The SEBAC vs. Rowland Settlement Agreement dated May 1, 2015 provides for Economic and Compensatory damages to certain state employees. The following information is provided to agencies and details the steps that will be taken to award the damages. This job aid does not provide the complete details of the Agreement and only addresses how the terms of the Agreement will be administered in Core-CT for currently active employees.

There are two types of damages that will be awarded - Compensatory Damages and Economic Damages. They will be awarded separately. Compensatory Damages will be awarded to certain class members who are active state employees on January 1, 2016. Employees who were not active on January 1 will receive their award upon their return to work if they returned during 2016. Employees who do not anticipate returning during 2016 will receive their award in form of payment. These damages will be awarded in the form of vacation and/or personal leave (PL) days. Economic Damages require extensive research and will be awarded as they are determined.

**Compensatory Damages for Active Employees**

|  |
| --- |
| Laid Off – 10 V days and 5 PL days |
| Adversely affected – 4 V days and 3 PL days |
| Others – 1.25 PL days |

V = vacation days PL = personal leave days

All class members (that is, state employees who were employed by the State on November 17, 2002 and who were members of a bargaining unit on that date) are entitled to a compensatory damages award, the amount and type of which depends on which of the above categories they fall into.  Class members with actual economic damages (such as those who were laid off or demoted) are entitled to an economic damages award in addition to the compensatory damage awards.

Employees who are considered to be adversely affected include those who were bumped or demoted to a lower paying position in lieu of layoff.

The "Others" category refers to class members who were not laid off or adversely affected but were members of a union on November 17, 2002.

Current, active employees will be awarded compensatory and/or economic damages in the form of vacation and/or PL time. Such compensatory damages will be determined and provided to Core-CT. Vacation and PL days will be managed using Compensatory Time Off plans. Core-CT will receive the Compensatory Damages award and will enroll the impacted employees in the appropriate plans and load the award onto the timesheet. If the employee has multiple job records, the employee will be enrolled in vacation and/or PL plans and awarded hours in their Primary record. Compensatory damages will be provided as follows:

|  |  |
| --- | --- |
| 10 days | 80 hours |
| 5 days | 40 hours |
| 4 days | 32 hours |
| 3 days | 24 hours |
| 1.25 days | 10 hours |

As Economic Damages are determined, agencies must monitor and report on any employees who may have received Economic Damages but who are terminated/retired. Since the Economic Damages will be awarded over time, agencies may see vacation time awarded to employees whose Job Data record remains active but who are not being paid. These employees will need to be handled separately and should be reported to Deb Atkinson via email at debra.atkinson@ct.gov.

**Managing the Vacation Plan**

The vacation plan, V000N000P, does not have an expiration period and allows for payment upon termination. There is no maximum balance. The TRCs associated with this plan are as follows.

VA03 Manually add hours

VD03 Manually deduct hours

VAC03 Hours taken/used

VP03 Payment and deduction of hours

Employees with SEBAC Vacation Time remaining at termination need to be paid out and the balance zeroed. To payout the vacation time enter the number of hours remaining with VP03. This will both pay the hours and zero the balance. This MUST be done on the timesheet prior to the termination date. Paying the vacation time via Additional Pay or with a lump sum amount will not reduce the balance and will be difficult to report on. After termination, the vacation plan should be inactivated.

**Managing the PL Plan**

The PL plan, P012M000N, has an expiration date of 12 months. The time will be awarded on January 1, 2016 and will expire on December 31, 2016. PL time cannot be paid out upon termination. There is no maximum balance. The TRCs associated with the plan are as follows.

PLA03 Manually add hours

PLD03 Manually deduct hours

PL03 Hours taken/used

After December 31, 2016, Core-CT will inactivate all PL comp plans.

Update: Those employees who receive an award on December 1, 2016 or later will have until December 31, 2017 to use it.

**Managing FMLA and Workers’ Comp**

Should an employee elect to use the vacation or PL time for an FMLA or Workers’ Comp event, agencies will code the timesheet with VAC03 or PL03. In addition, override reason codes have been created to assist in identifying the type of event.

FMLAS State FMLA

FMLAF Federal FMLA

FMLAC Combination State and Federal FMLA

FMLAW Combination FMLA and Workers’ Comp

WC Workers’ Comp

PLSCK Using PL in lieu of Sick

VSCK Using Vacation in lieu of Sick

**Agency Information**

When the vacation and PL days are added to the timesheet an audit record will be created. The OPRID will be ‘TLSYSTEM’. This field is visible on the Reported Time table in EPM. There is also an online audit page available by navigating to Core-CT HRMS > Time and Labor > View Time > Reported Time Audit. On this page, users will see an Audit User ID of ‘BATCH’ on the Overview tab. On the Time Reporting Elements tab the Reported Time Source will be ‘Time Collection Device’ for the vacation and PL entries made by Core-CT. This will assist agencies in distinguishing between entries made by Core-CT and adjustments made by agencies, if they should be needed.

Agencies may also run the Reported Time report (CTTLR358) to obtain a list of employees covered under the agreement. To run the report, use January 1, 2016 as both the Begin and End Date. Click on the first radio button to run the report by Department. Select the applicable SetID (AGNCY or UNIVS). Type in the Department ID or select it from the list using the lookup icon. Select the radio button next to Run by TRC. Type VA03 then click the Add icon to add another row. Type PLA03 in the new row. Verify that the Show Detail checkbox is selected and the Page Break by Employee checkbox is NOT selected.

As with the other Compensatory Time Off plans, transactions cannot be entered in Additional Pay. All transactions associated with the vacation and PL plans must be entered on the Timesheet in order to be processed. Once entered, the transactions must be processed overnight by Time Administration before the balance is updated. The vacation and PL plans will be processed and maintained in Core-CT just as Comp and Holiday plans are and will be reportable using existing Compensatory Time reports.

Agencies may use existing reports to assist in managing the vacation and PL plans. The comp expiration reports (CTTLR354 and CTTLR356) can be used to monitor the expiration of the PL time. The Comp and Holiday Balance report (CTTLR400) can be used to monitor the vacation and PL balances. Once the employee has a zero vacation balance, the plan needs to be inactivated. To track FMLA or Workers’ Comp related activity in association with these vacation and PL plans, EPM or the TRC Usage report (by TRC and/or Override Reason Code) can be used.

The TRC Usage Report (CTHRR460) can be used to monitor time awarded and used. The following selections should be made on the Run Control page. Dates to Report: Begin Date 01/01/2016, End Date 12/31/16 Report Style: Uncheck both boxes Employees to Report: Select any option - Department, Group or Employee Report Request Options: Select by TRC TRCs to report - PLA03, PLD03, and PL03.

**Employee Information**

Timesheet

The two new comp plans will be displayed on the Timesheet in the “Leave and Compensatory Time Balances” section. The VA03 and PLA03 entries should NOT be deleted.

Paycheck

The Vacation and PL time will be displayed in the “Leave Balances As Of:” section of the paycheck. The Vacation time balance will be labeled “SEBACV” and the PL time balance will be labeled “SEBACPL”. Time taken/paid will be displayed in the Hours and Earnings section with the following descriptions: Vacation taken - “SEBAC Vacation Used”, PL taken - “SEBAC PL Used” and Vacation Paid – “SEBAC Vacation Payout”.

**Limited Scope Agencies**

Limited Scope Agencies are those that do not use Time and Labor in Core-CT to track employee attendance. These agencies must award and track the vacation and PL time in their own systems. Like all other Comp plans, balances will not be displayed on employee paychecks. When sending pay information to Core-CT the following earn codes MUST be used for tracking purposes.

AJ1 Vacation Add Hours

AJ2 Vacation Deduct Hours

AJ3 Vacation Used/Taken

AJ4 Vacation Payout

AJ5 PL Add Hours

AJ6 PL Deduct Hours

AJ7 PL Used/Taken

**ECONOMIC DAMAGES**

Economic Damages will be awarded as they are determined. Active employees will have the Economic Damages converted to vacation time and will be handled the same way as noted above for Compensatory Damages. Once determined, a file will be sent to Core-CT and the hours will be loaded. This will occur over a period of time and agencies may see additional time added to employee records. Use the audit features noted above to identify transactions added by Core-CT.

The vacation time will be added to the same vacation plan noted above as long as the total award is less than 9,999 hours. Any employee who receives an award greater than 9,999 hours will have the hours above 9,999 added to a second vacation plan – V000N00P2. This second plan will be set up in the same manner as the plan noted above however, it will require that separate TRCs be used. The TRCs for the second plan are as follows:

VA2 Manually add hours

VD2 Manually deduct hours

VAC2 Hours taken/used

VP2 Payment and deduction of hours

Employees awarded Economic Damages may also be entitled to retro Sick and Vacation accruals they may have missed during the layoff period. The accruals will be added to their Sick and Vacation balances at the same time as the Economic Damages vacation time using SKAA and VAA. Employees who are nearing the maximum vacation balance will receive vacation accruals to the maximum. Employees who are at the maximum vacation balance will not be awarded additional hours.

Any and all hours added by Core-CT will have a corresponding comment for easy identification. For reporting purposes, the TRCs for the second vacation plan need to be added to those listed above on the Run Control page for the TRC Usage Report – CTHRR460.

Employees who are no longer employed by the State will be handled centrally by the Office of the State Comptroller (OSC) Central Payroll Unit and Core-CT. Employees will be rehired into one OSC Conversion Position with one OSC funding source designated for this purpose. The payments will be loaded into Additional Pay by Core-CT. Agencies will not be responsible for any steps in awarding Economic Damages to these employees.

Questions on the Damages awards can be directed to the website of the class counsel at [www.sgtlaw.com](http://www.sgtlaw.com) or the website of the Office of the Comptroller at <http://www.osc.ct.gov/>.

Questions on how the awards will be handled in Core-CT should be logged to the Help Desk.