

	<b>City of Albany</b> Human Resources Policy Policy #: HR-ER-11-003 Title: Termination of Employment	<b>Employee Relations</b>
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**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 during on or around their last day of employment to complete the exit

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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 refilled.

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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



# TERMINATION CLEARANCE FORM

Employee: \_\_\_\_\_

Department: \_\_\_\_\_

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

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

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

Last Day Worked \_\_\_\_\_

**EMPLOYEE'S DEPARTMENT**

Yes No N/A

BIO-MED ID card returned	___	___	___
Employee ID card returned	___	___	___
Employee purchase card returned	___	___	___
City Hall key returned	___	___	___
City Hall security access card returned	___	___	___
City Hall Protec security card returned	___	___	___
Fuel card returned	___	___	___
Calling card returned	___	___	___
Disks, CD's, and/or flash drive returned	___	___	___
Notebooks and/or other equipment returned	___	___	___
Uniform(s) returned	___	___	___
Keys returned	___	___	___
Reset voice mail password to phone extension	___	___	___

**DELETE THE FOLLOWING:**

Finance will be notified of the responses below and will delete the following access codes.

Yes No N/A

Long distance (LD) access code	___	___	___
International LD access code	___	___	___

**INFORMATION TECHNOLOGY**

I have submitted the IT Account Termination form  
(Form located on the Intranet under Help Desk/IT)

**SIGNATURES:**

\_\_\_\_\_  
Employee Date

\_\_\_\_\_  
Supervisor Date

**PAYROLL**

Yes No N/A

Signed final time sheet	___	___	___
Administrative leave adjustment	___	___	___
<i>Earned</i> _____ <i>Used</i> _____			
Notified PERS	___	___	___
Notified employee of Deferred Comp	___	___	___
Notified employee of 125 FSA	___	___	___
Library materials returned	___	___	___
Copy charges paid	___	___	___

**Final check released to:**

<i>Employee</i>	___	___	___
<i>Department supervisor</i>	___	___	___
<i>Via mail to employee</i>	___	___	___

\_\_\_\_\_  
Payroll Representative

\_\_\_\_\_  
Date

**HUMAN RESOURCES**

Yes No N/A

Letter of resignation/retirement	___	___	___
Personnel Action Form completed	___	___	___
Health insurance continuation notification:			
<i>COBRA plan</i>	___	___	___
<i>Oregon retirement plan</i>	___	___	___
Notified of life insurance conversion	___	___	___
Notified of LTD insurance conversion	___	___	___
Notified of voluntary insurance coverages:			
<i>Colonial or AFLAC</i>	___	___	___
<i>LINA Life</i>	___	___	___
<i>AUL (APA only)</i>	___	___	___

\_\_\_\_\_  
Human Resources

\_\_\_\_\_  
Date