

Chapter: Separation and Rehire Status

Policy: Exit Process

Effective Date: mm/dd/yyyy

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Policy.

The City Secretary coordinates the exit process for employees separating employment from the City of Crockett (City). During the exit process, the City Secretary informs the employee of his responsibility to return City resources and provides the employee with information regarding final pay and various benefits, including disposition of leave balances.

Definitions.

“Last Duty Day” is the last day that an employee:

- Is physically performing his job duties; or
- Uses leave for a reason other than the sole purpose of:
 - exhausting available leave balances after notice of employment separation; or
 - having a payroll termination date that coincides with the last calendar day of a payroll period.

“Payroll Termination Date” is the last day an employee is on City payroll.

Procedures.

I. Minimum Notice of Voluntary Separation.

An employee who is voluntarily separating from employment should notify his supervisor of his intent to separate employment at least two weeks before the employee’s last duty day. Failure to do so will result in an employee’s forfeiture of payment for any accrued vacation leave.

II. Supervisor’s Responsibility.

The supervisor of an employee who is voluntarily separating employment must:

- A. notify the appropriate administrator and City Secretary as soon as possible after becoming aware of the employee’s intent to separate employment;
- B. ask the employee to complete an Employee Resignation Notice, PERS 5.02-A, or to email a resignation notice to the supervisor;
- C. provide the completed PERS 5.02-A form or forward the resignation notice email to the City Secretary on the same day of receipt; and
- D. obtain a date and time for the employee to participate in an in-person exit process with the City Secretary or notify the City Secretary that the employee is not available to participate in person.

III. Leave Benefits.

A. General Provisions.

1. The City Secretary will determine an employee's payroll termination date and payable leave balances.
2. An employee may not remain on the payroll and exhaust available leave if the employee is:
 - a. separating employment due to disciplinary termination; or
 - b. resigning:
 - (1) in lieu of disciplinary termination;
 - (2) while under investigation for misconduct; or
 - (3) while awaiting a determination of disciplinary action.
3. The appropriate administrator may allow an employee to remain on the payroll after his last duty day for the sole purpose of exhausting available leave ***up to the last workday within the same month as the employee's last duty day***. In such a case, the following provisions apply until the employee's payroll termination date:
 - a. The employee still receives the following compensation and benefits:
 - (1) paid holidays;
 - (2) paid leave for jury duty;
 - (3) insurance benefits (in accordance with rules governing the group benefits program); and
 - (4) a salary increase resulting from a job classification salary group reallocation or an across-the-board cost-of-living salary increase that takes effect before the employee's payroll termination date.
 - b. The employee does not accrue and may not use sick leave.
 - c. The employee does not accrue vacation leave.
 - d. The employee must exhaust leave in the following order:
 - (1) other compensatory time (includes accrued holiday and administrative leave);
 - (2) vacation leave;
 - (3) FLSA compensatory time.
4. The employee will not receive payment for unused other compensatory leave (includes holiday and administrative leave) or sick leave remaining after his payroll termination date.

5. Any lump-sum payments for accrued FLSA compensatory leave or vacation leave received per the following procedures are generally received within 30 days of the payroll termination date.

B. Lump-Sum Payment for FLSA Compensatory Leave.

After the payroll termination date, the employee receives payment for any remaining FLSA compensatory leave (overtime) balance.

1. If an employee resigns from employment, the employee will receive a lump-sum payment for his FLSA compensatory leave balance based on his current rate of pay.
2. If the City terminates an employee's employment, the employee will receive a lump sum payment based on whichever of the following rates of compensation is the higher rate:
 - (a) the average regular rate received by the employee during the last three (3) years of the employee's employment; or
 - (b) the final regular rate received by such employee.

C. Lump-Sum Payment for Vacation Leave.

1. An employee who provides less than a two-week separation notice, resigns in lieu of disciplinary termination, or is involuntarily terminated for any reason is not eligible to receive a lump-sum payment for available vacation leave.
2. An employee who is eligible for a lump-sum payment for available vacation leave may only receive a payment for up to 240 hours of vacation leave, even if the employee's maximum annual carryover for vacation hours exceeds 240 hours. allowed for the employee (same as the maximum amount of vacation leave that an employee is allowed to carry over into a new calendar year).
3. The available vacation leave does not include vacation hours accrued but not available for use because the employee has not been continuously employed for 90 days after hire or rehire.

D. Retirement through Texas Municipal League Retirement System (TMRS).

The effective date of retirement must be the last day of a calendar month. If an employee plans to retire, he should notify the City Secretary to ensure that he does not remain on payroll in the calendar month after the intended retirement date.

Note: TMRS will cancel an employee's application to retire if the employee is reported on the City's payroll in the calendar month after the intended retirement date.

E. Reduction in Force (RIF).

If the employee's separation is due to a RIF, the City will restore his available sick leave at the time of separation if he is reemployed by the City within 12 months after the end of the month in which the payroll termination date occurs. The available sick leave excludes any hours donated to the sick leave pool.