

**Chapter: Salary Actions**  
**Title: Reinstatement of Employment**

**Effective Date: 12/1/11**  
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**New**

ACA Standard(s): N/A

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(a) **Policy.**

An employee who is reinstated with back pay must make an election as to whether to have group health plan coverage (and other benefit plan participation) reinstated retroactively to the date of termination, or reinstated upon return to active employment.

(b) **Reinstatement of Employment.**

When reinstatement of employment with back pay is ordered by the Executive Director, the following must occur:

- (1) The local HRA must immediately notify the Central Office benefits coordinator upon receipt of the reinstatement notification.
  - (2) Within ten (10) calendar days of the notification, the benefits coordinator will:
    - (A) research the employee's benefits at the time of termination and the employee's options;
    - (B) prepare a reinstatement benefit option agreement which addresses the status of the employee's TexFlex reimbursement account, if any, and provides the reinstated employee the following options:
      - (i) elect to have health insurance and other benefits for which the premiums are paid by payroll deduction reinstated retroactive to the date of termination, in which case the employee's portion of coverage premiums will be deducted from the amount granted for back pay; **or**
      - (ii) elect to forego retroactive reinstatement of health insurance and other benefits of which the premiums are paid by payroll deduction, in which case premiums will not be deducted from the amount granted for back pay, and the coverages under the benefit plans will not be made effective retroactively to the date of termination, and instead will resume upon return to work;
    - (C) forward the agreement to the local HRA for the employee to complete and sign.
  - (3) The local HRA must immediately, or as soon as feasible, forward the signed agreement to the Central Office benefits coordinator to start the process of the selected benefit option. The Central Office Human Resources Management Department will maintain a copy of the Reinstatement Benefit Option Agreement.
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