

# CITY OF ROCHESTER ORGANIZATIONAL POLICY

## **Employment Separation Notice Policy**

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### **Purpose**

The Employment Separation Notice Policy is designed to maintain the operational efficiency and stability of the City's workforce by encouraging employees to provide advance notification of their intent to resign from their position. The purpose of this policy is to begin the recruitment process of replacing a departing employee as soon as possible after notice is received. This may reduce the time the position vacancy remains unfilled, provide an overlap for new orientation training purposes, and ensure continuity of services as a high-performing organization.

### **Separation Notification Procedure**

Employees who desire to leave the organization in good standing are expected to provide their supervisor with adequate notification of employment separation. The notification requirement, for employees who leave the employ of the City voluntarily, is two weeks for nonexempt employees and four weeks for exempt employees. Upon receipt of the notification, the department head, manager, or supervisor must forward this documentation to the Human Resources Department.

For employees who voluntarily resign or retire, wages including holiday, vacation, and compensatory time, must be paid in full no later than the first regularly scheduled pay date following the employee's last day of employment. If that pay date is less than five calendar days after the employee's last day of employment, full payment may be delayed until the second regularly scheduled pay date.

### **Advance Resignation Notice Payment**

#### **Eligibility and Use of Leave**

All active regular full-time and regular part-time employees, who are currently working at least 30 hours/week and who have been employed by the City for a minimum of five years are eligible to receive an Advance Notice payment as noted below. Those employees who are excluded from participation in this policy include seasonal, limited appointment, and temporary employees as well as any employee who is eligible for an employment separation or incentive agreement.

The City reserves the right to determine which vacancies to refill and/or to modify a position description prior to hiring a new employee. This decision will not affect a current employee's eligibility for an Advance Notice payment.

In order to be eligible for an Advance Notice payment, an employee must submit a completed "Advanced Resignation Notice" form to their department head and Director of Human Resources for approval at least 120-calendar days prior to the employee's last day of work. The "last day of work" is defined as the day that an employee will be actively working. The department head and/or Director of Human Resources may approve or deny requests for the use of any accrued leave during the notice period. However, leave time used to extend the separation date may not count toward the advance notification requirement as it is the intent that a participating employee will remain actively working.

The City reserves the right to refuse to enter into this arrangement with any employee or to terminate an approved Advance Resignation Notice Application should an employee experience a work absence greater than five days for any reason, including a qualified Family Medical Leave (FMLA) event or a work-related injury during the notification period.

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**Expectations**

In order to be eligible for the one-time payment noted below, the departing employee may be expected to train the replacement or new teammate to the extent possible by transferring knowledge and preparing useful documentation of the position responsibilities as necessary. Failure on the part of the departing employee to comply with supervisory directives or to maintain a satisfactory level of performance until departure may nullify the Advance Notice payment.

**Advance Resignation Notice Form and Payment**

The Advance Resignation Notice Application form must be signed by the employee, the department head, and the Director of Human Resources to be effective. For the purpose of this policy, the term "day(s)" shall mean "calendar day(s)".

The following one-time payment for advance notice will be provided to eligible employees:

<b>Notification Requirement (Calendar Days)</b>	<b>Maximum Incentive Amount*</b>	<b>Eligible Employees (Regular FT/PT Employment Status)</b>
One Hundred Twenty (120) Days	\$1,000	All Regular Full-time/Part-time Employees
One Hundred Eighty (180) Days	\$1,500	Exempt Employees Only

*\*Incentive amounts are not cumulative.*

The payment will be made on or after the employment termination date and is subject to taxation and required deductions. Payment will not be made if the employee or the City rescinds the resignation.

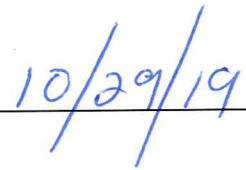
**Rescission Period**

An employee has ten (10) calendar days from the date the employee signs the Advance Resignation Notice to rescind the notice. After the City has accepted the resignation and after the duration of the Employee's 10-day rescission period, the resignation becomes irrevocable and the Employee may no longer rescind it without the City's agreement to either permit rescission or defer the resignation. Refusing to accept the Advance Notice payment will not void the Agreement. In the event the employee terminates employment with the City in advance of the agreed upon resignation date or fails to comply with the terms stated in this policy, the Employee forfeits all eligibility for any advance resignation incentive.

**Policy Continuation.** Ongoing continuation or discontinuation of this policy is subject to the discretion of the City Council.

Policy revision approved by City Administrator:

  
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Steve Rymer, City Administrator

  
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Date

Policy effective January 1, 2019; revised 10/2019.