

**COUNTY BOARD OF HEALTH  
POLICY # HR-03801  
SEPARATION FROM EMPLOYMENT POLICY**

|           |   |         |
|-----------|---|---------|
| Approval: |  | 5/14/20 |
|           | District Health Director  | Date    |



**1.0 PURPOSE**

This policy contains process guidelines for separation of employment from County Board of Health.

**2.0 AUTHORITY** – The County Board of Health (CBOH) Separation from Employment Policy is published under the authority of CBOH and in compliance with the following:

**2.1** Rules of the State Personnel Board

**3.0 SCOPE**

This policy applies to employees of the County Boards of Health.

**4.0 POLICY**

The policy of the County Board of Health is that separations from employment may be voluntary or involuntary depending upon the specific circumstances.

**4.1 ACCOUNTABILITY**

**4.1.1** *Separation Notice Form* —Form DOL-800 must be provided to County Board of Health employees who separate from employment.

**4.1.2** Copies are to be maintained in the HR employees' official personnel file.

**5.0 DEFINITIONS**

**5.1 CBOH** – County Board of Health

**5.2 HR** – Human Resources

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### 5.3 DHD – District Health Director

## 6.0 RESPONSIBILITIES

Human Resources (HR) is responsible for issuing and updating procedures to implement this policy.

## 7.0 PROCEDURES

**7.1 RESIGNATION** - Employees who resign from employment should provide advance written notice to their supervisor and Human Resources. Generally, a two-week notice is recommended unless a shorter period is acceptable to employees' supervisors. The date of resignation becomes fixed upon receiving notice, and can only be changed with supervisory approval and HR notification.

**7.2 RETIREMENT** - Employees who have selected a retirement date and have received confirmation from the Employees' Retirement System should advise their supervisors and HR of the retirement date as soon as possible. Supervisors and HR should be given at least thirty (30) calendar days' advance notice.

### 7.3 INVOLUNTARY SEPARATION UNCLASSIFIED EMPLOYEES

**7.3.1** Unclassified employees are hired and retained by the CBOH "at will." They may be separated from employment at any time at the discretion of the DHD.

**7.3.2** Unclassified employees must be notified of the involuntary separations in writing.

**7.3.3** Supervisors must consult with HR prior to taking separation actions.

**7.3.4** Supervisors must submit in writing the separation action against employees to HR for review and recommendation in the approval process.

**7.3.5** Any decision to separate must be approved in writing by the DHD or designee prior to the action being taken.

### 7.4 INVOLUNTARY SEPARATION RETIREMENT LAW

**7.4.1** Employees who first established membership in the Employees' Retirement System prior to April 1, 1972 AND who have a minimum of 18 years of State employment may have involuntary separation rights under the Retirement Law.

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7.4.2 State Law requires that specific procedures be followed to separate employees with involuntary separation rights.

7.4.3 The DHD must approve any separation action against employees who may have involuntary separation rights.

## 7.5 VOLUNTARY SEPARATIONS OF CLASSIFIED EMPLOYEES

7.5.1 **Presumptive Resignation** - Classified employees who are absent from work for five (5) consecutive work days or equivalent without proper authorization may be considered to have voluntarily resigned from employment. Employees must be notified in writing of the voluntary separation and advised of their appeal rights to the State.

7.5.2 **Failure to Return from Leave of Absence** - Classified employees who do not return to work at the expiration of a leave of absence may be considered to have voluntarily resigned from employment. Employees must be notified in writing of the voluntary separation and advised of their appeal rights to the State Personnel Board.

7.5.3 **Suitable Vacancy Not Available** - Classified employees must be separated from employment if a suitable vacancy is not available at the expiration of a contingent leave of absence without pay. Employees should be notified in writing of the voluntary separation. No appeal rights to the State Personnel Board are provided.

7.5.4 **Forfeiture of Position** - Classified employees may be considered to have voluntarily forfeited their positions for:

7.5.4.1 Failure to secure or maintain a license, certificate or registration required by law or appropriate regulatory authority for the performance of job duties;

7.5.4.2 Engaging in political activity or conflicting employment in violation of the Rules of the State Personnel Board; or,

7.5.4.3 Making a false statement of material fact on an application for employment, or an examination.

7.5.5 Employees must be given written notice of forfeiture of position and advised of their appeal rights provided in the Rules of the State Personnel Board. Please note that the notice requirement for forfeiture of position is the same as that required for an adverse action.

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**7.5.6** HR must be contacted prior to initiating any of the above voluntary separations of classified employees.

**7.6 REDUCTION IN FORCE OF CLASSIFIED EMPLOYEES** - Employees may be separated from employment based on a Reduction in Force (RIF) Plan due to shortage of work or funds, abolition of a position, other material change in duties or organization, or otherwise. Affected employees must be given written notice of RIF action at least thirty (30) calendar days before the effective date, and the procedures set forth in State Personnel Board Rule must be followed.

**7.7 DISMISSAL OF CLASSIFIED EMPLOYEES FOR DISCIPLINARY PURPOSES** - Specific procedures outlined in the Rules of the State Personnel Board must be followed to dismiss classified employees for disciplinary purposes. HR must be contacted prior to proposing the dismissal of classified employees who have permanent status.

**7.8 NOTIFICATION & SYSTEM ENTRY**

**7.8.1** A completed *Requisition for Personnel/Payroll Action* with supporting documentation must be forwarded to HR as soon as possible to enter separation actions into the system.

**7.8.2** HR must inform Payroll, Accounting and Information Technology immediately upon learning of the separation of an employee. Immediate notification is essential to ensure that computer privileges are terminated immediately and that overpayments do not occur.

**7.8.3** In the case of a voluntary separation, HR should be notified at the point the manager receives notice of separation. In the case of an involuntary separation, notification should occur prior to the communication of the separation decision to the employee. Notification may occur via e-mail, fax, and phone contact or personnel action form.

**7.8.4** Managers are subject to disciplinary action when notification of separation is not received by HR per this policy and procedure.

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## 8.0 REVISION HISTORY

| REVISION # | REVISION DATE     | REVISION COMMENTS   |
|------------|-------------------|---|
| 0          | 04/14/14          | Initial Issue   |
|            | November 13, 2015 | Revised 6.2. Removed 6.5.6, Annual Review   |
| 1          | July 20, 2018     | Removed Section 4.4 and Annual Review   |
| 2          | April 28, 2020    | Revised 4.1.2, 5.2, 5.3, 6.0, 7.1, 7.2, 7.3, 7.3.1, 7.3.5, 7.4.3, 7.5.4.2, 7.5.4.3, 7.8.1, 7.8.3, 7.8.4 and Related Forms |

## 9.0 RELATED FORMS

*DOL-800 Separation Notice Form*