**Sample Recall Notice**

**Recall Process**

Please contact your state unemployment office for specific guidance in your state including requirements for employer to notify terminations to the state agency. There are jurisdictional requirements for recalling employees including specific language to be included; what constitutes adequate notification, proof of mailings, etc.

There are also federal and state unemployment tax implications for employers and possible unemployment take backs for the employee.

**Questions to Ask**

* What are the guidelines and requirements for recalling furloughed employees?
* What constitutes adequate notice of recall?
* What are Employer requirements for documenting this process (proof of mailing, declinations to return to work, etc.)
* What is the Employer’s responsibility to report terminations/failure to return to work?
* What are the federal unemployment tax act implications (FUTA)?
* What are the state unemployment tax act implications (SUTA)?

**DISCLAIMER: This Sample Recall Notice is provided as an example only and is not legal advice. You should consult with local counsel and state/county officials to ensure compliance with all laws and regulations.**

**Recall Notice**

Date:

Dear\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

We hope this notice finds you safe and well. As you know, due to the COVID-19 pandemic we were faced with very difficult decisions to reduce staff, including your furlough on [date furloughed]. We are pleased to notify you that [organization name] has work available and is recalling you from furlough, offering you back the position of [previous position/following position], with this letter as your Official Notice of Recall.

The mission of [organization name] has remained unchanged throughout this pandemic, and we are excited about the work and opportunities ahead. We would like you to resume work on [date] and report to [supervisor/manager name].

This letter supersedes any previous offer letter or terms of employment. Should you accept this offer of recall, the terms of your employment will be as follows:

Job Title:

Supervisor:

Responsibilities to include but not be limited to: [attach job description]

Salary or Hourly Wage: $

Employment Classification: [full-time/part-time] and [exempt or non/exempt]

Employment is at will, meaning you are not guaranteed employment for any period of time and either the [organization name] or you can end the relationship at any time, with or without notice, and with or without cause.

Your seniority will not be affected by this brief furlough period, and your benefits will be restored without condition. Your previously accrued but unused paid time off and sick leave, if applicable, will also be available to you upon your return.

We’re committed to doing everything we can to maintain a safe and healthy workplace. We will be orienting all returning staff on the new safety protocols that have been put in place. We are relying heavily on the CDC, OSHA, local health department information and The Redwoods Group in establishing safe working conditions and will continue our best efforts to keep the workplace safe.

To accept the position offered above and be recalled to work, please return a signed/e-signed and dated copy of this letter by [due date]. If this letter is not signed (or e-signed) and returned by that due date, we will assume you are turning down this offer to return to work and your employment with the [organization name] will be terminated.

You may contact me if you have any questions or concerns about our current safety procedures or your personal safety or if you need any type of assistance to be able to work.

Sincerely,

Your Name

Title

Check one box below:

☐ I accept the terms of this recall letter and will return to work.

☐ I decline recall and request termination of my employment (if signing electronically, type your name followed by e-signed”.)

**Note:** The [unemployment agency] may expect you or [organization name] to report employment terminations. Please read and understand the rules so that you do not jeopardize your unemployment benefits. [See the attached Families First Coronavirus Response Act (FFCRA) Employee Rights—Paid Sick leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act.]

Signature:

Name (print): Date: