*Commonwealth of Virginia*
*Office of the Governor*

# EXECUTIVE SEVERANCE POLICY

This policy is intended to establish uniformity and guidance regarding severance payments to Gubernatorial Appointees ("At-will" employees).

## I. EMPLOYEES TO WHOM POLICY APPLIES

The following policy applies to all "At-will" employees involuntarily separated from state government. "At-will" employees are defined as follows:

Employee of the Governor's and Cabinet Offices
Agency Head
Chief Deputy (Agency)
Confidential Assistant
Policy Assistant

## II. SEVERANCE POLICY

All "At-will" employees will be eligible to receive transitional severance benefits conferred under Title 2.2, Chapter 32 of the Code of Virginia, the Workforce Transition Act (WTA) of 1995.

## III. TRANSITIONAL SEVERANCE PAYMENTS

The maximum severance payment allowed under provisions of the WTA is 36 weeks of salary. Payments will be based on weekly salary amounts (annual salary divided by 52), and distributed in two-week increments on the normal payroll schedule.

The WTA allows for transitional severance payments to be made to employees based on their continuous years of service as indicated in the table below.

| Years of Service | Transitional Severance Benefit |
|---|---|
| 2 years or less | 4 weeks of salary |
| 3-9 years | 4 weeks of salary plus an additional week for every year over 2 |
| 10-14 years | 12 weeks of salary plus 2 additional weeks for every year over 9 |
| 15 years or more | 2 weeks of salary per year not to exceed 36 weeks of salary |

## IV. TRANSITIONAL HEALTH CARE BENEFITS

"At-will" employees who are involuntarily separated from state government will be eligible to continue their health care coverage with the state for a period of one year after their date of separation. If an employee elects to continue coverage with the state, he or she must continue with the same coverage they had prior to separating from the state. The employee and employer will continue contributing to total premium at the same rate as before the separation.

## V. TRANSITIONAL LIFE INSURANCE BENEFITS

"At-will" employees who are involuntarily separated from state government will continue to be covered by the state-provided life insurance policy for a period of one year after the date of separation.

## VI. ENHANCED RETIREMENT BENEFITS

Eligible "At-will" employees will be allowed to apply the value of the severance payments, and portions of the state-paid life and health premiums to their age, years of service, or a combination of both to enhance their retirement benefit.

This benefit is only available to employees who are at least 50 years old and vested members of VRS, SPORS, or VaLORS.

VRS should be contacted to discuss the details of this option.

## VII. UNEMPLOYMENT BENEFITS

Some "At-will" employees may be eligible to receive unemployment compensation. If an employee receives unemployment compensation and transitional severance payments simultaneously, the severance payments will be reduced by the amount of the unemployment compensation. At the end of the employee's transitional severance payments, the employee will receive a lump sum payment equal to the amount of the reductions for unemployment compensation.

VEC should be contacted to discuss the details of this option.

## VIII. OTHER TRANSITIONAL BENEFITS

There may be other benefits available to "At-will" employees who are involuntarily separated from state government. It is incumbent upon each "At-will" employee to meet with his or her Human Resource office to discuss all benefits that may be available relative to involuntary separation.

## IX. NOTICE OF RECEIPT

Each employee must acknowledge receipt of this policy by signing form ESP-001.

The signed form shall become a part of the employee's permanent personnel record.

**APPROVED:**

| | |
|---|---|
| **Clark Mercer**<br>**Chief of Staff** | 4/11/18<br>**Date** |
| **Suzette Denslow**<br>**Deputy Chief of Staff** | 4-11-18<br>**Date** |

(Form) ESP -001

**EXECUTIVE SEVERANCE POLICY**

**CERTIFICATE OF RECEIPT**

I acknowledge that I have been informed of the severance options available to me under Title 2.2, Chapter 32 of the Code of Virginia, The Workforce Transition Act of 1995.

The following topics were discussed with me:

_____ Transitional Severance Payments

_____ Transitional Health Care Coverage

_____ Transitional Life Insurance Coverage

_____ Enhanced Retirement

_____ Unemployment Compensation

_____ Other Benefits

| _____ | _____ | _____ |
|---|---|---|
| (Name – Please Print) | (Signature) | Date |

| _____ | _____ |
|---|---|
| Human Resource Officer | Date |