced ~~shall~~ remains on the appointing authority's recall list for classifications in the classification series with pay ranges higher than the classification to which the employee was reinstated, up to and including the classification from which the employee was laid off.
- (C) Any employee declining reinstatement to a classification with a pay range lower than the classification from which the layoff or displacement initially occurred ~~shall will~~ not be removed from either the appointing authority's recall list or the jurisdictional layoff list; except such employee ~~shall will~~ thereafter only be offered reinstatement to a classification with a pay range higher than the classification declined, up to and including the classification from which the employee was laid off.
- (D) Any employee on the jurisdictional recall list accepting or declining reemployment to the same classification and same appointment type from which the employee was laid off or displaced ~~shall will~~ be removed from the jurisdictional layoff lists.
- (E) Any employee on the jurisdictional recall list accepting or refusing reemployment in a lesser appointment category from which the layoff or displacement occurred ~~shall will~~ be removed from the jurisdictional recall list for that appointment category and any below.
- (F) If not removed under paragraphs (A) to (E) of this rule, the name of any laid-off or displaced employee ~~shall will~~ be removed from the appointing authority's recall list and the jurisdictional recall list one calendar year after the employee was first laid off or displaced from his original classification. In the event any displaced employee is subsequently laid off or displaced, such employee's name ~~shall will~~ be removed from the recall lists one calendar year after the subsequent layoff.

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: 124.327

Prior Effective Dates: 01/10/1975, 08/05/1982