

Article 41 - Governor - Executive and Administrative
Departments

206D.

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FACILITY" MEANS ANY STATE AGENCY OR LOCATION OR PORTION OF A STATE AGENCY WHERE 5- 50 OR MORE CLASSIFIED OR UNCLASSIFIED STATE EMPLOYEES REGULARLY WORK.

~~(3) -- "PORTION" MEANS A UNIT, OFFICE, COTTAGE, WARD, OR EQUIVALENT SECTION OF A FACILITY.~~

(3) "EMPLOYEE" MEANS ANY PERMANENT FULL-TIME OR PART-TIME EMPLOYEE FOR WHOM A POSITION IS PROVIDED IN THE STATE BUDGET.

(B) (1) WHEN THE VARIOUS DEPARTMENTS OF THE STATE PLAN THE CLOSURE OF A FACILITY, OR A PORTION OF THE FACILITY, THE EMPLOYEES OF THAT FACILITY SHALL BE GIVEN ADEQUATE NOTICE BY THE DEPARTMENT OF THE CLOSURE OF THE FACILITY, OR ANY PORTION OF THE FACILITY.

(2) NOTICE SHALL CONSIST OF NOTIFICATION AT LEAST 3 YEAR 6 MONTHS BEFORE CLOSING A FACILITY, OR 3 MONTHS BEFORE THE CLOSING OF A PORTION OF A FACILITY.

(3) IN ANY YEAR IN WHICH THE GOVERNOR FAILS TO INCLUDE SUFFICIENT FUNDS IN THE ANNUAL BUDGET TO OPERATE A FACILITY, THEREBY PRECIPITATING THE CLOSURE OF THE FACILITY, OR PORTION OF THE FACILITY, THE DEPARTMENT SHALL NOTIFY THE EMPLOYEES NO LATER THAN 5- 30 DAYS FOLLOWING THE SUBMISSION OF THE ANNUAL BUDGET BILL TO THE GENERAL ASSEMBLY.

(4) WHENEVER THE GENERAL ASSEMBLY IN ANY YEAR FAILS TO APPROPRIATE SUFFICIENT FUNDS IN THE ANNUAL BUDGET TO OPERATE A FACILITY, THEREBY PRECIPITATING THE CLOSURE OF THE FACILITY, OR PORTION OF THE FACILITY, THE DEPARTMENT SHALL NOTIFY THE EMPLOYEES NO LATER THAN 1-WEEK 30 DAYS FOLLOWING THE CLOSE OF THAT SESSION OF THE GENERAL ASSEMBLY.

(C) IMMEDIATELY IF REQUESTED BY AN EMPLOYEE WHO IS TO BE LAID OFF, IMMEDIATELY FOLLOWING THE NOTICE, THE VARIOUS DEPARTMENTS SHALL:

(1) BEGIN TO PROVIDE INTENSIVE JOB COUNSELING AND TRAINING REFERRAL FOR THE AFFECTED EMPLOYEES;

(2) MAKE EFFORTS TO RELOCATE OR TRANSFER THE AFFECTED EMPLOYEES TO OTHER DEPARTMENTAL POSITIONS IN THE STATE; AND