

Policy Guide – Policy 1.30, Layoff Use of the WTA Exemption Waiver

APPLICATION: Full-time, Quasi Full-time, and Part-time classified employees. Restricted classified employees in certain circumstances.

BACKGROUND: The use of the Workforce Transition Act (WTA) Exemption Waiver has been in place for several years. This guide provides clarification on its use.

QUESTIONS AND ANSWERS:

1. What is the WTA Exemption Waiver?

The WTA Exemption Waiver is authorized by [Item 477, paragraph M.1. of Chapter 1289 of the 2020 Virginia Acts of Assembly](#) and allows agencies to request an exemption from paying the costs of enhanced retirement benefits in certain layoff situations. This link is updated annually in the Acts of Assembly.

2. What are the circumstances under which the WTA Exemption Waiver is used?

- Budget reductions enacted in the Appropriation Act.
- Budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act.
- Reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor.
- Downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other non-general fund revenue.

3. How do agencies request this exemption?

Agencies must complete the attached “WTA Waiver Template/Guide” and send it to:
Emily Elliott, Director of the Department of Human Resource Management and
Dan Timberlake, Director of the Department of Planning and Budget;
Copy to Rue White, Chief Deputy, Department of Human Resource
Management.

Approval must be received from both the Department of Human Resource Management and the Department of Planning and Budget in order to use this exemption.

4. What information is required?

Agencies must include a summary of the actions taken, the decision-making process applied in the identification of the functions/services and positions being eliminated, a statement verifying that the layoffs were or will be implemented in accordance with the Policy 1.30, Layoff, and attach a list of affected positions.