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**Article VII. Separation of Employment**

**Resignation**

- A. It is requested by the City that any employee who resigns notify the applicable supervisor or director at least two (2) weeks prior to the effective date. Individuals in unclassified positions are requested to give at least thirty (30) days’ notice. The resignation should be made in writing, signed, and dated. The original resignation will be forwarded to Human Resources for inclusion in the employee’s personnel file.
- B. In consultation with the Chief Human Resources Officer, a director may approve the withdrawal of a resignation provided that an appointment has not been made to fill the pending vacancy or the position has not been eliminated. The original written request for such withdrawal and the written approval of such withdrawal should be forwarded to Human Resources for inclusion in the employee’s personnel file. The City is not required to approve the withdrawal of any resignation.
- C. Employees who resign will receive a final paycheck on the next regular payroll date following the effective date of the resignation.
- D. Employees who resign must return all City-owned property by the effective date of the resignation or last day worked, whichever is earlier.
- E. Directors should notify Human Resources as soon as they have knowledge of the resignation.

**Abandonment of Position**

- A. An employee shall be deemed to have abandoned their position if that employee has three (3) consecutive working days/shifts of unauthorized absence. This situation shall be deemed a resignation, and the required written resignation of the employee shall be waived.
- B. An employee separated from City service in this manner may apply to the Chief Human Resources Officer for reinstatement. Reinstatement shall be considered when it is in the best interests of the City, and determined on a case-by-case basis. Recommendations for reinstatement shall be made by the Chief Human Resources Officer, with the concurrence of the department director, subject to approval by the City Manager.
- C. Denial of reinstatement may be appealed to the Personnel Board in accordance with Article VIII

in the Personnel Policies and Procedures.

### **Separation Due to Discipline/Termination/Disqualification**

- A. Classified Employees: A department director may, with or without cause, recommend the termination of a classified employee by placing the employee on suspension without pay for a period of ten (10) days pending a request by the employee for an appeal hearing to the Personnel Board. A request for a hearing shall be made in writing and filed with the Chief Human Resources Officer. If no appeal is received, the employee shall be terminated at the completion of the suspension. If the recommended termination is appealed, it shall be processed in a timely manner pursuant to the Article VIII in the Personnel Policies and Procedures.
- B. Unclassified Employees: The appointing authority may, with or without cause, terminate an unclassified employee in accordance with the Charter.
- C. Supervisors and/or Directors shall confer with Human Resources and the City Attorney or their designee prior to suspending, demoting, placing on probation or terminating an employee for a disciplinary reason.
- D. Employees who are terminated will receive a final paycheck on the next regular payroll date following the effective date of the resignation.
- E. Employees who are terminated must return all City-owned property by the effective date of the separation or last day worked, whichever is earlier.

### **Retirement**

- A. It is requested by the City that an employee who resigns for the purpose of retirement notify the applicable Supervisor or Director as soon as a retirement date has been selected or at least thirty (30) days in advance of the effective date.
- B. Employees who plan to retire should notify Human Resources at least ninety (90) days prior to their planned retirement date to coordinate retirement benefits
- C. The City wishes to celebrate retirements in a method most comfortable for the retiree and within the fiscal limitations of the budget.

### **Layoff**

- A. Layoff shall occur when it becomes necessary for the City Manager to effect immediate reductions in the size of the City work force due to projected shortage of funds or as may otherwise be provided for in these Personnel Policies and Procedures.
- B. Immediately following a decision which may involve the potential layoff of regular status employees, the City Manager shall freeze all current City vacancies in similar

and related classifications to those likely targeted for layoff. Every effort shall be made to place affected employees into vacant positions for which they are qualified.

- C. Employees shall be notified individually, in writing by the Finance and Administration Department, of pending layoff as soon as possible. The employee shall receive a minimum of ten (10) working days notification prior to the effective date of the layoff.
- D. An employee in a position identified for layoff may elect to resign in lieu of layoff. Employees not wishing to resign will be placed on a recall list. Recall shall be in reverse order of layoff subject to the needs of the service and employee qualifications. An employee who has been recalled shall be reinstated with full service credit accrued up to the time of layoff. Opportunity for recall shall expire six (6) months from the effective date of lay-off.

### **Reduction in Force (RIF) Policy**

- A. While the City of Independence strives to provide a stable and secure environment in which to work, under certain circumstances, it may be necessary to eliminate employee positions due to budgetary needs, program reductions, reorganization, or other business needs. This policy establishes a process for the position elimination of regular full-time and part-time employee positions at the city. A reduction in force (RIF) is defined as a separation from employment due to lack of funds, lack of work, redesign or elimination of position(s) or reorganization, with no likelihood or expectation that the employee will be recalled because the position itself is eliminated. A RIF may be necessary or appropriate when there is a redesign or elimination of work, redundancy in roles, or excess capacity within a work group or across work groups, such that it would be economically feasible and responsible to reduce the number of employees in a unit or department.

The RIF process shall be administered in a fashion which best provides the employees who are affected reasonable notice of the employment action in order to facilitate selection by the employees from among the options that may be available to them. The reduction is by position only, and shall not be considered an action upon the individual, nor shall the City Council consider or direct any reduction of persons or positions as prohibited by Charter Section 2.15. Consistent with this objective, the City, when practicable, will provide employees affected by a RIF with at least thirty (30) days' written notice of job reclassification and/or position elimination. Employee's regular pay will not be terminated until this thirty (30) day period expires. Employee and their supervisor shall work out a transition plan based on the needs of the City and Employee, which may cover items such as how long Employee will continue to work during this thirty (30) day period, how the termination decision is communicated to others, a list of priorities for completing outstanding work projects, etc. Upon notification that the employee's position is being reclassified or eliminated, the affected employee has access to the options and programs discussed below.

An employee may voluntarily resign their position with the City in lieu of RIF termination. In this case, any TSP benefits that may be available to the employee will only be considered if the required release is executed.

- B. Within thirty (30) days from the City's notice to the employee, the employee may apply for vacant City positions for which the City is currently hiring. A complete listing of such positions is available on the City website or by contacting Human Resources. During the thirty (30) day notice period set forth above, affected employees may be given preference in being hired to fill vacant City positions applied for.
- C. In order to maintain continuous service credit with the City, the employee must be placed in a position within six (6) months of the reduction action. An employee separated from service due to a reduction in force who is placed in the service after six (6) months, shall be treated as a new hire.
- D. Employees who have been notified that their position is being reclassified or eliminated pursuant to a RIF Plan and who do not apply for and receive another City position within the thirty (30) day notice period will be terminated from their employment with the City.

### **Transition Support Policy (TSP)**

The City may provide transition support to full-time or part-time employees who are separating employment with the City. Separating employees shall not have a right to transition support. The decision to provide transition support is City Manager's discretion, after consultation with the Director and Chief Human Resources Officer.

Employees receiving benefits under the TSP will be required to sign a *General Release Agreement*. For TSP eligibility, this Release must be executed and not rescinded during the applicable consideration and withdrawal period. This TSP policy may be modified or extended, with or without notice, at the discretion of the City Manager.

### **Benefits Not Affected by TSP**

All other City-provided benefits or benefits arising out of employment with City fall outside of the TSP. Information about the potential continuation and/or termination of such benefits will be provided to employee prior to the date of separation.

Should the employee be selected and hired for any position with the City, the pay and benefits set forth in the TSP shall not be available to employee.

### **Exit Interview**

An exit interview is strongly recommended for all employees separating employment with the City. The exit interview is an opportunity for the employee to make any comments they

would like to make upon separation. The exit interview is conducted through the Human Resources and is kept confidential. Information learned in exit interviews is used to help the City continuously improve the environment for the employees. Data and information compiled are aggregated and information is not attributed to individual departing employees.

### **Re-employment after Separation**

An employee who separates service in good standing with proper notice may be considered for re-employment with the City. Employees must meet the minimum qualifications for the position which they seek. An employee who has been terminated for cause is not eligible for rehire.

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