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*SEBAC, et al v. ROWLAND, et al*  
No. 3:03 cv 0221 (AVC) (D. Conn.)  
**Attorney-Client Information - privileged**

## **TO ALL UNION MEMBERS AFFECTED BY GOVERNOR ROWLAND'S ILLEGAL LAYOFFS IN 2003**

We are writing to all union members who were laid off, bumped or affected in other ways as a result of Governor Rowland's illegal layoffs in 2003 to provide an update on the status of our lawsuits against Governor Rowland and the State.

As many of you already know, the United States Court of Appeals for the Second Circuit has ruled that Governor Rowland's layoff orders in 2003 violated the First Amendment and were illegal. Although the State had the right to seek review of the Court of Appeals' decision in the United States Supreme Court, we were able to convince the Attorney General at the end of last year to defer seeking Supreme Court review and to enter into settlement discussions to resolve the case. The actual process was delayed by former Governor Rowland's attempt on his own to convince the Supreme Court to review the Second Circuit's decision, which the Supreme Court ultimately rejected.

We have been having discussions with the Attorney General's office for a number of months about the parameters and structures for reaching a settlement. We believe that these discussions have been very positive.

As part of the settlement discussions, we have been gathering information necessary to calculate damages – a process that has been delayed by the inaccuracy of records kept during the Rowland administration. We have received substantial data from the State to help us calculate damages, and we have retained an economic expert team to assist in this process. We are also seeking information directly from affected union members as to individual losses resulting of the illegal layoffs.

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A final agreement will need approval by union leaders and the named plaintiffs; legislative approval; and approval by the federal district court. Both sides have committed to working to get an agreement submitted to the General Assembly early in its next session which opens January 7, 2015 (the General Assembly has been out of session since May of this year), with submission to the court for final approval shortly thereafter.

We need information from all union members who were affected by the layoffs orders. Affected employees fall into one of the following classifications:

1. Employees who received a layoff notice in 2002 or 2003 and were laid off and never returned to state employment;
2. Employees who received a layoff notice in 2002 or 2003 and were laid off and subsequently returned to state employment in the same or a lesser paying position;
3. Employees who received a layoff notice and elected to take early retirement;
4. Employees who received a layoff notice but were able to bump a less senior employee and obtain a lesser paying position (or position at the same grade that required travel or other additional expenses);
5. Employees who were bumped out of their positions by more senior employees who received layoff notices and who then fall into one of the four categories listed above.

If you fall into one of the above categories, please fill out the attached form and email or fax the form back to us as soon as possible. If you have questions about the form or the information we are seeking, please contact us – preferably by email to [mjackson@sgtlaw.com](mailto:mjackson@sgtlaw.com); by fax to 203-325-3769; or by regular mail to Silver Golub & Teitell LLP, Attn: Martha Jackson, 184 Atlantic Street, Stamford, CT 06901; or by telephone to Martha Jackson at 877 731-9050.

Thanks.

DAVID S. GOLUB  
JONATHAN M. LEVINE  
SILVER GOLUB & TEITELL LLP

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Name: \_\_\_\_\_

Union: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Home or cell telephone: \_\_\_\_\_

1. If you were laid off in 2003, please tell us:

a. the date you were laid off: \_\_\_\_\_

b. your position at the time you were laid off (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_  
\_\_\_\_\_

c. your annual compensation at the time you were laid off (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_  
\_\_\_\_\_

2. If you were laid off in 2003 and subsequently rehired by the State, please tell us:

a. the date you were rehired: \_\_\_\_\_

b. the position to which you were rehired (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_  
\_\_\_\_\_

c. your annual compensation at the time you were rehired (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_  
\_\_\_\_\_

3. If you were laid off in 2003 and rehired, and were subsequently promoted to another position, please tell us:

a. the date you were promoted (or dates if you were promoted more than once): \_\_\_\_\_  
\_\_\_\_\_

b. the position you were promoted to or positions if you were promoted more than once (including whatever information you know concerning your job class, pay grade and salary step):  
\_\_\_\_\_

c. your annual compensation upon receiving the promotion (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_  
\_\_\_\_\_

4. If you were bumped or transferred to a new position in 2003, please tell us:

a. the date you changed your position: \_\_\_\_\_

b. the position from which you were bumped or transferred (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_  
\_\_\_\_\_

c. the new position you were bumped or transferred to (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_

\_\_\_\_\_

d. your annual compensation before you changed position (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_

\_\_\_\_\_

e. your annual compensation in 2003 upon your change in position (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_

\_\_\_\_\_

f. any other damages or loss you sustained as a result of being bumped or transferred: \_\_\_\_\_

\_\_\_\_\_

5. If you were bumped or transferred in 2003, and were subsequently promoted to another position, please tell us:

a. the date you were promoted (or dates if you were promoted more than once): \_\_\_\_\_

\_\_\_\_\_

b. the position you were promoted to or positions if you were promoted more than once (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_

c. your annual compensation at the time of any promotion (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_

\_\_\_\_\_

6. If you were laid off – permanently or temporarily – and obtained other work during the period you were laid off, please tell us:

a. each place you worked and the dates you worked there: \_\_\_\_\_

\_\_\_\_\_

b. your actual earnings in any other employment: \_\_\_\_\_

\_\_\_\_\_

c. do you have tax returns showing any other employment compensation you received:

\_\_\_\_\_

7. If you took early retirement in 2003 because of a layoff notice directed to you or someone in your work area or that you knew, please tell us:

a. whether the notice was directed to you or someone in your work area: \_\_\_\_\_

\_\_\_\_\_

b. the date you retired: \_\_\_\_\_

c. your position at the time you retired (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_

\_\_\_\_\_

d. your annual compensation at the time you retired (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_

\_\_\_\_\_

e. the annual retirement payments you receive: \_\_\_\_\_

f. if you worked anywhere else after taking retirement, each place you worked and the dates you worked there: \_\_\_\_\_

\_\_\_\_\_

g. your actual earnings in any other employment: \_\_\_\_\_

\_\_\_\_\_

h. do you have tax returns showing any other employment compensation you received:

\_\_\_\_\_

8. If you took normal retirement in 2003 because of a layoff notice directed to you or someone in your work area or that you knew, please tell us:

a. whether the notice was directed to you or someone in your work area: \_\_\_\_\_

\_\_\_\_\_

b. the date you retired: \_\_\_\_\_

c. your position at the time you retired (including whatever information you know concerning your job class, pay grade and salary step): \_\_\_\_\_  
\_\_\_\_\_

d. your annual compensation at the time you retired (including if you know, your total annual compensation, base salary and longevity): \_\_\_\_\_

e. the annual retirement payments you receive: \_\_\_\_\_

f. if you worked anywhere else after taking retirement, each place you worked and the dates you worked there: \_\_\_\_\_  
\_\_\_\_\_

g. your actual earnings in any other employment: \_\_\_\_\_  
\_\_\_\_\_

h. do you have tax returns showing any other employment compensation you received: \_\_\_\_\_  
\_\_\_\_\_

9. Please tell us if you have sustained any damages other than lost wages, lost seniority and lost benefits (such as, increased travel expenses because your place of work was changed):  
\_\_\_\_\_



10. If you are no longer employed by the State's work force, please tell us:

a. the date your employment with the State ended: \_\_\_\_\_

b. your position at the time your employment with the State ended (including whatever information you know concerning your job class, pay grade and salary step) : \_\_\_\_\_  
\_\_\_\_\_

c. the reason your employment with the State ended: \_\_\_\_\_

\_\_\_\_\_  
(Please sign your name)

\_\_\_\_\_  
(Please print your name)

Date: \_\_\_\_\_

PLEASE RETURN THIS TO YOUR UNION, PREFERABLY BY EMAIL.

IF YOU HAVE QUESTIONS OR ARE NOT SURE HOW TO GET THIS TO YOUR UNION, PLEASE CONTACT MARTHA JACKSON , BY EMAIL (MJACKSON@SGTLAW.COM); BY FAX (203 325-3769); OR TELEPHONE (877 731-9050) AT SILVER GOLUB & TEITELL LLP.