



PERSONNEL RULES AND REGULATIONS

RULE 13: <i>Separation from County Service</i>	APPROVED: REVISED:
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Section 1: Introduction

While it is the hope of the County that employment will be a long and mutually beneficial relationship, there are circumstances that arise and result in an employee's separation from County service.

Section 2: Resignation

- A. Employees who desire to terminate their employment must submit a written resignation to the Department Head. Employees can elect to use the Letter of Resignation Form or provide their own document.
- B. Resignation notice must be submitted at least 14 calendar days including the final work day. Employees desiring to rescind their resignation must notify their Department Head in writing prior to its effective date. The Department Head has discretion as to whether they choose to accept the rescinding of a resignation.
- C. The written resignation shall be transmitted to the Human Resources Department along with a completed Employee Action Form within five (5) calendar days of its receipt. The resignation shall be effective at the close of the date indicated on the Letter of Resignation Form or upon completion of any approved leave.
- D. Employees voluntarily resigning will be asked to complete an Exit Interview Questionnaire. The questionnaire provides an opportunity for employees to express their insight regarding a variety of topics as well as any issue they would like recognized.
- E. Employees voluntarily resigning will be asked to participate in an exit interview with the Human Resources Department prior to the resignation date.
- F. The Human Resources Director may make such investigation as warranted for the purpose of verifying reasons for resignation.
- G. All documents associated with the resignation will be placed in the employee's civil service personnel file.
- H. Employees who fail to provide adequate notice of resignation shall be deemed to have quit or abandoned their job, and will be designated as 'ineligible for rehire'. Any extenuating circumstances will be reviewed and documented on a case-by-case basis.



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Section 3: Disability or Impairment

Employees may be separated from employment when for reasons of their disability they cannot perform the essential functions of their job, with or without accommodations because of physical or mental impairment, and pursuant to the Americans with Disabilities Act. The Human Resources Director or Department Head (in consultation with the Human Resources Director) may at any time require employees to be examined by a qualified medical professional for the purpose of determining their ability to perform the essential functions of their job. Such examination shall be conducted by a licensed health care provider selected by the County and will be paid by the County.

Section 4: Retirement

Retirement shall be as provided by the Nebraska Public Employee Retirement System. Employees retirement date shall be the date specified in writing by them. Employees will be eligible for retirement upon attaining age 55.

- A. Employees who desire to retire must submit a Notice of Retirement to their Department Head.
- B. Retirement notice must be submitted at least 14 calendar days including the final work day. Employees desiring to rescind their retirement must notify their Department Head in writing prior to its effective date. The Department Head has discretion as to whether they choose to accept the rescinding of a retirement.
- C. The Notice of Retirement shall be transmitted to the Human Resources Department along with a completed Employee Action Form within five (5) calendar days of its receipt.
- D. Employees will be asked to complete an Exit Interview Questionnaire. The questionnaire provides an opportunity for employees to express their insight regarding a variety of topics as well as any issue they would like recognized.
- E. All documents associated with the retirement will be placed in the employee's civil service personnel file.

Section 5: Layoff

- A. A Department Head may layoff tenured employees whenever it is deemed necessary by reason of shortage of funds, shortage of work, abolishment of the job, or other material change in duties or organization. Affected employees shall be notified at least 15 calendar days prior to the effective date and shall be given written



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notice as to the reason(s) for layoff. Within 15 calendar days of their layoff date, they may appeal, in writing to the Human Resources Director, for a Hearing before the Personnel Policy Board.

- B. The Human Resources Director shall establish a uniform procedure for layoffs. Tenured employees shall not be laid off while there are probationary, temporary, seasonal, emergency, provisional, or casual employees actively working.
- C. Employees who have been laid off may request that their name be placed on a recall list for the job from which the layoff occurred, provided the request is in writing to the Human Resources Director and received within 30 days of the layoff. Eligibility to remain on the recall list shall expire one (1) year from the effective date of the layoff, per *Rule 2: County Employment, Regulation 2: Employment List, Section 10: Recall List*.
- D. Recalled employees shall have their service time computed back to their original date of employment minus the time not employed.
- E. Employees on a recall list and later recalled within one (1) year shall have available upon their return such leave accumulator levels as existed at the time of their layoff.
- F. If a laid off employee is re-employed more than one (1) year following the layoff, a new date of employment shall be established.

Section 6: Dismissal

- A. Tenured employees may be dismissed by their Department Head for cause. In these instances, they shall receive a Loudermill Notice and have an opportunity to attend or submit documentation to be reviewed at the Loudermill Hearing. Refer to *Rule 7: Progressive Discipline, Regulation 1: General Provisions, Section 4: Loudermill Hearing Process* for further information.
- B. Tenured employees who are dismissed may appeal, in writing, to the Personnel Policy Board within 15 calendar days of the dismissal. Refer to *Rule 8: Complaint, Grievance, and Appeal Procedures, Regulation 3: Appeal Procedure* for further information.



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Section 7: Return of County Property

Employees are required to return all County property prior to their last day of employment. Property includes, but is not limited to, keys, keycards, cell phones, laptops, tablets, uniforms, etc. The County reserves the right to recover any excess payments, equipment costs, monies owed, etc., from their final paycheck or by any other legal means.