
	<p>City of Albany Administrative Policy Employee Relations Policy #: HR-ER-11-003 Title: Termination of Employment</p>	<p>Human Resources</p>
---	--	-------------------------------

Purpose This policy is meant to provide employees with the requirements and procedures to terminate employment from the City.

Policy **General Guidelines and Procedures**

1. Termination shall be effective as of the last day actually worked and may not be extended by the use of paid leave, unless the employee is on paid leave (e.g., FMLA, administrative leave) prior to terminating and does not return to work.
2. Regular employees who terminate shall be paid for all accrued vacation and compensatory time at their current hourly rate of pay. An employee who has been employed by the City in a regular position for less than six (6) months is not entitled to payment of accrued vacation.
3. Accrued sick leave is not compensated upon termination.
4. Insurance benefits may be continued under COBRA, see Human Resources policy on General Benefits.
5. An employee loses all seniority in the event of termination with the exception of an employee placed on layoff status who returns to employment with the City within one year of the effective date of the layoff.
6. Final Paychecks must be paid according to the following schedule: It is supervisor's responsibility to provide payroll with the final timesheet in order to fulfill our requirements for final paychecks.
 - a. Employee Quits without Notice- The final paycheck is due within five days (excluding Saturdays, Sundays, and holidays) or prior to the end of the five day period if a regular payday occurs.
 - b. Employee Quits with Notice- If an employee gives at least 48-hours notice, (excluding Saturdays, Sundays and holidays) the paycheck is due on the final day of work. If the final day worked falls on a Saturday, Sunday or holiday, the paycheck is due not later than the end of the next business day.
 - c. Discharge by Employer- The final paycheck is due no later than the end of the first business day after the termination.
 - d. Death of an Employee- All wages earned up to \$10,000 must be paid to the surviving spouse, or, if there is no surviving spouse, to the dependent children.
7. All records, assets, and other City property shall be returned to the supervisor in clean and reasonable repair. Any items not collected and of significant value may result in the employee being ineligible for rehire with the City. The City may not hold an employee's final paycheck until such time as City property is returned. The City may decide to pursue legal action for unreturned City property.
8. Departments shall forward an Employee Status Form along with any applicable letter of resignation or retirement to the Human Resources Department.
9. Human Resources shall contact the employee to schedule an exit interview on or around the last day of employment. The employee shall be given time

	<p>City of Albany Administrative Policy Employee Relations Policy #: HR-ER-11-003 Title: Termination of Employment</p>	<p>Human Resources</p>
---	--	-------------------------------

during on or around their last day of employment to complete the exit interview.

10. A Termination Clearance Form shall be routed by the Human Resources Department upon notification of termination to the supervisor and payroll.
11. All paperwork shall be filed in the employee's personnel file and the personnel file will be moved to the terminated section.

Resignation

An employee may resign by submitting a letter of resignation stating the effective date of the resignation. Such letter shall be submitted to the supervisor or the Department Director as far in advance as possible. A minimum of two weeks' notice is requested. Unless unforeseen circumstances intervene or as otherwise agreed to by the Department Director, failure to give proper notice of resignation or complete termination procedures properly shall render an employee ineligible for rehire. The resignation letter shall be forwarded on to the Human Resources Department along with the Employee Status Form.

Job Abandonment

If an employee is absent for three consecutive work days without notification to his/her supervisor or any member of management within their department or any member of the Human Resources Department, the City may deem the employee to have resigned. In such case, the Department Director or designee shall forward an Employee Status Form to formally discharge the employee without a letter of resignation.

Retirement


Employees retiring under Public Employees Retirement System (PERS) or its successor are encouraged to submit their application for Service Retirement 90 days before the effective retirement date. The PERS Members' Handbook outlines the procedure and documents that must be submitted to apply for retirement. Employees should notify their supervisor at the time they submit their application to PERS in order to complete the appropriate paperwork in a timely manner. Payroll will complete all necessary paperwork and all information will be forwarded to PERS.

Employees covered under the Police & Fire Pension Fund should consult the plan documents for information regarding retirement.

The retirement letter shall be forwarded on to the Human Resources Department along with the Employee Status Form.

Layoff

Layoff is defined as the involuntary termination of an employee due to a reduction in the City's workforce and does not reflect discredit on the employee. A Department Head considering a layoff must receive approval from the Human Resources Director and City Manager. When the City determines that a reduction in force is necessary, the City shall retain complete discretion to decide which employee(s) will be laid off. Positions vacated through a layoff shall be frozen and will not be available to be

	<p>City of Albany Administrative Policy Employee Relations Policy #: HR-ER-11-003 Title: Termination of Employment</p>	<p>Human Resources</p>
---	--	-------------------------------

refilled.

For an employee who is terminated due to layoff, the City shall provide payment for the first three (3) months of COBRA premiums. This benefit will cease if, during this three-month period, the employee becomes employed by an employer who provides health insurance.

This benefit is not available to employees who are eligible for the City’s sick leave retirement benefit.

Death of an Employee

In the unfortunate event of the death of an employee, the deceased employee’s formal date of separation shall be effective as of the date of his/her death. All compensation shall be paid and continuation of benefits shall be offered in accordance with the law. In such case, the Department Director or designee shall forward an Employee Status Form to formally terminate employment without a letter of resignation.

Definitions N/A

References Termination Clearance Form

Review and Authorization

Supersedes: HR-ER-11-002; 06/23/2006	Created/Amended by/date: DS; 04/14/2010	Effective Date: 04/14/2010
HR Director:		City Manager:

1. Form or worksheet revision related to this document? No Yes

If yes, attach a copy of the revised form or worksheet.

2. Training required? No Yes