

RIF RIGHTS



REDUCTION IN FORCE

Written notice (sent certified mail, return receipt requested or personal delivery) of an honorable dismissal (RIF) or reduction in hours of employment because of a reduction in the number of employees or reduction in an educational service provided must be given at least 30 days before the dismissal or reduction in hours is effective. However, if reduction in hours is due to an unforeseen reduction in student population, then written notice must be issued as described above at least five days before the employees' hours are reduced.

SENIORITY

In a RIF, employees with the shorter length of continuing service with the district, within the category of position, shall be dismissed first, unless an alternative method was bargained between the union and district. Seniority lists are to be established by Feb. 1 of each year, showing the positions, length of continuing service of each ESP employee and the positions the employee is qualified to hold. It is the responsibility of the employees to review these lists carefully and bring any inaccuracies to the attention of the district as soon as possible or within the framework established by the contract.

BUMPING RIGHTS

RIF'd ESP employees have the right to "bump" less senior ESP employees in the same category of position.

RECALL RIGHTS

RIF'd ESP employees have the right to recall to any vacancy for the following school term or within one year from the start of the following school term (unless a longer period has been bargained), to the same category of position or a different category of position to the extent the employee is qualified for that position.

PAYMENT OF ALL EARNED COMPENSATION

The district is required to pay a RIF'd ESP all earned compensation on or before the next regular pay date following their last day of employment.

UNEMPLOYMENT COMPENSATION

RIF'd employees have the right to receive unemployment compensation benefits after they receive their last paycheck. They must meet the statutory requirements for eligibility (able to work, available for work, and seeking work — contacting three prospective employers a week). Benefits are based on a formula that takes into account the size of the family and amount of wages last earned.

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HEALTH INSURANCE

RIF'd employees have the right to continue their health insurance coverage under COBRA (18 months for employers with 20 or more employees) and/or the Illinois Health Insurance Continuation Law (nine months for all employers). The employer is required to notify the health insurance carrier of any RIFs and then the health insurance carrier is required to send official notice to the employees and any covered dependents, providing them the opportunity to elect continuation coverage. Employees (or their dependents) have 60 days after receipt of the notice to elect coverage. The carrier can charge the employee up to 102 percent of the regular premium for the cost of the continuation coverage.

PUBLIC SCHOOL VACANCIES

Employees can view a listing of vacant teaching, school service personnel and administrative positions from school districts throughout the state and submit resumes for consideration by school districts seeking to fill vacancies, at the Illinois Education Job Bank ("IEJB"), sponsored by the Illinois State Board of Education and Illinois Association of School Administrators, at illinoiseducationjobbank.org.

CONTINUATION OF IEA-NEA MEMBERSHIP

Frequently IEA-NEA Legal Services has been the key to ensuring that the contractual and statutory rights of RIF'd employees are honored. RIF'd employees may maintain their legal protection, along with all other rights and benefits of active membership in the IEA-NEA, at half the regular dues amount. This special dues rate is available so long as they are eligible to be recalled or for three years, whichever is longer.

This brochure is for informational purposes only. Contact your IEA UniServ Director to determine whether IEA Legal input is needed and review your applicable board policies and collective bargaining agreement.

LOCAL OFFICE CONTACT

Bloomington	309-663-6400	Libertyville	847-932-4140	Peoria	309-691-2288
Carterville	618-733-4472	Lombard	630-495-3250	Rockford	815-398-0995
Champaign	217-384-2906	Matteson	708-228-5556	Rushville	217-322-2101
Chicago	312-407-0227	Minooka	815-255-2534	Skokie	847-329-7756
Decatur	217-875-9353	Moline	309-797-4126	Springfield	217-787-7060
Edwardsville	618-656-0010	Mt. Vernon	618-244-0015	Sterling	815-626-3884
Effingham	217-342-2187	Naperville	630-369-1555		
Elgin	847-428-7640	Palatine	847-359-0300		