



POLICY TITLE:	Separation of Employment
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A. OVERVIEW

1. **Description and Purpose** - This policy establishes policies and procedures for the City of Saint Paul (City) to ensure that employee separations, including resignation, retirement, release (end of season or assignment), layoff, reduction in workforce or termination, are handled in a professional manner with minimal disruption to the workplace.
2. **Applicability** – This policy applies to all employees of the City.
3. **Failure to Comply** - Failure to comply with this policy may result in disciplinary action in accordance with any and all disciplinary policies of the City.

B. POLICY AND PROCEDURE

1. Separation of employment within the City can occur for several different reasons. Employment may end as a result of resignation, retirement, release (end of season or assignment), layoff, reduction in workforce or termination. When an employee separates from the City, his supervisor must contact the Human Resource (HR) Division to assist with documentation and processing of the required documents.
2. **Resignation**
 - a. Resignation is a voluntary act initiated by the employee to end employment with the City.
 - b. Employees are encouraged to provide two (2) weeks’ notice to facilitate a smooth transition out of the City. If an employee provides less notice than requested, the City may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given. The resignation date must not fall on the day after a holiday
 - c. All resignations must be confirmed in writing. Employees may wish to complete the Employee Resignation Form provided by the City for this purpose or may submit other written notice that must include the reason for leaving and the effective date. Employees who verbally resign will receive a Confirmation of Resignation notice within twenty-four (24) hours. Employees who provide written notice will receive a Confirmation of Resignation notice within two (2) business days.
 - d. The City Manager in consultation with the employee’s supervisor, reserves the right to provide an employee with two (2) weeks’ pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.

- e. Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been confirmed by the City.
- f. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so consistent with the City's retention program.

3. Retirement

- a. An employee who wishes to retire must notify his immediate supervisor in writing at least one (1) month before planned retirement date.
- b. Employees who provide written notice of retirement will receive a Confirmation of Retirement notice within five (5) business days.
- c. It is the practice of the City to give special recognition to employees at the time of their retirement. The recipient must be employed with the City for five (5) years to be eligible for a retirement gift. The amount provided for the gift is \$25.00 per year, based on the employee's uninterrupted full-time service. Gifts or gift cards shall not exceed \$500.00. The department director should contact the HR to purchase a gift or a gift card. Departmental funds may not be used to augment the gift.

4. Job Abandonment

- a. An employee who fails to report to work or contact his supervisor for ~~five (5)~~ consecutive workdays will be considered to have abandoned the job without notice, effective at the end of the employee's normal shift on the third day.
- b. The employee's supervisor should notify the HR at the expiration of the second workday and initiate the paperwork to terminate the employee.

5. Termination

- a. An involuntary termination of employment, is a management-initiated separation.
- b. A regular or contracted employee as defined by City Personnel Policy Number 02.02 – Position Classification may be terminated in accordance with the City Personnel Policy Number 11.01 – Progressive Discipline Policy for violations of any of the City's personnel policies.
- c. Before any action is taken to terminate an employee, the employee's supervisor must request a review of the termination by HR.
- d. All terminations of regular or contracted employees must be reviewed by legal counsel.
- e. The HR will be responsible for reviewing the circumstances and determining if termination is warranted. If the HR recommends termination, the employee's supervisor and an HR representative will notify the employee. The employee's supervisor shall complete the Status/Payroll Change Form and notify HR of the last day worked by the employee.

6. Layoff and Reduction in Workforce

- a. If the City determines that it must reduce employment because of adverse economic, changes in an employee's duties, organizational changes, lack of funds, lack of work, other conditions, then layoffs and recall from layoffs will generally be conducted in a

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manner that is consistent with City requirements and in accordance with the procedures described below.

b. A layoff is a temporary and may be for a specified period of time where they employee may be recalled to work. A reduction in force is a layoff that is permanent.

c. **Layoff**

i. Employees who are laid off may not appeal or file a complaint regarding the layoff.

ii. In the event that a layoff is expected, the City will attempt to communicate information about an impending layoff as soon as possible. However, the City Manager reserves the right to alter the layoff procedure and withhold information about the layoff as permitted by law to protect the City's interests.

a) Layoffs that are expected to be temporary will generally be handled according to the provisions of this policy. Selections for layoffs that are known to be permanent will be made according to this policy and then handled according to City termination of employment and severance pay policies. (ref)

- Evaluation of the foregoing criteria will be within the sole discretion of City Manager. Employees will be selected for layoff based on the following criteria:
- Promotion potential and transferability of skills to other positions within the department and/or division.
- Demonstrated current and past performance.
- The needs of the City and specific projects.
- Length of service with the City.

b) An employee's length of service is measured from the original date of employment with City, as long as there has not been a break in service greater than thirty (30) days. During a layoff, employees with breaks in service greater than thirty (30) days, but less than one (1) year per break, are credited only for their time actually worked; that is, the break time does not get counted unless required by law. Employees with a break in service greater than one (1) year will receive credit for service only from their most recent date of hire with the City.

c) Employees selected for layoff will be given as much notice as is required by law or as much as is reasonable under the circumstances.

d) Employees who are laid off will be maintained on a recall list for six (6) months or until management determines a reduction in force (RIF) is needed, whichever occurs first. Removal from the recall list terminates all job rights the employee may have. While on the recall list, employees should report to the Human Resource (HR) Division if they become unavailable for recall. Employees who do not keep a current home address on record with the HR will lose their recall rights.

- e) Employees will be recalled according to the needs of the City, their classification and their ability to perform the job. Notice of recall will be sent by registered mail, return receipt requested, to the current home address on record with the HR. Unless an employee responds to the recall notice within seven days following receipt of the notice or its attempted delivery, the employee's name will be removed from the recall list and the employee will no longer have any job rights with the City.
- f) Credit for seniority will continue to accumulate during any layoff of thirty (30) days or less. Employees laid off for more than thirty (30) days and subsequently recalled within one (1) year from the date of layoff will be credited with the years of service accumulated at the time of layoff.
- g) If the layoff is expected to exceed thirty (30) days, vacation pay equal to the number of unused vacation days accrued will be paid at the time of layoff. Employees who are laid off will not accrue annual or sick leave during the layoff.

7. Release

- a. Release is the end of temporary or seasonal employment.

8. Death of an Employee

- a. A termination due to the death of an employee will be made effective as of the date of death.
- b. Upon receiving notification of the death of an employee, the employee's immediate supervisor should immediately notify HR.
- c. The Payroll Clerk/Manager will process all appropriate beneficiary payments from the various benefits plans.
- d. The employee's immediate supervisor should ensure that the Finance Department receives the deceased employee's timecard.

9. Out-Processing Procedures

a. Return of Property

- i. The separating employee must return all company property at the time of separation, including but not limited to uniforms, including keys, credit cards, tools, uniforms, cellular phones, laptops, vehicles, and other equipment.
- ii. Failure to return some items may result in deductions from the employee's final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

b. Exit Interview

- i. The separating employee must contact the HR as soon as notice is given to schedule an exit interview. The HR will be scheduled an exit meeting with the separating employee to ensure that all City property is returned and to provide an

opportunity to discuss any questions or concerns related to employment with the City.

c. Termination of Benefits

- i. An employee separating from the City is eligible to receive all of the benefits described below as required by law or as long as the employee follows the procedures described in this policy.
- ii. **Annual Leave**
 - a) Accrued Annual Leave will be paid in the last paycheck consistent with the City's Annual Leave Policy Number 04.03.02.
- iii. **Health insurance**
 - a) Health insurance terminates on the last day of the month of employment, unless the employee requests immediate termination of benefits. Information about COBRA continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.
- iv. Employees who are separated due to job abandonment are ineligible to receive accrued benefits.

d. Forwarding Address and Final Pay

- i. Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner.
- ii. Final pay will be mailed to this address by the next payday unless state law or other procedures dictate otherwise.
- e. Employees who possess a security clearance must meet with the security officer for a debriefing no later than their last day of employment.
- f. An employee who resigns or is discharged will be paid through the last day of work, plus any unused Annual Leave, less outstanding loans, advances or other agreements the employee may have with the City, in compliance with Alaska laws. In cases of an employee's death, the final pay due to that employee will be paid to the deceased employee's estate or as otherwise required under Alaska law.

10. Reporting of Employee Separations

- a. All departing employees, regardless of the circumstances surrounding their departure, will be reported as a group on a monthly basis to all staff. Those with a need to know (e.g., supervisors up the chain-of-command, payroll, front desk, IT and security) will be advised of the last day of actual work for the company.
- a. The employee's supervisor will complete a Supervisory Termination Summary Form and deliver the completed form to HR.
- b. The employee's supervisor will complete a Status/Payroll Change Form and deliver the completed form to payroll.

11. Eligibility for Rehire

- a. Former employees who leave the City in good standing and who were classified as eligible for rehire may be considered for reemployment. In such cases, the former

employee must submit an application to the HR. A former employee must meet all minimum qualifications and requirements of the position.

- b. Supervisors must obtain approval from the City Manager or designee prior to rehiring a former employee. A rehired former employee's previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.
- c. Employees who resign in good standing under this policy and whose documented performance is above average under the City's performance management system will be eligible for reemployment for a period of up to six (6) months from the last date of employment, with benefits tied to seniority reinstated in full.
- d. Former employees will be considered for open positions along with all other candidates. Former employees who apply for reemployment after six (6) months will be treated as new employees for purposes of seniority-related benefits.

12. Ineligibility for Rehire

- a. An employee who is terminated by the City for violating policy or who resigned from the City in lieu of termination from employment due to a policy violation will be ineligible for rehire.
- b. Employees who fail to return any City property will be ineligible for rehire and may be subject to legal proceedings on behalf of the City.
- c. Employees who are separated due to job abandonment are ineligible for rehire.

13. Retiree Return to Work

- a. Retirees of the City may return to work in accordance with the State of Alaska-Department of Administration-Division of Retirement and Benefits policy.

C. FORM(S)

- 1. Supervisory Termination Summary Form.
- 2. Disciplinary Action Notice.
- 3. Status/Payroll Change Form.

D. REFERENCE(S)

- 1. City Personnel Policy Number 02.02 – Position Classification.
- 2. City Personnel Policy Number 11.01 – Progressive Discipline.
- 3. City Personnel Policy Number 04.03.02 - Annual Leave.
- 4. State of Alaska-Department of Administration-Division of Retirement and Benefits policy.

E. DEFINITION(S)

- 1. None.

F. POLICY HISTORY

- 1. This is a new policy.