



CHESTERFIELD COUNTY ADMINISTRATIVE POLICIES AND PROCEDURES

Department: Human Resources
Subject: Separations and Unemployment Compensation

Policy Number: 6-2
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I. INTRODUCTION

The purpose of this policy is to establish separation procedures to be utilized when an employee separates from the county. The policy also explains guidelines related to unemployment compensation.

II. FORMS

The following forms are available on the Human Resources Intranet Site or from Human Resources (HR).

- A. **Separation Procedure Checklist** - The purpose of this form is to ensure that security personnel are notified each time an employee separates from the county and to ensure that separation procedures are followed. Regardless of the reason for separation, the employee's supervisor and/or HR liaison shall complete the Separation Procedure Checklist.
- B. **Report of Separation** - This form provides the reason and circumstances surrounding an employee's separation from the county. It also describes the employee's overall performance and eligibility for rehire. This form should be detailed, as it is utilized by the Virginia Employment Commission (VEC) to evaluate unemployment compensation claims and for reference checks by potential employers.
- C. **Personnel Action Form** - The PAF is used to initiate a change to the employee record. Upon separation, the PAF is used to provide HR with the separation date, separation reason, and eligibility for rehire. The information on the PAF should match the Report of Separation.
- D. **Exit Questionnaire** - On this form, the employee may provide feedback on the workplace and reason for separation.

III. SEPARATION PROCEDURES

- A. The Separation Procedure Checklist shall be completed no later than the employee's last workday and forwarded to HR. Completion of the checklist ensures that:
 - 1. computer and building security access is deleted
 - 2. the Report of Separation is completed
 - 3. the Personnel Action Form is completed
 - 4. the employee is provided an Exit Questionnaire and Environmental Exit Questionnaire
 - 5. the employee is provided the Benefits at Separation or Retirement information packet
 - 6. the employee is removed from various departmental lists/accounts
 - 7. the employee has made arrangements to receive their last pay check

B. Resignation

To resign in good standing, employees must provide a two-week notice of resignation. Department directors, assistant directors and senior level managers must provide a four-week notice. The notice of intent to resign should be in writing. However, verbal notification should always be given in circumstances where written notification cannot be timely and will result in the employee not complying with the two or four-week notice. Failure to provide the required notice shall be entered on the employee's personnel records and the employee may be

designated as not eligible for rehire by a county department for a minimum of five years. After five years, the employee may make a written request that their ability to apply for county positions be restored. Employees are expected to work the entire time period provided in their notice unless otherwise approved by their supervisor. Once a resignation has been accepted, it may not be withdrawn unless the department director of the employee's department agrees to the withdrawal. When a letter of resignation has been submitted, it should be attached to the Report of Separation, and the Separation Procedure Checklist and forwarded to HR.

C. Involuntary Separations

For all involuntary separations, unsatisfactory performance or misconduct should be documented and shared with the employee. For all non-probationary, full-time employees, a pre-termination hearing must be held (refer to Policy 3-9-2). Once the determination has been made to terminate an employee, the supervisor or HR liaison will complete the Separation Procedure Checklist. Unless the reason for termination is based upon a sole incident of misconduct, the supervisor should review the employment history of the employee to ensure that all pertinent data to support the termination action is included on the Report of Separation. Information provided on the Report of Separation shall be specific (i.e. date of counseling, purpose of counseling, letter of reprimand, excessive absenteeism including dates, specific violation of policies, procedures, orders, dates and circumstances, etc.). The Report of Separation, completed by the supervisor and reviewed by the department director, will be forwarded to HR for review and processing.

IV. UNEMPLOYMENT COMPENSATION

A. Procedures

If a separated employee wants to apply for unemployment compensation, it is the responsibility of the employee to do so with the Virginia Employment Commission (VEC). Once the employee has submitted an unemployment compensation claim, the VEC will contact HR to obtain facts about the employee's separation. Thus, it is beneficial for the employee's supervisor/HR liaison to provide detailed information to HR about the employee's separation in a timely fashion. Comments that are vague and lack specific details may result in VEC's determination in favor of the employee, even when it is the county's position that the employee should not be eligible. In an effort to contain costs of unemployment compensation, special emphasis must be placed on documenting the reasons and events that lead to the separation on the Report of Separation Form. In the case of involuntary terminations, it is the department's responsibility to provide very specific comments on the reasons for the termination (especially those that pertain to misconduct by the employee). Department representatives who need assistance with preparing appropriate documentation should contact HR.

HR may request additional information from the department regarding a separation. Once HR has provided the separation documents to the VEC, a representative from the VEC may contact the supervisor for a fact-finding interview. During this interview, the VEC representative will discuss the facts regarding the employee's separation.

B. Eligibility for Unemployment Compensation

Eligibility for compensation is determined by VEC, based on information from the separated employee and county records. An employee who is separated from the county due to layoff or due to the fact that the county is no longer in need of their services may be eligible to receive unemployment compensation through the VEC.

Individuals who resign for no good cause, or separate due to misconduct, may not be eligible to receive compensation. An employee who is terminated due to a positive drug or alcohol test may not be eligible to receive benefits from the VEC. In most instances, the burden of proof rests with the county to show cause for terminating an employee.

If the VEC awards compensation to the separated employee, the amount the county pays to the VEC for unemployment compensation is deducted from departmental budgets.