



## CITY OF GREEN BAY PERSONNEL POLICY

<b>Policy Title</b> Separation From Employment	<b>Policy Reference</b> Chapter 13
<b>Policy Source</b> Human Resources Department	<b>Legal Review Date</b> October 15, 2013
<b>Personnel Committee Approval</b> November 12, 2013	<b>City Council Approval</b> November 19, 2013

13.1 It is the City’s policy to ensure that employee separations from employment are handled in a professional manner with minimal disruption to ongoing work functions. There are three types of separations from employment:

- Voluntary
- Involuntary
- Death

### 13.2 VOLUNTARY SEPARATION FROM EMPLOYMENT

13.2.1 **GENERAL.** Voluntary separation from employment occurs when an employee informs their supervisor of resignation or retirement, or separation is deemed to have occurred when an employee is absent from work for 3-consecutive workdays and fails to contact their supervisor (job abandonment).

13.2.2 **RETIREMENT.** Employees who perform at an acceptable level may continue working as long as they desire and a position is available for them providing their age does not represent a bona fide occupational qualification for their particular position. Employees wishing to retire should obtain necessary information from the Wisconsin Department of Employee Trust Funds. In all other respects (e.g. manner and time of notice) a retirement shall be treated like a resignation.

13.2.3 **PROCEDURE.** Employees are expected to provide a minimum of 2-weeks’ notice of their intention to resign employment from the City in order to allow a reasonable amount of time to transfer ongoing workloads. It is expected that written notice will be provided to the employee’s immediate supervisor.

- a. Upon receipt of an employee’s resignation, the immediate supervisor will notify Human Resources by sending a copy of the resignation letter along with a completed Personnel Action Form (PAF) including employee’s reason for leaving, last day of work, etc.
- b. Human Resources will coordinate the employee’s out-processing. Employees must complete the following processes on or before the last day of work. Vacation is not intended to extend an employee’s length of

employment and as long as the employee is still employed all vacation is subject to prior approval by the employee's supervisor. Out-processing procedures include:

- i. Employees leaving employment must return City keys, tools and equipment on or before their last day of work.
- ii. An audiogram for employees in parks maintenance, department of public works maintenance, and protected services positions must be performed on or before the employee's last day of work.
- iii. Review of benefit status.
- iv. Information on completing the on-line exit interview will be provided. The exit interview provides employees the opportunity to freely express views about working at the City and will be held in strict confidence. HR will compile summary data from the exit interviews.

### 13.3 INVOLUNTARY SEPARATION FROM EMPLOYMENT

13.3.1 LAYOFF. The department head may, after consulting with the Mayor, lay off an employee due to shortage of funds or work, the abolition of the position, or other material changes in the duties of the organization, or for related reasons which are outside of the employee's control and do not reflect unfavorably on the employee's performance. However, no permanent employee shall be laid off while there are temporary employees serving in the same classification in the same department.

- a. Layoff from a Non-Exempt Position. The City may layoff an employee from a non-exempt position whenever such action is necessary. In the event of multiple layoffs in the same position/job title within a department among non-exempt employees, layoff will be based on the inverse order of seniority in that position/job title within the department, as long as the least senior employee does not possess special skills, knowledge and ability for the position and based on performance. A laid off employee will have rights to recall to the same position from which the employee was laid off for up to 1-year following the layoff. Recall will be based on seniority in that position/job title within the department.
- b. Layoff from an Exempt Position. The City may layoff an employee from an exempt position based on performance in situations in which there are more than one incumbent within the division or section in which the layoff is to occur. If there is no difference in performance, then the layoff shall be governed by seniority. Employees on lay-off shall be recalled prior to hiring anyone else in the same classification.
- c. All layoff plans shall be approved by the Human Resources Director before they are implemented.

13.3.2 DISABILITY. An employee may be separated for disability when the employee

cannot perform the essential functions of their position with or without accommodation because of a physical or mental impairment. Action may be initiated by the employee, their legal representative, or the City, but in all cases it must be supported by medical evidence acceptable to the City and, if Wisconsin Statute 40.63 applies, the Wisconsin Retirement System. The City may require an examination by its own physician at its expense to verify the existence and extent of the disability.

- 13.3.3 DISMISSAL. Dismissal or discharge for cause is explained in chapter 14 of these policies.
- 13.4 DEATH. Separation of employment will be effective as of the date of death. All compensation due in accordance with Section 2 of this chapter will be paid to the estate of the employee, except for such sums specified by law to be paid to the surviving spouse.
- 13.5 FINAL PAY. Generally regular employees who separate from City service shall receive payment at their regular rate for all earned salary, earned vacation and any other pay to which the employee is entitled by law or these policies, subject to appropriate withholding and payroll deductions. Terminating employees shall be referred to the Finance Department for completion of appropriate forms.
- 13.6 COMPLETION OF ASSIGNMENT. Employees hired to fill temporary positions shall be terminated upon completion of the duties or expiration of the time for which the temporary position was established.
- 13.7 REFERENCES. Employment references for current or former employees shall be limited to date of hire, date of separation, classification, general job description and rate of pay. If an employer seeks information on quality of performance or willingness to rehire, the supervisor shall confer with the Human Resources Director who may authorize the release of factual information regarding the individual's performance. That factual information, however, must be undisputed and documented.