

**Sample notice to employees related to layoff (5/1/20)**

May 4, 2020

[Employee name]  
[Employee title]

**VIA HAND DELIVERY**

**Re: Notice of Layoff**

Dear [employee name]:

The world health community continues to monitor closely the emergence of the SARS-CoV-2 virus and the disease it causes, named "coronavirus disease 2019" (COVID-19). At this time, no one knows how severe this outbreak will be, but there are now thousands of known cases of it in Minnesota. Local, state and national emergencies have been declared relating to COVID-19. Specifically, [cite to local, state, and/or federal order triggering operational changes] states: “[quote relevant language].” In addition, [summarize financial decline and constraints, e.g., revenues utilized to compensate employees have decreased and are projected to substantially decrease due to the substantial and rapid economic downturn]. As a result, [state impact on facility and/or employees, e.g., the municipal bar must be closed, [employer name] has closed [specify facilities] to the public, or employees cannot report to work to performing nonessential functions]. In addition, the [employer name] is required to maintain a safe workplace and take steps to reduce the transmission of COVID-19 in the workplace and community.

Based on these actions, along with extensive review, consideration, consultation, and discussion internally and externally, I regret to inform you that [if governing body approve layoff - the [governing body name] passed a duly-approved motion on [date] to lay you off from employment with [employer name], and therefore] you will be laid off from employment with [employer name], effective [date]. This means that your last day of your employment with [employer name] as [title] will be no later than [date].

[employer name] expects and requires that you work through the end of the day on [date] as [title] and that you assist and cooperate with this transition.

[If paid administrative leave – **Paid Administrative Leave**

From [date leave start] through [date of layoff], you will be placed on administrative leave and paid for the hours you would have normally worked.

During this time, you are prohibited from doing the following to protect the security of [employer name] facility:

1. Performing any services for [employer name] or any services in which you present yourself as an employee, official, or agent of [employer name], unless otherwise authorized by me or my designee. But, you must still provide any services for [employer name] and/or answer any questions if expressly directed by me or my

[employee name]

May 1, 2020

Page 2 of 3

designee. [These services may include: [specify services]. Your compensation will be based on your normal schedule of [work cycle]. Under no circumstances, however, will your pay exceed your regular pay, unless your time in performing services exceeds the labor contract or legal threshold for overtime in a work period designated in increments of calendar days.]

2. Entering or being on or in any real property of [employer name] in which the general public does not normally and/or is not authorized to enter or be.
3. Entering or being on or in any real property of [employer name] at any times in which the general public does not normally and/or is not authorized to enter or be.
4. Accessing or using any [employer name]-owned equipment that the general public does not normally and/or is not authorized to access or use.
5. Accessing or obtaining any [employer name] data, regardless of its physical form, storage media or conditions of use, unless provided to you pursuant to a request by you under the Minnesota Government Data Practices Act.
6. Accessing or using [employer name]'s internal computer network or your [employer name] email account.

Violating any of these prohibitions may result in additional immediate disciplinary action against you, up to and including discharge.]

[If bumping rights - **Bumping**

[cite to Labor Agreement and relevant bumping article or section] provides: “[quote bumping provision].” If you desire to bump another bargaining unit employee, please submit your request in writing to do so to [title] [name] in-person, by email ([email address]), or by mail ([address]) as soon as possible, do so, but by no later than [time] on [date]. This writing must include the name and position of the employee whom you desire to bump. After receiving such a request, [employer name] will determine if the requirements to do so are met and notify you accordingly.]

[If recall/reinstatement rights – **Recall OR Reinstatement**

As a laid off employee, [cite to Labor Agreement and/or Civil Service/Merit Board rules and relevant recall article or section] provides: “[quote recall/reinstatement provision].” ]

### **Veteran Status**

This portion of the letter only applies if you are an honorably discharged veteran as defined under Minn. Stat. § 197.447.

[employee name]

May 1, 2020

Page 3 of 3

You have the right to either petition the district court for a writ of mandamus or the Commissioner of Veterans Affairs to determine whether your layoff taken was in good faith. If you wish to pursue either of these remedies, you must do so within 30 days of receipt of this notice. Failure to timely petition as such within this 30-day period shall constitute a waiver of the right to pursuing either petition. Such failure shall also waive all other available remedies for reinstatement to your position.

### **Conclusion**

[If leave - In addition,] you are required to return all items currently on your person that you obtained as a result of your employment with [employer name] to me by no later than [date], such as [list items]. If such items are not currently on your person, you must return them to [employer name] administration offices by no later than [time] [a.m. or p.m.] on [date].

Additional information is enclosed to assist you with this transition.

To ensure [employer name] is able to contact you and that you receive appropriate documents and notices from [employer name] in the future, please contact [employee name] if your telephone number or home address changes.

[employer name] regrets this decision, but it appreciates your service for [employer name] and wishes you well in future endeavors.

Sincerely,

[name]

[title]

Encl.