

## Voluntary Separation Program Guidelines

### **Purpose**

The purpose of the voluntary separation program is to allow agencies to implement a program to realign resources and/or permanently downsize based on the ability to demonstrate recurring cost savings. Program approval will be based on the agency head's ability to demonstrate cost savings within a two fiscal year period.

The following minimum program requirements must be incorporated in any agency's voluntary separation program.

### **Participation Eligibility**

- Only employees in FTE positions may be eligible for the voluntary separation program.
- Employees who submit a notice of resignation, which has been accepted by the agency prior to the VSP notification, are not eligible to participate in the agency's voluntary separation program.
- Employees who were not eligible for health and dental benefits prior to applying for the program, would not be eligible for those benefits if they participate in the program and if the agency is offering a year of benefits in its plan.
- Agency Heads and employees exempt from State Employee Grievance Procedure Act are not eligible to participate in the voluntary separation program.
- Employees participating in a retirement incentive plan in accordance with Sections 9-1-1140 (I) and 9-11-50 (I) of the South Carolina Code of Laws, are not eligible to participate in the voluntary separation program.
- All decisions to request participation in the program are voluntary by each eligible employee.
- All decisions concerning approval of participants are within the discretion of the agency head and in accordance with the approved program. An agency's program may declare an employee or categories of job classifications ineligible based on financial considerations or on the business needs of the organization to retain the employee(s) in order for the agency to continue its mission. The decision of the agency head is final.

### **Program Components**

- The agency head has overall responsibility for the implementation of the program.
- The agency will fund the program within existing funds.
- The program may be implemented based on the agency's ability to demonstrate recurring cost savings for realignment and/or permanent downsizing.
- Implementation of the program will be based on fair and objective criteria developed by the agency.

- An employee who is selected to participate in the program will agree to voluntarily resign or retire from the agency on or before the program effective date.
- In addition, employees who participate in the program may not become employed with the State of South Carolina in an FTE position for a period of two years from the date of separation unless the employee reimburses the agency from which the employee separated on a pro-rata basis for the benefits received.
- Participating employees may receive the following benefits:
  - Separation payment not to exceed one year's base salary; and
  - Employer portion of health and dental benefits for up to one year, unless the employee otherwise becomes eligible for such benefits. In addition, employees will receive payment for unused annual leave balances as provided for in the State Human Resources Regulations.
- In accordance with the Age Discrimination in Employment Act and the Older Workers Benefit Protection Act, eligible employees will have seven (7) days from the date of their acceptance to revoke the agreement.
- All decisions made under this program by employees to retire or resign are voluntary and are not considered grievable or appealable actions.

#### **Approval and Reporting**

- Voluntary separation programs may be developed in consultation with the Division of State Human Resources.
- The agency head and Director of the Division of State Human Resources must approve the program based on the ability to demonstrate recurring cost savings for realignment and/or permanent downsizing.
- State agencies are directed to report the results of the prior year's voluntary separation program to the Division of State Human Resources by August 15 of the current fiscal year.