

DHHS POLICIES AND PROCEDURES

Section V-(a):	Human Resources
Title:	Division of Health Benefits, Separation of Employment Policy
Current Effective Date:	04/01/19
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Purpose

It is the policy of the Division of Health Benefits (DHB) to ensure that employee separations, including voluntary and involuntary separations and separations due to death of an employee, are handled in a professional manner with minimal disruption to ongoing work functions. All personnel decisions are made without regard to political affiliation, in accordance with 5 CFR 900.603(e) and (f).

This policy applies to all current DHB employees.

Policy

All DHB employees shall comply with the separation and/or transfer process described in the implementation section of this policy.

Implementation

1. Voluntary Separations

A voluntary separation of employment occurs when an employee informs his or her supervisor of the employee's intent to resign or when an employee is absent from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment).

Procedures

1. Employees are requested to provide a minimum of two weeks' notice of their intention to resign from the division to allow a reasonable amount of time to transfer ongoing workloads. The employee should provide a written resignation letter to his/her manager/supervisor and Human Resources.
 - a. **Notice of resignation.** Employees are expected to provide two weeks' notice to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, DHB management and HR may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

- b. **Form of resignation notice.** All resignations must be confirmed in writing. Employee Resignation letters must include the reason for leaving and the effective date. Employees who resign will receive a Confirmation of Resignation notice within 48 hours. Employee is required to provide resignation notice to the immediate supervisor/manager and the Human Resources Department.
 - c. **Pay in lieu of notice.** Management reserves the right to provide an employee with up to two weeks' pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.
 - d. **Resignation for Job Abandonment.** Employees who fail to report to work for three consecutive working days, and does not properly report the absence, will be viewed as voluntarily resigning their employment as of 5pm of the third day.
 - e. **Rescission of resignation.** Employees generally will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been confirmed by the Human Resources. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so with their manager/supervisor and Human resources.
 - f. **Eligibility for rehire.** Employees who resign in good standing (i.e., have no active disciplinary action) and whose documented performance is meeting and/or exceeding expectations under the organization's performance management system will be eligible for reemployment.
 - g. **Reporting of employee departures.** Notice of departure will be provided for all departing employees to those with a need to know (e.g., supervisors up the chain-of-command, payroll, front desk, IT and security) on the last day of actual work for the Division. Circumstances surrounding an employee's departure will not be released.
2. Human Resources will coordinate the employee's out-processing. This process will include:
- a. An employee separation checklist.
 - b. The employee's return of all division property (e.g., keys, ID cards, parking passes).
 - c. A review of the employee's post-separation benefits status.
 - d. The employee's completion of an exit interview. The exit interview provides employees with the opportunity to freely express views about working at DHB, and the employee's comments during the exit interview will be kept confidential. HR will compile data from exit interviews to

determine if feedback to the head of the employee's department or other members of management is necessary.

3. **Involuntary Separations**

An involuntary separation of employment and/or the inability of an employee to perform the essential functions of his or her job with or without a reasonable accommodation may result in an involuntary separation. An employee may also be discharged for any legal reason including but not limited to, misconduct, tardiness, absenteeism, unsatisfactory performance or inability to perform.

Depending on the nature of the offense, DHB reserves the right to combine and/or omit steps or immediately issue a separation. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training, the employee's work record, and the impact the conduct and performance issues have on the organization and its reputation.

Procedures

1. Before any action is taken to discharge an employee, the employee's manager must request a review by Human Resources and the employee's department head.
2. Human Resources, Employee's Manager and Department Head will be responsible for reviewing the circumstances and determining if discharge is warranted. If it is determined that discharge is the appropriate course of action, the employee's manager and Human Resources will notify the employee.

4. **Death of an Employee**

A separation due to the death of an employee will be made effective as of the date of death.

Procedures

1. Upon receiving notification of the death of an employee, the employee's manager should immediately notify the Human Resources and the Department Head.
2. Human Resources will contact the insurance agencies and family beneficiary for appropriate beneficiary payments from the various benefits plans.

Final Pay

An employee who resigns or is discharged will be paid through the last day of work, plus any unused Vacation time up to 240 hours. Non-Exempt employees will receive payment for overtime worked that has not already paid. All payment will be made less outstanding loans, overpayments, advances or other agreements the employee may have with the division. The employee's manager should ensure that Human Resources receives the deceased employee's final hours worked.

Final Paycheck Withholdings

Employees who fail to return any division property, including keys, credit cards, tools, uniforms, cellular phones, laptops and other equipment, will be charged the current value of that property which will be withheld from the employee's final pay until such property is returned. If the property is not returned the employee will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of DHB. All payment will be made less outstanding loans, overpayments, advances or other agreements the employee may have with the division.

Forwarding address and final pay

Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to this address or direct deposited to bank account on record by the next payday unless state law or other procedures dictate otherwise. Accrued but unused vacation will be paid out consistent with the Division vacation policy and state law requirements

For questions or clarification on any of the information contained in this policy, please contact the DHB Human Resources Manager. For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).