
CHAPTER 21

SEPARATION FROM COUNTY EMPLOYMENT

21.1 Resignation, Layoff, Dismissal

- A. An individual's employment with the County is entered into voluntarily and the employee is free to resign at any time and for any or no stated reason. Similarly, the County may end the at-will employment relationship at any time and for any or no stated reason.
- B. An employee may leave County employment by:
 - 1. Resignation

Voluntary separation initiated by an employee who chooses to leave County service. (See Chapter 21.2)
 - 2. Layoff

A temporary or indefinite reduction in the local government workforce due to economic conditions, lack of work or funds, County or department reorganization, or other appropriate reasons, initiated by the County. (See Chapter 21.9)
 - 3. Dismissal

Involuntary separation initiated by the County as a result of an employee's unsatisfactory work performance or misconduct. (See Chapter 21.4)

21.2 Resignation

- A. An employee who desires to resign in good standing shall submit a signed written notice to his supervisor at least 14 calendar days before the effective resignation date. Department directors and certain other employees may be required to give at least a 30-day notice. The resignation notice shall be signed by the employee and include the date of the resignation, and the date the notice is submitted. The department director and the resigning employee, by mutual consent, may waive or modify the advance notice requirement. Failure to give appropriate notice may be grounds for refusal to re-employ the individual. Additionally, the County is not required to pay the employee any ~~accrued annual~~ leave balance pursuant to Chapter 11 of these policies and procedures if the employee does not provide the requisite notice.

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- B. Department directors shall immediately forward all resignations to the Department of Human Resources for processing so that Exit Interviews may be scheduled.
 - C. Should the employee wish to cancel his resignation he shall submit, within 7 calendar days following submission of resignation, request to withdraw the resignation. With the approval of the County Administrator, the employee may continue in the position if it has not been filled in the meantime.

21.3 Retirement

- A. Eligible employees who are planning to retire from County service are advised to submit written notice to their department director at least 4 months prior to the effective retirement date. The written notice shall be forwarded to the Department of Human Resources and then to the County Administrator. The 4-month time frame is recommended to ensure sufficient time for application of all retirement benefits.
- B. Retirement benefits are offered through the Virginia Retirement System (VRS) and outlined in the VRS Handbook for Members. (See Chapter 10.1.)
- C. Payment for any leave balance for which the employee is eligible shall be paid on a lump sum basis. It is not permissible to delay the effective date of retirement by any amount of accumulated Sick or Annual Leave or Compensatory Time due the retiring employee.
- D. There shall be no mandatory retirement age. An employee's ability to perform work is evaluated without regard to age in accordance with normal County work performance review procedures.

21.4 Dismissal

Employment with the County is entered into voluntarily and the employee is free to resign at any time, for any or no stated reason. Similarly, the County may end the at-will employment relationship at any time, for any or no stated reason. An employee may be dismissed by the department director for any reason including neglect of duty; unauthorized absences; being under the influence of drugs or alcohol while on duty; insubordination; gross departure from acceptable behavior; misuse of County property; incompetence; falsification of information; inability to meet current position requirements; unlawful discrimination including harassment; conviction of a criminal offense, if the nature of the offense is related to job duties; extended absences; less than satisfactory performance; and/or for other causes. (See Chapter 19.) Before dismissal, the department director or designee shall give the employee an explanation of the reason for the dismissal and an opportunity to present the employee's side of the story. An employee may seek redress through the Grievance Procedure. (See Chapter 20.)

21.5 Separation Date

- A. Whenever an employee separates from County service, the effective date must be the last day that the employee is physically on the job.
- B. If an employee is on approved Sick leave, Workers' Compensation Leave, or Leave Without Pay when separated, the effective date of separation shall be the actual date of separation as given by the employee and approved by the County Administrator and not the last day physically on the job.

21.6 Exit Interview

All regular part-time and full-time employees who resign employment with the County are required to complete an Exit Interview with a Department of Human Resources representative. During the interview, the reasons for the resignation, benefits, and the return of County property will be discussed. The employee's viewpoints on subjects such as pay, benefits, training, and working conditions can provide valuable information on ways to enhance the County's Human Resources program. Some benefits may be continued at the employee's expense if the employee so chooses. During the Exit Interview, the employee will be notified which benefits may be continued and of their terms, conditions, and limitations. A representative from Human Resources will conduct the Exit Interview during the employee's last week on the job. Completed Exit Interviews are safeguarded and kept separate from an employee's human resources record.

21.7 Return of County Property

Employees are responsible for returning all County property, materials, and written information issued to them. Items to be returned include, but are not limited to, the County identification card; keys to buildings, offices, files and vehicles; uniforms; safety equipment; tools; passwords; user names; and manuals. If an employee fails to return County property as stated in this policy, the County will pursue all appropriate legal remedies, including criminal prosecution, in order to recover the property or its corresponding value.

21.8 Final Paycheck

Payment for any Compensatory Time and/or Annual and Sick Leave balance to which the employee is eligible shall be paid in a lump sum basis on the next payday following the date of separation insofar as practical.

21.9 Layoff Procedure

- A. The Board of Supervisors and the County Administrator have the right and obligation to manage the workforce to best serve the interests of the County. Lay-off or a reduction in force (RIF) shall be approved by the Board of Supervisors. Because of reduced appropriations, lack of sufficient work or funds, or County-

wide or departmental reorganization, the County Administrator may institute layoffs to reduce positions funded totally by the County.

- B. Unless specific instruction is received from the Board of Supervisors, the following shall serve as the general procedure and order:
1. A reduction in the workforce (RIF) will be managed on an individual department basis. The County Administrator and the department will identify those organizational sections, job classifications, positions, and individuals affected.
 2. Where a reduction necessitates layoff, upon identifying the specific classifications requiring reduction in personnel, the RIF will follow this order:
 - a. Seasonal part-time employees
 - b. Regular part-time employees
 - c. Employees of less than 1 year's seniority
 - d. Full-time employees
 3. In order to provide for a uniform, fair, equitable, and effective determination of individuals to be laid off, other factors to be considered shall be:
 - a. Less than satisfactory performance
 - b. Length of service
- C. Insofar as practical, all employees to be laid off shall be provided with a minimum written notice of 14 calendar days.
- D. Employees laid off due to a reduction in the workforce are provided reinstatement and reemployment rights for 1 year from the date of their layoff. If the County determines that the employee's job classification must be filled within one year from the date of their layoff, the employee shall be given the right of first refusal to return to their previous employment classification.
- E. Laid off employees shall be paid for any earned Compensatory Time and/or Annual and Sick Leave as provided in the County's Human Resources Policies and Procedures Manual.
- F. Employees who are laid off under a reduction in force are eligible to apply to the Virginia Employment Commission for unemployment compensation.