



TO: AGENCY PERSONNEL ADMINISTRATORS  
DT: December 15, 2006  
RE: General Letter No. 177 – Withdrawal of Resignation and Relevant Reinstatement Information

This letter addresses reinstatement following a permanent, classified, Executive Branch employee's resignation in good standing from State service. Specifically, we have clarified the intent of C.G.S. §5-248(f) concerning the timeframe for the withdrawal of resignation and the privileges associated with the actual reinstatement date.

All current information concerning the Rescind of Resignation process and related reinstatement information is found in this General Letter. This material supersedes General Letter No. 177 dated August 26, 1999 and all other previous policy statements and memoranda concerning rescind of resignation. Further, the Rescind of Resignation Form has been revised and is available online via the DAS Website.

### ELIGIBILITY

In order to be eligible to rescind a resignation, a former Executive Branch employee must meet all of the following criteria:

- Attained permanent status in the classified service and
  - This is interpreted to mean the employee successfully completed a working test period following appointment to a position in the classified service
- Resigned from State service while in a classified position within an Executive Branch agency and
- Resigned from State service in good standing and
- Submitted a Rescind of Resignation Request Form within one year from the date of resignation to the Department of Administrative Services

If any of these criteria are not met, a request to rescind the resignation will be denied.

Under this General Letter an eligible individual may be reinstated to classified job classes in which s/he had previously attained permanent status.

### TIMEFRAME FOR RESCINDING A RESIGNATION

Provided all eligibility requirements are met, an employee must rescind his/her resignation within one year from the date of resignation.

Privileges as described below are applied based on the length of time between the former employee's resignation date and his/her rehire date. For example, if an employee resigns effective December 1, 2006 s/he must submit a [Rescind Resignation Request Form](#) by November 30, 2007 close of business.

**Note:** An individual is eligible for reinstatement without examination for two years from the date of resignation. However, the individual must meet the current minimum qualifications required of the classification at the time of his/her rehire.

<b>PRIVILEGES OF RESCINDING A RESIGNATION</b>
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If an eligible (former) employee rescinds his/her resignation within one year as described above, there are a number of privileges awarded provided s/he is rehired by an Executive Branch agency. These privileges are outlined below:

**A. If reemployed within two years following resignation (to a job class in which the employee has attained permanent status):**

- 1) No examination required. **Note:** An individual is eligible for reinstatement without examination for two years from the date of resignation. However, the individual must meet the current minimum qualifications required of the classification at the time of his/her reinstatement.
- 2) No working test period required.
- 3) Established anniversary increase date is retained.
- 4) Rate of Pay:
  - a) Appointments to the same class the employee was in prior to resignation are made at the same step in the salary group the individual was paid at the time of resignation provided permanent status had been achieved in that class. (If the employee had not attained permanent status in that class, appointment to that class cannot be made at the same step. Rather, appointment to this class requires that the employee pass an examination and be placed on Step 1 or minimum position rate.) Do not include any annual increases that occurred after his/her separation. **Note:** if the salary group for the employee's classification has changed since the effective date of resignation, the employee is entitled to the same step in the new salary group (on the current pay plan). This includes when the class has been assigned to a lower salary group.
  - b) Appointments to a position in a lower salary group (in a class in which the employee previously attained permanent status) are made at the same step and salary group that the employee would have held had s/he been serving in the lower class at the time of resignation. (This calculation is similar to that of a voluntary demotion.) Do not include any annual increases that occurred after the employee's separation.
  - c) Appointments made to positions in a higher salary group than the salary group the individual was paid in at the time of resignation (in a class in which the employee previously acquired permanent status) are made at the same step the employee was in at the time s/he left that (higher) classification. Do not include any annual increases that occurred after s/he left the (higher) classification.
  - d) Appointments made to managerial job classes in the same or higher classification in which an individual had previously acquired permanent status, are made at the same salary s/he received at the time of separation or the minimum salary amount for the particular class, whichever is greater. **Exception:** if the individual's compensation rate exceeded that of the maximum position rate, s/he is eligible only to the maximum position rate upon reinstatement.
  - e) Appointments to a lower managerial classification in which an individual had previously acquired permanent status are made at the salary that they would have received had they remained in the lower level position. (This calculation is similar to that of a voluntary demotion.) Do not include any adjustments attributable to annual increases that were applied to the class after the employee's separation.
  - f) Appointments to a job class where an employee had not attained permanent status are made at Step 1 or the minimum rate of pay for the salary grade.

- 5) Vacation leave may be used as accrued because the initial working test period requirement had previously been met. However, the rate of vacation accrual may be different if the employee is not reemployed within one year. Consult individual collective bargaining agreements for this information.
  - 6) Credit for purposes of seniority and longevity:
    - a) Bargaining Unit employees: consult individual collective bargaining agreements.
    - b) Managerial employees: all active State service is credited for purposes of seniority and longevity. (The period of time between date of resignation and the rehire date is not included.)
- B. If reinstated within one year following resignation:**
- All of the privileges authorized above plus
  - Sick leave credit will be restored in accordance with C.G.S. §5-247(b) even if no rescind of resignation request is on file. (This is a benefit afforded all employees who leave and return to State service within one calendar year.)
- C. If reinstated within the same calendar year following resignation:**
- All of the privileges authorized under “A” and “B” above plus
  - Unused personal leave (PL) time is credited to the employee’s leave balance.
    - a) PL time cannot exceed three days in any calendar year. If the employee had exhausted all PL prior to resignation no PL time is to be granted until January 1.
    - b) For additional information regarding PL, consult individual collective bargaining contracts and General Letter No. 102.
- D. If NOT reinstated within two years following resignation:**
- There are no privileges provided for a former State employee who returns to State service after two years following resignation. Rather, the individual would be required to pass an examination (for competitive job classes), serve an initial working test period, and be placed at the minimum step or minimum salary rate for the job class.

**EXAMPLE TO CLARIFY ELIGIBILITY DEADLINES**

A permanent, classified, Executive Branch employee resigns in good standing effective December 1, 2006. He must submit the Rescind Resignation Request Form by November 30, 2007 close of business in order to rescind his resignation. He may then be reinstated without examination into a classification in which he had attained permanent status until November 30, 2008 close of business. Effective December 1, 2008, he must pass an examination in order to be appointed to these classifications. Additionally, he is treated as a new hire with regard to salary, AI date, etc. and is not eligible for any of the privileges mentioned above (if hired on or after December 1, 2008).

**Note:** there is no obligation for the State of Connecticut to rehire a former employee who has resigned in good standing. The former employee's name will NOT appear on any candidate lists; it is his/her responsibility to contact State agencies and to apply for positions and examinations, as required. Therefore, former employees should visit the DAS website and/or contact agencies directly to inquire about job openings.

**IMPACT OF REHIRE INTO JOB CLASS WITH NO PRIOR STATUS**

In addition to the privileges associated with the above timeframes, the following situations may impact on privileges (regardless of reinstatement date):

• **If reinstated into a job class where permanent status was NOT previously attained:**

- 1) **Within two years from date of resignation:**
  - a) Must pass examination if one is required of the job class
  - b) Must serve six month working test period as an extension of the exam process
  - c) Anniversary Increase date is retained
  - d) Hired as an outside hire (Step 1 or minimum rate of pay unless a hiring rate is approved)
  - e) Vacation may be used as accrued; however, rate may be different (see Page 2)
  - f) Credit for prior State service may be restored for Seniority and Longevity (see Page 2)
- 2) **Within one year from date of resignation:**
  - a) Same as above plus
  - b) Sick leave credit will be restored in accordance with C.G.S. §5-247(b)
- 3) **Within same calendar year of resignation:**
  - a) Same as above plus
  - b) Unused personal leave (PL) is credited to the employee's leave balance (see Page 3)

<b>RESCIND OF RESIGNATION PROCEDURE</b>
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1. A former permanent, classified, Executive Branch employee who has resigned from State service in good standing who would like to retain the option of returning to State service with certain privileges may, within one year of the effective date of resignation, submit a Rescind of Resignation Request Form. This form is located on the DAS Website – Human Resources Page under HR Forms.
2. Requests must be submitted on the prescribed form to the Department of Administrative Services – ATTN: Statewide Human Resources Management.
3. DAS – Statewide Human Resources Management verifies that all eligibility requirements have been met.
4. DAS – Statewide Human Resources Management will notify the individual in writing that s/he is eligible for possible reinstatement to a position in any classes in which prior permanent status had been attained. **NOTE:** An individual is eligible for reinstatement without examination for two years from the date of resignation. However, the individual must meet the current minimum qualifications required of the classification at the time of his/her reinstatement.
5. If the individual is reinstated within two years from resignation, the agency indicates in the Core-CT Notepad that the employee's reinstatement was made under the authority of Section 5-248(f).
6. A copy of the authorizing letter issued by the DAS – Statewide Human Resource Management should be retained in the employee's personnel file and be available to DAS or State Auditors upon request.

<b>WHO TO CONTACT</b>
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Please share this memorandum with your staff. Direct questions to [Shari.Grzyb@CT.Gov](mailto:Shari.Grzyb@CT.Gov) or [Heather.Tweeddale@CT.Gov](mailto:Heather.Tweeddale@CT.Gov) in the DAS HR Business Rules Unit.

*Pamela L. Libby*

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PAMELA L. LIBBY, PH.D.  
DIRECTOR – STATEWIDE HR MANAGEMENT

## ADDENDUM TO GENERAL LETTER NO. 177 (REVISED 11/2006)

### QUESTIONS & ANSWERS

1. DAS has approved my request to rescind my resignation. Will my name be added to any reinstatement or reemployment lists?

**Answer:** No. Your name will **not** appear on any Reinstatement, Reemployment or SEBAC list(s). You must apply directly with agencies advertising vacancies for which you may qualify.

2. Will I be contacted when positions become available?

**Answer:** No. You will not be notified of openings in positions for which you qualify under this procedure. You should visit the [State Employment Page](#) on the DAS Website or contact agencies directly to inquire about openings.

3. What happens if I am not rehired by the State of Connecticut until after two years from the effective date of my resignation?

**Answer:** In this situation, you are treated as a new hire and would not be eligible for any of the privileges mentioned in General Letter No. 177. You will be required to take an examination if one is required for the job class, serve another (initial) working test period and will not be eligible to use vacation leave or PL until after successfully completing this working test period or after six months, depending on the length of the working test period. (Consult collective bargaining agreement.) Your salary will be determined in accordance with procedures followed for new hires appointed to the same job class.

4. What if someone has resigned from an unclassified position in an Executive Branch agency (or Judicial or Legislative Branch) but had previously attained permanent status in a classified position (in the Executive Branch)?

**Answer:** This individual is ineligible for most of the privileges described in General Letter No. 177 (consult statutes regarding reinstatement of sick leave if rehired within one year and unused PL if rehired within the same calendar year). S/he must apply for positions and/or examinations as is required of all outside hires. Review current examinations and job openings via the [State Employment Page](#) on the DAS Website.

5. Must an agency offer a position to an individual who has rescinded his resignation before appointing someone from an exam certification list?

**Answer:** No. The State of Connecticut is **not** obligated to consider individuals who have rescinded a resignation before any other candidate.

6. I recently rescinded my resignation but am interested in applying for a position in a job class that I had **not** previously attained permanent status in. How would my salary be calculated?

**Answer:** Because you had **not** attained status in this job class, you would be paid at the minimum rate of pay for the job class (even if this new job is at a lower salary group than that of the class you left) similar to that of an outside hire.

7. What if I resigned from a classified position in a job class that did not require an exam (non-competitive or non-examined)?

**Answer:** You do not need to take an exam but are eligible for the privileges outlined in General Letter No. 177, depending on your reinstatement date. NOTE: You must meet the requirements of the job class at the time of your reinstatement.

8. I rescinded my resignation and was reinstated to a job class that I had attained permanent status in but which is lower than the job class I was in at the time of my resignation. Do I retain any privileges associated with the (higher) job class?

**Answer:** No. Privileges are applied at the time of reinstatement and end upon reinstatement to State service.

9. Must agencies consider candidates who have been laid off before candidates who have rescinded their resignation?

**Answer:** Yes. Candidates who have been laid off and whose names appear on Reemployment and SEBAC List(s) must be considered before candidates who have rescinded their resignation.

## RESCIND OF RESIGNATION REQUEST FORM

DATE: \_\_\_\_\_

TO: Department of Administrative Services  
Statewide Human Resources Management  
165 Capitol Avenue – Room 404  
Hartford, CT 06106

FROM:

\_\_\_\_\_  
Print Full Name

Social Security #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
Mailing Address (include Apt. #)

Employee ID #: \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

Effective date of Resignation: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
MM DD YY

\_\_\_\_\_  
Former Name, if any

\_\_\_\_\_  
Last Employing Agency (do not abbreviate)

Effective today, I wish to rescind my resignation from an Executive Branch agency in State of Connecticut ("State") service. I understand as a permanent, classified employee, I am allowed to take this action provided I do so within one year from the date of my resignation in good standing. I also understand I am eligible to return to State service in any class(es) in which I had previously attained permanent status without examination as long as I am rehired into this classification within two years from the effective date of my resignation.

I further understand:

- General Letter No. 177 (found on-line at [www.das.state.ct.us](http://www.das.state.ct.us) - Human Resources page - Business Rules and Regulations Section – General Letters) discusses the Rescind of Resignation Procedure and authorizes the assignment of certain privileges provided I am rehired within prescribed timeframes and provided I meet established criteria for receiving such privileges.
- I must have been a permanent, classified employee in State service at the time of my resignation from an Executive Branch agency in order to rescind my resignation.
- I must have resigned in good standing in order to rescind my resignation.
- I must have resigned within one year from the date of this request in order to rescind my resignation.
- My name will **not** appear on any Reinstatement or SEBAC list(s) as only laid-off State employees are eligible for this benefit. Therefore, I understand the State of Connecticut is **not** obligated to notify me of openings in positions for which I qualify under this procedure nor is the State of Connecticut under any obligation to rehire me.
- If the requirements for position(s) in which I had previously attained permanent status have changed, I must meet the new training and experience requirements as outlined on the (current) job description(s) in order to qualify for position(s) in the(se) classification(s).
- The DAS-Statewide HR Management will review the information I have provided above and approve or deny this request accordingly.
- DAS-Statewide HR Management will notify me of the status of my request via First Class Mail.
- Privileges under General Letter No. 177 are applied at the time of reinstatement to a permanent State of Connecticut position and are not extended to any future appointments.

Signed:

\_\_\_\_\_  
Signature of Former State of CT Employee