

RESOLUTION

WHEREAS, the Board of Supervisors has adopted County of Albemarle Personnel Policies pursuant to Albemarle County Code Section 2-1102; and

WHEREAS, the Board desires to amend Section P-26 regarding termination of employment.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Albemarle County, Virginia, hereby amends Section P-26, Termination of Employment, of the County of Albemarle Personnel Policies, as follows:

Section P-26 Termination of Employment

The Board recognizes that termination of employment can be either voluntary or involuntary. In all cases, the procedures used will be of a fair and consistent nature, taking into consideration the reasons for separation. Except for excluded classes of employees as defined in Policy § P-03, Employee Grievance Procedure, an employee who is dismissed may appeal the decision under the approved grievance procedure.

~~On receipt of notification from the immediate supervisor, the Director of Human Resources shall initiate the termination report, signed by the County Executive. This form will be the only official notification to remove an employee from the payroll. The terminated employee's department shall initiate an employee action request (EAR). Department heads or designees have the responsibility of notifying the Human Resources Department as soon as they know an employee is leaving. This form will be the only official notification to remove an employee from the payroll.~~

~~Probationary employees are considered at-will employees and may be released or may resign during their probationary periods without obligation on the part of the employer or employee.~~

~~Every employee who is separating from employment regardless of the length of service, their position, or the circumstances of their separation, will have the opportunity to participate in an exit interview. The Director of Human Resources or designee will conduct all exit interviews, normally during the employee's last work day or as soon thereafter as possible. Department heads or designees have the responsibility of notifying the Director of Human Resources as soon as they know an employee is leaving. The employee may request an in-person exit interview from the Director of Human Resources or designee and/or their Department head or designee.~~

Procedure for Compliance for Termination of Employment

~~Resignation: Resignation is a voluntary separation from termination of employment on the part of an employee for any reason. All employees are required to give written notice of resignation. The Department head or designee has the responsibility of notifying the Department of Human Resources as soon as the Department head or designee receives an employee's letter of resignation and submitting all required documentation for inclusion in the employee's personnel file and final payment processing in a timely manner.~~

~~Normally, an An employee shall submit a formal letter of resignation in writing to his the employee's immediate supervisor at least 14 days two (2) weeks prior to the effective resignation date. This letter will be forwarded to the Director of Human Resources for inclusion in the personnel file. Employees who wish to be paid on their final day of work must include this request in the letter of resignation, providing two weeks notice. An employee may resign sooner than the two (2) week required period if agreed upon by the Department head or designee.~~

An employee who does not report to the employee's regularly scheduled work hours for three (3) consecutive days without notifying the employee's supervisor and/or failure to receive leave approval from the employee's immediate supervisor will be deemed to have voluntarily resigned from employment. The employee's pay and benefits will be calculated using the last day the employee reported to work as the effective date of resignation.

Layoff: Layoff is a reduction in the work force due to budgetary restrictions and/or reduced work load. In the case of a layoff, immediate supervisors will notify affected employees as far in advance as possible. See Policy § P-30, Employee Reduction in Force Procedures, for additional information and procedures.

Dismissal: Dismissal is an involuntary separation from employment due to a violation of County policy or state or federal law, disciplinary infractions, or inability failure to satisfactorily perform the work required, or failure to meet the requirements of the position. ~~In all such cases~~ Prior to ~~the dismissal~~, it is expected that the ~~department~~ Department head or designee has thoroughly investigated the incident(s) or circumstance(s) leading to the dismissal, has documented any action taken, and has applied discipline in a fair and consistent fashion. The ~~department~~ Department head or designee shall keep the Director of Human Resources or designee informed of any disciplinary actions in progress. See Policy § P-22, Employee Discipline.

~~The County Executive or designee may place on probation and dismiss non-probationary, classified employees for just cause. Probationary employees are by definition "at will" and may be dismissed at the end of their probationary period as provided by law. A non-probationary employee who is dismissed may appeal the decision through the approved grievance procedure, except for probationary employees and appointed department heads who are subject to dismissal by the Board. All salary payments and benefits will cease at be calculated based upon the time at which effective date of the department head makes the recommendation for employee's dismissal and all accrued annual leave payments up to the maximum allowed will be made to the employee. If the decision is grieved, health insurance benefits will, upon request of the employee, remain in effect during the course of the grievance procedure. However, if the decision to dismiss is upheld, the employee shall be responsible for the full cost of the health insurance from the date on which the dismissal took place. If the employee is reinstated as a result of the grievance procedure, all salary and benefits will be reinstated retroactively to the date on which payments ceased or as otherwise agreed upon. In addition, the reinstated employee shall be given the choice of repaying the annual leave payment and having the employee's annual leave balance restored or returning to work with a zero balance and beginning again to accrue leave at his the employee's previous applicable rate. The employee's hire date will also be reinstated to reflect the employee's status prior to the dismissal.~~

Amended: August 7, 1996

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____