

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-3202 of the Code of Virginia, relating to the Workforce Transition*
3 *Act; eligibility.*

4 [H 2428]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-3202 of the Code of Virginia is amended and reenacted as follows:**8 **§ 2.2-3202. Eligibility for transitional severance benefit.**

9 A. Any full-time employee of the Commonwealth (i) whose position is covered by the Virginia
10 Personnel Act (§ 2.2-2900 et seq.), (ii) whose position is exempt from the Virginia Personnel Act
11 pursuant to subdivisions 2, 4 (except those persons specified in subsection C of this section), 7, 15 or 16
12 of § 2.2-2905, (iii) who is employed by the State Corporation Commission, (iv) who is employed by the
13 Virginia Workers' Compensation Commission, (v) who is employed by the Virginia Retirement System,
14 (vi) who is employed by the Virginia Lottery, (vii) who is employed by the Medical College of Virginia
15 Hospitals or the University of Virginia Medical Center, (viii) who is employed at a state educational
16 institution as faculty (including, but not limited to, presidents and teaching and research faculty) as
17 defined in the Consolidated Salary Authorization for Faculty Positions in Institutions of Higher
18 Education, 1994-95, or (ix) whose position is exempt from the Virginia Personnel Act pursuant to
19 subdivision 3 ~~or~~, 20, or 23 of § 2.2-2905; and (a) for whom reemployment with the Commonwealth is
20 not possible because there is no available position for which the employee is qualified or the position
21 offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation
22 was due to causes other than job performance or misconduct, shall be eligible, under the conditions
23 specified, for the transitional severance benefit conferred by this chapter. The date of involuntary
24 separation shall mean the date an employee was terminated from employment or placed on leave without
25 pay-layoff or equivalent status.

26 B. An otherwise eligible employee whose position is contingent upon project grants as defined in the
27 Catalogue of Federal Domestic Assistance, shall not be eligible for the transitional severance benefit
28 conferred by this chapter unless the funding source had agreed to assume all financial responsibility
29 therefor in its written contract with the Commonwealth.

30 C. Members of the Judicial Retirement System (§ 51.1-300 et seq.) and officers elected by popular
31 vote shall not be eligible for the transitional severance benefit conferred by this chapter.

32 D. Eligibility shall commence on the date of involuntary separation.

33 E. Persons authorized by § 2.2-106 or 51.1-124.22 to appoint a chief administrative officer or the
34 administrative head of an agency shall adhere to the same criteria for eligibility for transitional
35 severance benefits as is required for gubernatorial appointees pursuant to subsection A.

ENROLLED

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