

POLICY TITLE: SEPARATION FROM EMPLOYMENT
POLICY NUMBER: 3920

COMMITTEE APPROVAL DATE: 11/13/2018 **WRITTEN/REVISED BY:** HUMAN RESOURCES
BOARD APPROVAL DATE: 11/28/2018 **SUPERSEDES:** 06/25/2014

POLICY:

3920 It is the policy of the Beach Cities Health District (“District”) as an at-will employer that any employee may resign from his/her position at any time, and the District may terminate any employee at any time with or without cause. The employee will be paid all compensation owed to them by law, including Vacation time.

SCOPE:

3920.1 This policy applies to all District employees.

RESPONSIBILITY:

3920.2 It is the responsibility of management to understand, communicate, and enforce this policy uniformly among District employees. It is the responsibility of employees to understand the policies, guidelines, and procedures communicated by their supervisor, and to follow them accordingly.

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3920.3 Separation from employment generally constitutes the following:

3920.4 Resignation:

3920.4.1 To leave District service in good standing, an employee on regular full-time or part-time status who voluntarily resigns from the District must submit a written notice of resignation at least two weeks before the effective date or one month for a management employee. The Chief Executive Officer (CEO) may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the CEO’s approval.

3920.5 Mutual Agreement:

3920.5.1 When both the employee and District think that it would be mutually beneficial to end the employment relationship, a departure date is set by Human Resources in consultation with the employee’s immediate supervisor. If requested by the employee, the District will record the termination by mutual agreement as a resignation.

3920.6 Retirement:

3920.6.1 The District has no mandatory retirement age.

3920.7 Death:

3920.7.1 In the event of an employee passing away, Human Resources will ensure proper notification and dissemination of benefits information and final pay occur. The date of an employee's death will be considered as the effective date of separation from employment. Payment of salary or wages and vacation credit due to a deceased employee will be made to the employee's beneficiaries, estate or the heirs-at-law, in accordance with California state law.

3920.8 Termination:

3920.8.1 The District may terminate the employment relationship immediately with severance pay according to Policy 3910 Severance, for any reason considered to be sufficient, in the discretion of the District.

3920.8.2 District employees serve "at-will" and therefore termination need not be justified by unsatisfactory performance or misconduct. However, if the employee is dismissed for unsatisfactory performance or misconduct, what constitutes "unsatisfactory performance" or "misconduct" is within the sole discretion of the District. The following description of termination procedures are merely guidelines and no employee's termination will be invalidated by reason of the District's failure to follow the guidelines set out below.

3920.8.3 Unsatisfactory Performance:

3920.8.3.1 An employee may be terminated for failure to meet performance standards, to complete tasks in a timely and competent manner, or to maintain an adequate attendance record. Prior to termination for unsatisfactory performance, the District will make a reasonable effort to resolve the problem with the employee in accordance with Policy 3835, Employee Conduct and Working Environment.

3920.8.3.2 Failure to correct performance within the time frame discussed and documented will result in termination from employment. Uncooperative behavior that affects the work or morale of other District employees during the corrective time period may result in immediate termination.

3920.8.4 Misconduct:

3920.8.4.1 Misconduct is described and detailed in **Policy 3835**, Employee Conduct and Working Environment.

3920.8.5 Layoffs:

3920.8.5.1 Whenever, in the judgment of the CEO, it becomes necessary, due to the lack of work, lack of funds, or other economic reason, or because the necessity for a position no longer exists, the Chief Executive Officer may eliminate any position of employment, and the employee holding such position may be laid off, transferred or demoted.

EXCEPTIONS:



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3920.9 The Chief Executive Officer is the only person authorized to make exceptions to this policy.