Chapter 9: TERMINATION

The City of St. Charles reserves the right to interpret and deviate from all City policies. Both the City and employee have the right to terminate the employment relationship at any time, with or without cause and/or notice.

TERMINATION

APP: ALL EMPLOYEES EXCEPT BOFPC APPOINTMENTS

An employee may be terminated only by the department director or designee and the Director of Human Resources or designee. The department director shall consult with the Human Resources Department prior to such action to assure proper and complete documentation is on hand and to forward copies of such documentation to Human Resources at that time.

A full-time employee who is terminated will be paid for all unused vacation leave at the time of termination unless otherwise stipulated in a collective bargaining agreement. The employee shall receive his/her final check the date of his/her termination.

EMPLOYEE TERMINATION AND EXIT PROCESS

APP: ALL EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT

Service Retirement

This is voluntary termination after having satisfied the age and length of employment requirements of the applicable state retirement system. Employee must receive retirement wages upon termination to be considered as retired. An employee wanting to retire should provide a written resignation to his/her immediate supervisor at least four (4) months, and preferably six (6) months, prior to the effective date of retirement.

Disability Resignation

This is voluntary termination necessitated by an injury or illness, which renders the employee incapable of performing his/her usual job. The termination is preceded by a memo/letter by the employee to his/her supervisor advising of the disability ruling, date of termination, supporting documentation, and a ruling by the appropriate Board or Industrial Insurance Division verifying the disability and approving the resignation.

Employee-Initiated Resignation

This is voluntary termination for any reason other than formal retirement. A non-exempt employee wanting to leave the City in good standing shall provide a written resignation to his/her immediate supervisor at least fourteen (14) calendar days prior to the effective date of resignation. An exempt employee is required to notify the immediate supervisor at least thirty (30) calendar days prior to the effective date of resignation to leave the City in good standing. The resignation letter should include the reason for leaving, as well as the proposed effective date. Notice is understood to mean that the resigning employee will be available for work during this time so as to aid in the training of a replacement. Failure to provide proper notice may result in a forfeit of accumulated sick leave

time. Exceptions to the time limit requirement may be granted by the department director and Human Resources Director.

Introductory/Probationary Termination

This is termination of an employee during the established introductory/ probationary period, usually for the inability to meet position/department requirements. An introductory/probationary termination occurs only after the supervisor's consultation with the Human Resources Department.

Layoff

A reduction in work force is accomplished in accordance with labor contracts; however, work schedules should be planned to keep periodic or recurring layoffs to a minimum.

In layoff, recall and filling regular job vacancies, the City shall give equal consideration to an employee's ability and performance of the duties required in the job, and consideration to an employee's length of continuous service with the City in the classification. In applying this provision, where qualifications, experience and performance are equal, seniority shall govern. Every effort will be made for transfers to other departments when a position is open for which the employee qualifies.

The City shall provide an employee with at least two (2) weeks advance notification prior to layoff, except in case of emergency. An employee on layoff must keep the City informed of the address and telephone number where he/she can be contacted. If the City is unable to contact the employee within seven (7) calendar days, the City's obligation to recall the employee shall cease. The City shall have no obligation to recall an employee after he/she has been on continuous layoff for a period which exceeds one (1) year. Should an employee not return to work when recalled, the City shall have no further obligation to recall him/her.

Exit Interview

Human Resources will schedule an exit interview with terminated employees on or before his/her last day of employment. Temporary employees do not participate in the exit interview process unless information can be gained which will improve or enhance present employment conditions.

Prior to the exit interview, a letter concerning COBRA or continued health insurance will be sent out to full-time employees (see Medical/Dental Continuation Plan).

The Human Resources benefits coordinator will schedule a meeting with the employee to review other benefits and discuss payouts, withdrawals, and extensions as applicable. The employee should bring the COBRA insurance letter to this meeting for further discussion.

The employee must turn in his City ID card, keys, cell phone, safety equipment, credit card, and all other City property to the immediate supervisor or Human Resources.

Human Resources will conduct the actual exit interview. The information collected in the interview is used to monitor employee morale and correct problems, if necessary. Typical questions asked in the interview include:

1. What did you like best/least about working for the City?
2. What did you like best/least about your position?
3. Were you satisfied with the working relationship you had with your supervisor?
4. How would you improve department or City procedures to make this a better place to work?
5. Would you recommend the City to friends and/or relatives as a place to work?
6. Why are you leaving the City?
7. Do you have any other comments or suggestions?

Special questions may also be developed by the human resources department and/or department director for the exit interview. Copies of the completed exit interview will be distributed to the appropriate department director and the city administrator.

Final Paycheck

Employees shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments. Termination pay shall be reduced by any authorized legal deductions, authorized pension plan, credit union, tax-sheltered annuity, United Way, union dues and any other amounts specifically agreed upon orally or in writing by the employee and the City.

Before the final paycheck is issued to the employee, the employee shall be required to follow the clearance process through inventory control and/or purchasing. The terminating employee is responsible for ensuring all appropriate items have been returned.

Any non-union employee who was actively employed at work on April 30 and who leaves in good standing after April 30 and before merit pay is processed will receive their merit pay, if eligible, at the same time merit pay is processed for all other non-union employees. Due to the processing cost of an individual check payment, this merit pay will only be issued for amounts of $25 or more.

Termination Date

The official date of termination will be the last full day the employee reports for work.

Continuation of Benefits

Benefits continue through the time actually worked by the employee including any days "worked" from accumulated vacation and compensatory time.

Pension Contribution Refunds

For those employees who are not retiring, moneys accumulated in the employee's retirement account are refundable; however, employees should check with their pension plan about the advantages and disadvantages before making a decision. Forms required to request this refund are available on iNet and in the Human Resources Department.

Unemployment Compensation

All claims for unemployment compensation, as filed by a terminating employee, shall be processed by the Human Resources Department and the Finance Department. Requests for information about unemployment compensation should be forwarded to the Human Resources Department immediately to avoid unauthorized charges against the City's account.

USE OF PAID TIME

APP: ALL EMPLOYEES

Paid time (e.g. personal days, vacation days, compensatory time) or time off for all employees may not be used during the last two (2) weeks of employment for non-exempt employees and the last thirty (30) days for exempt employees, unless approved by the Director of Human Resources.

SICK PAY-OUT AT TERMINATION

APP: ALL FULL-TIME IMRF EMPLOYEES

Employees who leave in good standing will be compensated for unused sick leave as detailed below with a check paid on the first pay check date sixty (60) days after their final pay check. The timing may differ for non-union employees depending on the separation date and other circumstances.

APP: ALL FULL-TIME EMPLOYEES UNLESS OTHERWISE STIPULATED IN A COLLECTIVE BARGAINING AGREEMENT

Employees Hired After May 1, 1994

Employees hired on or after May 1, 1994, are compensated for all unused sick leave, up to a maximum of four hundred fifty (450) hours, at retirement only. Retirement is when the employee will receive retirement wages upon termination.

Employees Hired Before May 1, 1994 /After May 1, 1986

Employees hired before May 1, 1994, and on or after May 1, 1986, are compensated for all unused sick leave, up to a maximum of four hundred fifty (450) hours, if they leave the City's employment in good standing.

Employees Hired Before May 1, 1986

Employees hired before May 1, 1986, are compensated for all unused sick leave, up to a maximum of six hundred (600) hours, if they leave the City's employment in good standing unless they participated in the one-time pay-out of up to one hundred fifty (150) hours in 1994. These employees will be paid for up to a maximum of four hundred fifty (450) hours.

MEDICAL/DENTAL CONTINUATION PLAN (COBRA)

APP: ALL FULL-TIME EMPLOYEES EXCEPT POLICE OFFICERS AND FIREFIGHTERS

Under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), all employers, including state and local governments, are required to extend continuing health care coverage to employees and their dependents following termination, a reduction in hours (full-time to part-time), retirement, divorce or death. If an employee terminates employment for any reason, other than gross misconduct, or reduces hours and such employee was covered under the City's Group Insurance Plan on the day preceding termination or reduction, then such employee may continue medical/dental coverage for himself/herself and any eligible dependents who were also covered during such time by making payment for the cost of such coverage.

Eligibility Requirements

Individuals eligible for continuation or coverage include an employee and his/her covered dependents whose coverage would otherwise terminate due to:

1. Termination of employment for any reason other than gross misconduct;
2. Reduction of hours worked by the employee;
3. Retirement, but only if the employee's coverage under the City's plan terminated on the date of his/her retirement;
4. An employee's spouse and dependents upon the death of a covered employee, divorce or legal separation;
5. The covered employee becoming entitled to benefits under Medicare, but only if at that time the employee's coverage and the employee's dependents coverage under the City's group health plan terminates;
6. A dependent child when he/she no longer qualifies as a dependent under the City's group health plan.

Any of these individuals who are eligible for continuation of coverage shall be referred to as the "COBRA Applicant."

End of COBRA Coverage

The coverage of the COBRA Applicant will end on the earliest of the following dates:

1. The date on which the COBRA Applicant becomes a covered employee under any other group health plan;
2. The date on which the COBRA Applicant becomes eligible for coverage under Medicare. In this case, any eligible dependents of the COBRA Applicant will, subject to payment of the required premium, be entitled to their COBRA health continuation for the remainder of the period;
3. The date on which the City's plan terminates;
4. The date which is:
   - Eighteen (18) months after the date on which the employee, as the COBRA Applicant, becomes eligible for the COBRA health continuation; or
   - Thirty-six (36) months after the date on which the widowed spouse, the former spouse, the legally separated spouse, or a dependent child, as a COBRA Applicant, becomes eligible for the COBRA health continuation.

If a person's COBRA health continuation ends at the end of the maximum period (i.e., eighteen (18) months or thirty-six (36) months), such person will be eligible for any health conversion coverage that is available under the group health plan. However, this option is not available if the COBRA health continuation ends for any other reason.

APP: ALL POLICE OFFICERS AND FIREFIGHTERS

Medical/Dental Plan Continuation - Police Officers and Firefighters

Police officers and firefighters may continue medical coverage for himself/herself and for any eligible dependents that were covered on the day preceding such retirement or disability, by making payment for the cost of such coverage.

Such continuation shall end, and coverage terminate, on occurrence of the earliest of the following events:

1. The police officer's or firefighter's reinstatement into active service on the City's department;
2. The police officer's or firefighter's exercise of any refund option under the Illinois Pension Code;
3. The police officer's or firefighter's loss of benefits pursuant to the Illinois Pension Code;
4. The police officer's or firefighter's death or - if at the time of the death, the police officer or firefighter is survived by a spouse who is entitled to receive a surviving spouse's monthly pension pursuant to the Illinois Pension Code - the death or remarriage of that spouse.

RE-EMPLOYMENT

APP: ALL EMPLOYEES

Any former regular employee who resigned from the City in good standing is eligible for re-employment. Persons interested in re-employment should file a completed City application with the Human Resources Department. The individual will then proceed through the regular hiring procedures with other applicants as described in the Hiring Process Policy. If this individual is re-hired, he/she must meet a post-offer physical and drug test.

An individual re-employed in his/her former position may be paid at the same pay rate at the time he/she left the City, provided however, that the re-employment is within one (1) year of the previous resignation; otherwise the individual will be paid in accordance with Human Resource policy.

The compensation of an employee re-hired to a position other than the former position will be subject to provisions for new hires.

Vacation eligibility will be based on previous City service if re-hired within one (1) year.

The date of hire will take the person's previous service with the City into account; however, future increases will coincide with the re-employment date.

The individual's previous personnel file will be re-activated once re-employed by the City provided re-employment is within seven (7) years after the original resignation.

All individuals re-employed by the City must complete a new introductory/ probationary period.