

SEPARATION THROUGH TERMINATION, RESIGNATION, RETIREMENT OR TRANSFER

AUTHORITY:	Administrative Directive
RESCINDS:	Procedure Manual Item 1-3-205, dated 3/25/21
FORMS:	Not Recommended for Rehire
PURPOSE:	To outline departmental procedure to be followed at the time a Department employee terminates, resigns, retires, or transfers to another County agency.

I. PROCEDURE

- A. When an employee resigns, retires, or transfers to another County agency, written notification is submitted approximately two (2) weeks prior to the effective date of the separation. The written notification is submitted via the employee's immediate supervisor to Probation's Human Resource Services (HRS) Satellite Team.
- B. In the event an employee is discharged, all applicable laws, Memoranda of Understanding (MOU), and administrative directives will be followed. The Professional Standards Division-**Internal Affairs (PSD-IA) Unit** will coordinate the procedure via the chain of command with HRS and process the appropriate paperwork in a timely fashion.
- C. Upon receipt of the employee's written notification, HRS forwards the following documents to the immediate supervisor for processing:
 1. Performance evaluation forms to be completed by the immediate supervisor if the employee is not yet separated.
 2. The "Return Receipt for Probation Department-Issued Property" form is to be completed and returned to HRS.
 3. Should the immediate supervisor wish to specifically recommend a peace officer employee not be rehired, the supervisor shall complete the "Not Recommended for Rehire" form (available on ProbNet). Once the form is completed by the assigned chain of command, the form is to be submitted to the PSD-**IA** Assistant Division Director (**ADD**) for processing.
 4. The "Not Recommended for Rehire" form may not be used for professional staff. Consult with HRS to discuss concerns about professional staff who are separating from employment.
- D. The immediate supervisor and reviewer complete the separation performance evaluation and share it with the employee pursuant to the procedure prescribed in the Personnel and Salary Resolution and/or applicable MOU.

- E. Upon completion of the necessary paperwork, the separation packet is forwarded via the chain of command for review and signatures and thereafter returned to HRS.
- F. It is the employee's responsibility to arrange for disposition of the final paycheck with the Payroll Unit.
- G. It is the immediate supervisor's responsibility to ensure, on or before the last working day, the employee accounts for and relinquishes all county supplies and equipment. The supervisor will provide the employee with a copy of the Return Receipt for Probation Department-Issued Property.
- H. In accordance with Policy Manual Item C-13 (Recovery of County Equipment Upon Separation or Transfer), the immediate supervisor will complete an inventory of all documented issued departmental equipment and property. Pursuant to the applicable provisions of Government Code (GC) Section 3309, lockers and storage spaces of peace officers may be searched by a supervisor with the approval of their Chain of Command, under one of the following circumstances: 1) in the employee's presence, 2) with the employee's consent, 3) pursuant to a valid search warrant, or 4) where the employee has been notified that a search will be conducted. Once the supervisor obtains approval from their Chain of Command, they must also get approval from the ADD or Division Director (DD) assigned to the **PSD-IA** Unit before a search is conducted. Every effort will be made to have the employee present to aid in the inventory. If the employee is not available or does not wish to participate in the separation of his/her personal property from departmental property, this will be done by the supervisor, and the employee's personal property will be held or forwarded depending on instructions from the employee.

The above protocol applies to all Department staff, sworn and professional.

- I. Materials developed by employees on their own time, at their own expense and shared with the department, must be clearly identified as private or personal property during their employment. Upon separation, the employee shall retain all original documents so identified; however, the department may retain any copies/information shared during in-house trainings.

REFERENCES:

Procedures:	1-3-206	Reporting Personnel Changes
Policy:	C-13	Recovery of County Equipment Upon Separation or Transfer
	G-7	Distribution and Use of County Services, Supplies and Equipment

Attachment

A. Skiles

APPROVED BY: