



TO: Minnesota Executive Branch employees

FROM: All Executive Branch Commissioners and Agency Heads

DATE: June 10, 2011

RE: Layoff Notice

As you know, funds have not been appropriated to continue most executive branch agency operations after June 30, 2011. As a result, all agency operations except for those that are determined by the court to be "critical services" will be shut down. This unfortunate action is entirely due to lack of funds and reflects no discredit on your service or job performance.

This letter is to inform you of the impending shutdown and to provide notice to all employees you will be **laid off or placed on an involuntary, unpaid leave of absence effective July 1, 2011**, *unless you are notified by your agency to report to work to perform "critical services."*

- If your appointment status is permanent, classified (seasonal or unlimited) you will be laid off effective July 1, 2011.
- If your appointment status is temporary or emergency or provisional or unclassified, you will be placed on an involuntary, unpaid leave of absence effective July 1, 2011. You will remain on the involuntary, unpaid leave of absence until the end of your appointment or until the end of the shutdown, whichever occurs first.
- If you are a permanent, classified employee on leave to the unclassified service this letter serves as your notification of layoff from your classified position. You may choose to return to your classified position and be laid off or remain in your unclassified position and be placed on an involuntary, unpaid leave of absence.

If you do not know your appointment status, please check your agency seniority roster.

All employees who are laid off or placed on an involuntary, unpaid leave of absence will be paid on July 1, 2011, for all hours worked during the June 8 - 21 pay period. On July 15, 2011, employees will be paid for all hours worked between June 22 - June 30. These employees will also be eligible to file for Unemployment Insurance with the Department of Employment and Economic Development.

Employees will be allowed to continue their insurance coverage during a shutdown. Depending upon the terms of your collective bargaining agreement or compensation plan, you may be entitled to receive an employer contribution towards your insurance benefits. If you are not entitled to receive this contribution you will be notified of your rights to continue insurance coverage at your own expense. You also may choose to discontinue your insurance coverage during the period of shutdown. Employees will receive further information from the State Employee Group Insurance Program (SEGIP) prior to a shutdown.

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If you are an honorably discharged veteran, you may have certain rights relating to your layoff under the Minnesota Veterans Preference Act. Pursuant to the Act, you have the right to either petition the District Court for a writ of mandamus, Minn. Stat. §197.46, or petition the Commissioner of Veterans Affairs pursuant to Minn. Stat. §197.481 for a hearing, to determine whether your layoff was in good faith. If you choose to take either of these actions, you must do so within sixty (60) days of receipt of this notice. Your failure to do so within sixty (60) days shall constitute a waiver of your rights to contest your layoff under the Veterans Preference Act. If you have any questions, please contact your Human Resources representative in your agency.

As a veteran, if you appeal this layoff, the issue at the hearing will be whether your layoff was not done in good faith for a legitimate purpose. You will not be paid during the pendency of your appeal. If it is determined that your lay off was not done in good faith or for legitimate reasons, you will be entitled to back pay from the date of your layoff.

Further information regarding the effects of a government shutdown will be provided to you by your agency. Questions about the information contained in this letter should be addressed to your agency's human resources office.