

# LAMPASAS COUNTY PERSONNEL POLICIES

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## SECTION 12. RESOLUTION OF DISPUTES, DISCIPLINE, SEPARATION AND TERMINATION

### 12.3 SEPARATIONS

#### DEFINITION

A SEPARATION SHALL BE DEFINED AS ANY SITUATION IN WHICH THE EMPLOYER-EMPLOYEE RELATIONSHIP BETWEEN THE COUNTY AND A COUNTY EMPLOYEE ENDS.

#### TYPES OF SEPARATION

ALL SEPARATIONS FROM LAMPASAS COUNTY SHALL BE DESIGNATED AS ONE OF THE FOLLOWING TYPES:

- A. RESIGNATION
- B. RETIREMENT
- C. DISMISSAL
- D. REDUCTION IN FORCE (LAYOFF)
- E. DEATH
- F. OTHER

#### RESIGNATION

A RESIGNATION SHALL BE CLASSIFIED AS ANY SITUATION IN WHICH AN EMPLOYEE VOLUNTARILY LEAVES HIS/HER EMPLOYMENT WITH LAMPASAS COUNTY AND THE SEPARATION DOES NOT FALL INTO ONE OF THE OTHER CATEGORIES.

EMPLOYEES WHO ARE RESIGNING SHOULD SUBMIT A WRITTEN NOTICE OF A RESIGNATION TO HIS/HER SUPERVISOR.

#### RETIREMENT

A RETIREMENT SHALL BE ANY SITUATION IN WHICH AN EMPLOYEE MEETS THE REQUIREMENTS TO COLLECT BENEFITS UNDER THE COUNTY'S RETIREMENT PROGRAM AND VOLUNTARILY ELECTS TO LEAVE EMPLOYMENT WITH THE COUNTY TO DO SO.

AN EMPLOYEE WHO IS RETIRING SHOULD NOTIFY HIS/HER SUPERVISOR OF THAT INTENT AT LEAST 30 DAYS PRIOR TO THE ACTUAL RETIREMENT DATE TO HELP PREVENT DELAYS IN STARTING THE PAYMENT OF RETIREMENT BENEFITS.

#### DISMISSAL

A DISMISSAL SHALL BE ANY INVOLUNTARY SEPARATION OF EMPLOYMENT THAT DOES NOT FALL INTO ONE OF THE OTHER CATEGORIES OF SEPARATION.

LAMPASAS COUNTY IS AN "AT WILL" EMPLOYER AND A SUPERVISOR MAY DISMISS AN EMPLOYEE AT ANY TIME FOR ANY LEGAL REASON OR NO REASON WITH OR WITHOUT NOTICE.

#### REDUCTION IN FORCE

AN EMPLOYEE SHALL BE SEPARATED FROM EMPLOYMENT BECAUSE OF A REDUCTION IN FORCE WHEN HIS/HER POSITION IS ABOLISHED OR WHEN THERE IS A LACK OF FUNDS TO SUPPORT THE POSITION OR THERE IS LACK OF WORK TO JUSTIFY THE POSITION.

# LAMPASAS COUNTY PERSONNEL POLICIES

## SEPARATIONS (CONTINUED)

### DEATH

A SEPARATION BY DEATH SHALL OCCUR WHEN AN INDIVIDUAL DIES WHILE CURRENTLY EMPLOYED BY THE COUNTY.

IF AN EMPLOYEE DIES WHILE STILL EMPLOYED BY THE COUNTY, HIS/HER DESIGNATED BENEFICIARY OR ESTATE SHALL RECEIVE ALL EARNED PAY AND PAYABLE BENEFITS.

### OTHER

ANY SEPARATION THAT DOES NOT FALL INTO ONE OF THE CATEGORIES OUTLINED PREVIOUSLY IN THIS POLICY SHALL BE DESIGNATED AS AN "OTHER" SEPARATION.

WHEN A SEPARATION IS DESIGNATED AS "OTHER", THE SUPERVISOR SHALL PROVIDE DETAILS OF THE NATURE OF THE SEPARATION FOR THE PERSONNEL RECORDS.

### NOTIFICATION

AS SOON AS A SUPERVISOR BECOMES AWARE OF SEPARATION FROM EMPLOYMENT, OR THE INTENT TO SEPARATE EMPLOYMENT, BY AN EMPLOYEE, THE SUPERVISOR SHALL BE RESPONSIBLE FOR IMMEDIATELY NOTIFYING THE HUMAN RESOURCES DIRECTOR.

### RETIREE REHIRE POLICIES

- A. BREAK IN SERVICE – RETIREMENT WILL BE CONSIDERED AS BREAK IN SERVICE
- B. DURATION OF SEPARATION- MINIMUM OF 1 CALENDAR MONTH FROM LAST DAY WORKED
- C. BENEFIT
  - 1. PRIOR YEARS' SERVICE CREDIT
  - 2. VACATION – SAME AS NEW HIRED EMPLOYEE
  - 3. PERSONAL TIME – SAME AS NEW HIRED EMPLOYEE
  - 4. LONGEVITY – STARTS OVER (PAID AFTER 5 YEARS)
  - 5. COUNTY WILL PAY HEALTH INSURANCE FOR EMPLOYEE
  - 6. DEDUCT FICA AND RETIREMENT
  - 7. WILL QUALIFY FOR ALL HOLIDAYS OFF AND SUBJECT TO TIME OFF LIMITS.

IN ADDITION TO THE ABOVE POLICY AS PROOF OF A GOOD-FAITH RETIREMENT THE FOLLOWING PROCEDURE WILL BE MAINTAINED:

- A. REQUIREMENT THAT THE PROPOSED REHIREE AS WELL AS THE DEPARTMENT HEAD (OR ELECTED OFFICIAL) SIGN A NOTARIZED AFFIDAVIT TO THE EFFECT THAT THERE WAS NO PRIOR AGREEMENT OR COLLUSION PRIOR TO THE EMPLOYEE'S RETIREMENT.
- B. STRICT ADHERENCE TO REGULAR RECRUITMENT AND JOB POSTING TO FILL VACANCY.
- C. REVIEW WITH HUMAN RESOURCES DEPARTMENT THE LACK OF SUITABLE CANDIDATES AND THE DILIGENCE OF EFFORTS MADE TO FILL THE VACANCY, OR REVIEW WITH THE HUMAN RESOURCES DEPARTMENT THE SPECIAL CIRCUMSTANCES REQUIRING THE SERVICES OF A PARTICULAR RETIREE.
- D. IF THE POSITION IS TO BE OFFERED TO A RETIREE, STRICT ADHERENCE TO RE-EMPLOYMENT APPLICATION RULES.

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