

# UNIVERSITY OF MISSOURI

## TRANSITION ASSISTANCE PROGRAM

### Questions & Answers

1. Who is considered a regular University employee for purposes of the Transition Assistance Program (TAP) and layoff?

A regular employee is an Administrative, Service and Support staff member expected to work at least 75% full-time equivalency (FTE) with an indicated appointment duration of at least nine months.

2. Are executive and managerial employees, who are ineligible for layoff benefits under [HR-117: Layoff](#),<sup>1</sup> eligible for transition assistance benefits?

Yes, with the exception of seniority and preferential hiring rights, other provisions of the layoff policy apply while the Transition Assistance Program (TAP) is in effect.

3. What is the definition of “comparable” regular University position?

A comparable position is one that has equivalent pay, benefits, and other employment terms and conditions. Final determination regarding a comparable position will be made by the campus human resources office.

4. What happens to vacation, sick leave and personal days when an employee is placed on a layoff leave of absence?

Vacation balances will be paid in a lump sum within one pay cycle of an employee’s last day of work. Unused sick leave and personal days may not be used during the layoff leave of absence but may be reinstated if an employee returns to a regular position prior to the end of the layoff leave of absence. If the employee’s anniversary date occurs during the layoff leave of absence, any unused personal days will be lost, but four new personal days will be added in the event of rehire. Regular employees who are 99% to 75% FTE, however, are granted personal days on a pro rata basis.

5. Can an employee elect to retain accrued vacation during the layoff leave of absence?

No, unused vacation, accrued as of the last day worked prior to the commencement of the layoff leave of absence, is paid out as a lump sum.

---

<sup>1</sup> <https://www.umsystem.edu/ums/rules/hrm/hr100/hr117>

6. Are partial years of continuous service counted in calculating transition assistance compensation?

Partial years are counted only for those eligible employees with five or more years of continuous regular employment with the University immediately prior to layoff. For such employees, a half-year or more of such regular employment is considered a complete year, and less than a half-year is disregarded.

7. Does the transition assistance payment include payment for overtime?

No. The transition assistance payment will be calculated on a straight-time basis.

8. What is the rate of pay for the transition assistance payment?

Transition assistance is paid at the base rate the employee was being paid as of your last day worked, including shift differential, if applicable. For an employee working different shifts that each have shift differential pay, the transition assistance payment will be based on the average weekly pay during the two preceding pay periods.

9. Is an employee eligible for unemployment benefits during my layoff leave of absence period?

Employees placed on layoff leave of absence may apply for eligibility determination to the Missouri Department of Labor's Division of Employment Security.

10. When must the *University of Missouri Transition Assistance Payment Agreement and Release* be returned to the University by the employee?

Employees must be provided at least 21 days to consider whether to sign the agreement. No transition assistance payment will be made until Human Resources receives a signed agreement.

11. Will [COBRA](http://umurl.us/cobra)<sup>2</sup> benefits be available to allow for continued medical, dental, vision, and/or healthcare flexible spending account (FSA) coverage?

Yes. The qualifying event date for COBRA eligibility is the effective date of the layoff leave of absence. The employee must elect COBRA coverage at the time of layoff. The COBRA administrator will mail information on COBRA benefits, including the timeframe for COBRA election. The COBRA benefit period will run concurrently with the layoff leave of absence. Once the layoff leave of absence has expired, COBRA benefits can continue, with full costs paid by the individual, for the remainder of the COBRA eligibility period allowed (not to exceed 18 months in total).

12. Will employees receive service credit for the layoff leave of absence?

No. However, they will receive service and salary credit for the lump sum vacation balance.

---

<sup>2</sup> <http://umurl.us/cobra>

13. Will the layoff leave of absence count toward vesting?

No.

14. Is the transition assistance payment included in the retirement benefit calculation?

No.

15. Are employees required to pay the employee contribution to the retirement plan during transition assistance?

No. The contribution is not charged on transition assistance payment.

16. Will employees who are laid off be eligible to participate in [HR 303: Educational Assistance](#),<sup>3</sup> during the leave of absence?

Employees who are on unpaid leave of absence are not eligible to participate in the HR 303: Educational Assistance program. If an employee had begun a course using Educational Assistance benefits while in a paid status and goes into an unpaid leave status after the course begins, the employee will be allowed to complete the course with the coverage of Educational Assistance benefits.

17. Will spouses and dependents of employees who are laid off be eligible to participate in the [HR 309: Tuition Reduction](#) program<sup>4</sup> during the leave of absence?

Yes. Spouses and dependents of employees remain eligible for the benefit during your layoff leave of absence, provided they meet the eligibility requirements of the program.

18. Will employees be able to access their vested benefit during the leave of absence?

No. Employees are ineligible to access a vested benefit during the layoff leave of absence but may do so after the termination date, which is the last day the employee is on layoff leave of absence. Employees can expect to receive election forms within four to six months following the date of termination. If the employee wishes to terminate the layoff leave of absence earlier, that request must be made in writing to the department. However, the employee should contact the Total Rewards Generalist or the [HR Service Center](#)<sup>5</sup> to discuss the cost of benefit coverage as an employee on leave versus the cost of benefit coverage as a retiree, and determine the relative advantages based on the employee's circumstances.

19. Can an employee who is on a layoff leave of absence elect to retire?

Retirement-eligible employees may elect to end their layoff leave of absence to retire at any time or elect to retire instead of being placed on a layoff leave of absence. Employees should contact a Total Rewards Generalist or the [HR Service Center](#)<sup>6</sup> to discuss the cost of benefit coverage as an employee on leave versus the cost of benefit coverage as a retiree and determine the relative advantages based on the employee's circumstances. An election

---

<sup>3</sup> <https://www.umsystem.edu/ums/rules/hrm/hr300/hr303>

<sup>4</sup> <https://www.umsystem.edu/ums/rules/hrm/hr300/hr309>

<sup>5</sup> <http://umurl.us/hrsc>

<sup>6</sup> <http://umurl.us/hrsc>

to retire in lieu of a leave must be made in writing and submitted to the employee's department.

20. Is it possible to reach retirement requirements (i.e., service credits and/or age) during the layoff period, and then retire?

Typically, no. Employees should contact a Total Rewards Generalist or the HR Service Center for additional information specific to their situation.

21. What is the impact on the payout of transition assistance if an employee takes another job with the University before transition assistance is fully paid?

For positions with an FTE of 75% or greater, transition assistance pay will be suspended during the time the employee is receiving pay in the new position. If the new job ends before the layoff leave of absence expires, the transition assistance will be resumed and paid through the end date of the leave of absence or until the employee is paid the number of weeks originally owed, whichever occurs first. The end date of the layoff leave of absence will not be extended by the time in the new position. If the job is less than 75%, the employee will continue to draw his or her transition assistance payment during the part-time employment.

22. How is transition assistance calculated for an employee with multiple layoffs?

For subsequent layoffs occurring with no prior break in service, the number of weeks of transition assistance will be calculated based on the years of continuous benefit eligible service minus any weeks of transition assistance already paid to the employee. A break in service means:

If the employee has worked less than five years since the prior layoff, the employee will be entitled to a minimum of four weeks of transition assistance. For multiple layoffs after a break in service, the number of weeks of transition assistance will be calculated from the new benefit eligibility date without regard to prior transition assistance payments. Although prior payments of transition assistance will be considered in calculating the transition assistance payment for subsequent layoffs, the actual length of any subsequent layoff leaves of absence will be based on the employee's total continuous regular employment.

Last Revised: April 27, 2017