

25 NCAC 01D .2702 SEVERANCE SALARY CONTINUATION ELIGIBILITY

(a) The following type of employee who has been reduced in force and who does not obtain employment in another position in State government or any other position that is funded in whole or in part by the State by the effective date of the separation shall be eligible for severance salary continuation:

- (1) full-time and part-time (half-time or more) permanent employees;
- (2) employees in trainee classifications with 12 or more months of continuous State service;
- (3) time-limited employees with 36 or more months of continuous State service; and
- (4) employees in exempt policymaking or exempt managerial positions as defined in G.S. 126-5(b) are eligible for severance salary continuation if the position is abolished as result of a reduction in force.

(b) Time-limited employees with less than 36 continuous months of service, probationary, and temporary employees shall not be eligible for severance salary continuation.

(c) An employee who is separated or who has received written notification of separation due to reduction in force, and who applies for or begins receiving retirement benefits based on early retirement, service retirement, long term disability, or a discontinued service retirement as provided by G.S. 126-8.5, shall not be eligible for severance salary continuation. An employee who is eligible for early or service retirement may elect to delay retirement and receive severance salary continuation.

(d) An employee who is reemployed from any retired status with the State and who is subsequently terminated as a result of reduction in force shall be eligible for severance salary continuation if the employee meets the eligibility requirements set forth in Paragraph (a) of this Rule.

(e) An employee who is receiving workers' compensation or short-term disability payments is eligible for severance salary continuation if the employee meets the eligibility requirements set forth in Paragraph (a) of the Rule.

(f) An employee on leave with or without pay shall be separated on the effective date of the reduction in force and shall be eligible to receive severance salary continuation if the employee meets the eligibility requirements set forth in Paragraph (a) of this Rule.

*History Note: Authority G.S. 126-4(10); 126-8.5;
Eff. February 1, 2016;
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