



PERSONNEL POLICES AND PROCEDURES

SUBJECT: TERMINATION OF EMPLOYMENT

EMP 17.0

EFFECTIVE August 1, 2022 / Mayor and Council

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Derek Norton, Mayor

Joseph Bennett, City Administrator

PURPOSE: To terminate the employment relationship with employees in an orderly manner and to minimize misunderstandings that may occur during the termination process.

STATEMENT OF POLICY

It is the policy of the City of Smyrna that termination of employment relationships shall occur through an orderly process.

Procedures

Voluntary resignation - Upon receipt of notification (preferably written) by an employee of his or her intent to resign from employment with the City, the immediate supervisor and/or department head should:

- Determine the reason for the resignation,
- Ensure that all City property and outstanding accounts are returned or brought up to date prior to the last day of employment; and
- Notify the Human Resources Department *in advance* of the last day of employment, if possible, via phone, email or in person.

Non-exempt employees are encouraged to give the City at least two weeks advance notice of resignation.

Exempt employees are encouraged to give at least one month's notice.

At the discretion of the department head, Human Resources Director and the City Administrator, the notice period may be waived, and the employee released upon notification of intent to resign.

Abandonment of Position - An employee shall be considered to have abandoned his/her position when any of the following occur:

- (1) an employee is absent without notice to their supervisor for three (3) or more consecutive days; or
- (2) an employee is absent for three (3) or more consecutive days after providing notice, but without having any accrued leave time available for the absences and is not eligible for FMLA leave; or
- (3) an employee is absent for three (3) or more consecutive working days without receiving approval for the absences.

In any of the three (3) situations set forth herein, the employee shall be deemed to have abandoned his/her position and to have resigned as of the end of the third day.

The Human Resources Department should be notified immediately of any employee who has resigned as a result of abandonment of the position.

An employee who has been deemed to have resigned by abandoning his/her position shall be given written notice of such action by the Human Resources Department by regular mail. The notice shall include a statement as to the employee's rights to petition the Human Resources Director. An employee who has been deemed to have abandoned his/her position may petition the Human Resources Director for a review of the case, provided the appeal is made in writing within five (5) business days from the date of the notice of abandonment. The Human Resources Director shall make a determination as to whether extenuating circumstances existed, such as the employee was prevented from calling or otherwise providing notice of the absences, such that the employee should not be deemed to have abandoned his/her position. The decision of the Human Resources Director shall be rendered within five (5) business days after receipt of the appeal, unless additional time is required for investigation, in which case the employee will be notified in writing of the need for delay.

Involuntary termination - The decision whether an employee shall be terminated from employment is within the sole discretion of the City. **The department head making the termination decision must discuss the matter with the Human Resources Director prior to dismissing the employee** (as outlined in *Personnel Policy DIS 1-0 Disciplinary Action*).

Final pay plus accrued annual leave, up to the maximum allowed, and comp time will be paid to the employee no later than the next payroll processing period provided that the employee has returned all city property in the possession of the employee.