

ARTICLE VIII. SEPARATION AND REINSTATEMENT

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Section 1. Types of Separation.

All separations of employees from positions in the service of the County shall be designated as one of the following: resignation, reduction in force, disability, retirement, dismissal, or death.

Section 2. Resignation.

An employee who wishes to terminate employment with the County should submit written notification to their immediate supervisor as far in advance as possible, and in all instances, the minimum notice is at least two (2) weeks prior to the intended date of separation. If proper two weeks notice is not given, the employee waives payment for accrued annual leave unless the notice is waived upon recommendation of the Department Head and approved by the County Manager.

An employee who is absent from work for three (3) consecutive work days without reporting to their supervisor shall be considered to have separated employment without notice and to have waived payment for any accrued annual leave.

Section 3. Reduction in Force.

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance as documented by current performance appraisals, skills and abilities, and organizational needs in determining those employees to be retained. Employees who are laid off because of a reduction in force shall be given at least two (2) weeks notice and/or two (2) weeks severance pay. No regular employee shall be separated while there are temporary, trainee or probationary employees serving in the same class in the department, unless the permanent employee is not willing to transfer to the position held by the temporary, trainee or probationary employee.

An employee in good standing who is separated due to a reduction in force shall be given first consideration for vacancies in same or similar positions for one year after the reduction in force. An employee in good standing who is separated because of reduction in force may be reinstated within one year of the date of separation, upon recommendation of the supervisor and approval of the County Manager. Consideration will be given to qualifications, needs of the department, and past employment history.

An employee who is reinstated in this manner shall be re-credited with his or her previously accrued sick leave, and service credit.

Section 4. Disability

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment. Action for disability separation may be initiated by the employee or the County, but in all cases, consideration for disability separation shall be supported by medical evidence as certified by a competent physician. The County may require a physical and/or mental examination at its expense and by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the County's service for which the employee may be suited.

Section 5. Voluntary Retirement

An employee who meets the conditions set forth under the provision of the North Carolina Local Government Employee's Retirement System may elect to retire and receive all benefits earned under the retirement plan.

Section 6. Death

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

Section 7. Dismissal

An employee may be dismissed in accordance with the provisions and procedures of Article IX.

Section 8. Rehiring

An employee who resigns while in good standing may be rehired with the approval of the appointing authority, and shall be regarded as a new employee, subject to all of the provisions of rules and regulations of this Chapter. However, the employee shall be credited with his or her previously accrued sick leave if he or she is rehired within three years.

Any employee who separates in good standing and is rehired within three years will receive previous credit time for the purpose of accruing annual leave. The total months of previous service time will be recognized at the end of the six (6) month probationary period. Rehired employees do not receive credit for prior years of service for the purpose of longevity bonuses.