

SUBJECT: SEPARATIONS FROM EMPLOYMENT

APPROVED BY:

EFFECTIVE

DATE: 04-07-10 (replaces 02-26-10)

Executive Director

Reviewed (no changes): 03-31-11 \_\_\_\_\_  
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POLICY

It is the policy of McIntosh Trail CSB that separations from employment, whether voluntary or involuntary, be in accordance with State Personnel Board Rules and/or other state and federal laws.

**TYPES OF VOLUNTARY SEPARATIONS**

- A. Resignation - An employee who resigns from McIntosh Trail CSB should provide advance written notification. Under ordinary circumstances, notification should be received at least ten working days prior to the effective date of the resignation. After an employee gives a notice of resignation, the employee may not request more than eight hours use of annual or personal leave during the notice period except with the expressed approval of the Executive Director. Sick leave must be validated by a satisfactory physician's statement.
- B. Presumptive Resignation - An employee who is absent from duty for three consecutive work days or the equivalent, without proper notification and authorization, may be deemed to have voluntarily resigned from employment.
- C. Failure to Return from Leave of Absence - An employee who fails to return to duty at the expiration of a leave of absence may be deemed to have voluntarily resigned from employment.
- D. Suitable Vacancy Not Available - If a suitable vacancy is not available at the expiration of a contingent leave of absence, the employee must be released from employment. Such a release is considered a voluntary separation.
- E. Forfeiture of Position - An employee is deemed to have voluntarily forfeited employment under the following conditions:
  - 1. Failing to secure or maintain a license or certificate required by law or appropriate authority for the performance of the employee's duties.
  - 2. Engaging in political activity or conflicting employment in violation of Rule 8 of the Rules of the State Personnel Board.
  - 3. Making a false statement of material fact on an application for examination or employment.
- F. Release from Employment - An employee who is absent from duty for five consecutive work days or equivalent after all sick and annual leave is used may be released from employment. Such a release is considered a voluntary separation.

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POLICY (Continued)

**TYPES OF INVOLUNTARY SEPARATIONS**

- A. Separation of Working Test Employee - A **classified** employee serving a working test period following appointment or interdepartmental transfer may be separated from employment at any time during the working test period.

An exception exists when an employee with five years or more of continuous State service accepts an interdepartmental transfer. If the employee does not successfully complete the working test period, the employee retains permanent status rights to the last class in which the employee held permanent status that is on a paygrade lower than the class to which the employee transferred in the new department.

An employee serving a working test period as the result of a promotion within McIntosh Trail may be dismissed as provided in Rule 478-1-.15 of the Rules of the State Personnel Board.

- B. Separation of Unclassified Employee - An unclassified or other non-status employee may be separated under the following circumstances:

1. At any time at the discretion of the Executive Director.
2. At the expiration of the maximum employment period authorized for the type of employment.

- C. Separation of Permanent Status Employee - A permanent status employee may be dismissed as provided in Rule 15 of the Rules of the State Personnel Board.

**OTHER TYPES OF SEPARATIONS**

- A. Death - The effective date of the Personnel Request Form should be the date of death.
- B. Retirement - The effective date of the Personnel Request Form should be the first of the month in which retirement is effective.

PROCEDURE

- A. The supervisor/manager must complete a Personnel Request Form (Attachment #1) for voluntary resignations, death or retirement as soon as they are aware of the resignation. The Personnel Request Form should be sent through proper channels to the Personnel Office for processing. **For all other separations, the Personnel Manager must be contacted to guide the supervisor/manager through the appropriate separation process.**

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PROCEDURE (Continued)

- B. The supervisor/manager must complete the Employment Separation Clearance Checklist (Attachment #2) on the employee's last day and submit to the Personnel Office.
- C. The Personnel Office will mail the terminated employee an Exit Interview questionnaire to complete and send back to the Personnel Office. The Exit Interview will be confidential. The Exit Interview Form will be forwarded to the Executive Director for review and appropriate action, if needed. The Exit Interview will be filed in the Personnel Office.
- D. The Personnel Office will be responsible for processing the employee's Separation Notice according to federal and state laws.

Attachments:

- #1 Personnel Request Form
- #2 Employment Separation Clearance Checklist