

## 1049 RESIGNATION/TERMINATION

### I. Purpose

This document establishes Department of Human Services (DHS) policy and procedures regarding employee resignation/termination.

### II. Resignation/Termination Checklist

Immediately upon being made aware that an employee has left or will be leaving DHS employment, the supervisor will complete a form DHS-1177.

### III. Resignation/Termination Interview

(A) A supervisor should conduct a Resignation/Termination Interview with each employee who terminates DHS employment.

(1) Information on employee compensation and benefits can be obtained from the Office of Finance/Payroll. Additional information regarding COBRA is available at <http://www.insure.com/health/cobra.html>.

(B) If the termination is involuntary, and circumstances warrant, supervisors may arrange for a reliable witness to be present in order to corroborate what was said. Do not allow the employee to return to his/her workstation unless accompanied by the supervisor.

(C) All documentation, except the Exit Survey and any notes gathered in the interview, will be maintained in the employee's personnel file for a period required by law.

### IV. Discontinuing Access to Department of Human Services Computerized Information Systems

(A) The supervisor must complete an electronic DHS-0359 Systems Access Request form to ensure that all account and security access is discontinued by the conclusion of the employee's last working hour. Deletion of the password and all systems access may be completed prior to the employee's termination.

(B) When an employee terminates for any involuntary reason, the supervisor must contact DHS Security at [DHSSecurity@dhs.arkansas.gov](mailto:DHSSecurity@dhs.arkansas.gov) to immediately remove the employee from access to DHS systems.

### V. Completing Forms DHS-1161 and DHS-1966

Immediately upon learning that one of his/her employees has or will be terminating employment, or transferring to another DHS division/office, the supervisor will complete and forward the following forms:

(A) Form DHS-1966, Leave Payout Authorization will be forwarded to the DHS Office of Finance (OF) Payroll Section.

(B) Form DHS-1161, Request for Personnel Action will be forwarded to the Office of Human Resources (HR)/Personnel Processing Section. The written notice of

resignation/termination will be attached to the form DHS-1161 prior to processing, when applicable.

- (1) Employees who terminate employment during an investigation in which they are involved will be coded as “eligible for rehire” until investigation completion. **Regardless of the employee’s determination to resign, all investigations must be completed** and the coding on form DHS-1161 must be changed to “ineligible for rehire” if a status change is necessitated by the investigation results.

## **VI. Return of Department of Human Services Property**

- (A) Supervisors should document the return of all DHS property by completing a form DHS-1164, “DHS Property Issuance and Return Checklist” and return it to HR/Personnel as part of the termination packet.
- (B) Employees must return all DHS property in good working order, or provide agency acknowledgement of any damage, to the appropriate supervisor and satisfy all financial obligations on or before the last work day.
- (C) Any refusals by the employee to return DHS property and satisfy all financial obligations will be referred to the Office of Chief Counsel and to law enforcement agencies, if appropriate.

## **VII. Building Access**

Supervisors will notify the building manager when a member of their staff leaves DHS employment to deactivate the employee’s building access card, or rekey the building if necessary.

## **VIII. Resignation**

Employees who decide to leave DHS employment are encouraged to give their immediate supervisor at least two weeks written notice. Failure to do so could be a consideration if the employee later requests reemployment or a job reference.

## **IX. Retirement**

Eligible employees considering retirement should notify their supervisor as early as possible or at least 90 days before he/she plans to terminate employment to assure timely completion of required paperwork. Potential retirees should also contact the Arkansas Public Employees Retirement System (APERS) for information regarding benefit options, required timelines, and a retirement packet containing forms to be completed by DHS. APERS suggests the initial contact be made 12 months prior to the employee’s planned retirement date.

## **X. Reduction in Force**

Budget constraints, funding reductions, or reorganization may necessitate elimination

of positions and removal of employees through a reduction in force. All proposed reductions in force require prior approval by the DHS Director. (See Office of Personnel Management [OPM] Policy #64).

**XI. Death**

The supervisor will forward any of the decedent's personal belongings to the next-of-kin with a written request for the return of all DHS property checked out in the decedent's name, if applicable.

**XII. Transfer**

(A) For employees transferring to another state agency, DHS Division/Office, or terminating employment, the original agency or Division/Office must pay the employee the balance of their unpaid overtime or unused comp time in a lump sum payment at the higher rate of the following:

- (1) The average regular rate received by the employee during the last three (3) years of employment; or,
- (2) The final regular rate of pay received by the employee.

(B) If the transfer is without a break in service the employee will maintain all accumulated annual and sick leave. (See DHS Leave Policy 1007).

(C) When an employee transfers within DHS the supervisor will document the return of or transfer of property by completing form DHS-1164.

**XIII. Involuntary Termination**

(A) All involuntary terminations, including those occurring during a new-hire probationary period, must be approved by the Division Director/Office Chief or designee and performed in accordance with DHS Policy 1084, Employee Discipline.

(B) Employees will be informed by their supervisor orally and in writing of the reason for termination. If circumstances warrant, a reliable witness should be present at all meetings in which involuntary termination actions are discussed with employees, except for those involving a reduction in force.

(C) Employees terminated for cause in cases of violations resulting from gross misconduct will be permanently ineligible for rehire. (See DHS Policy 1084, Employee Discipline). Employees terminated for gross misconduct may also be ineligible for certain benefits, such as COBRA.

(1) The supervisor will provide written notification to terminated employees coded ineligible for rehire informing them of the coding and the reason they were assigned the ineligible for rehire code.

(2) Terminated employees who wish to request a change of the termination code they were assigned may submit a request to the DHS HR Chief or designee. The request will be forwarded to the Division Director or Office Chief who assigned the code to determine whether the request should be

granted. If a change is granted, depending on when the termination occurred, the change may not be reflected by OPM in AASIS; however, the approval granting the change will be maintained in the employee's file confirming the employee is no longer classified as ineligible for rehire.

- (D) Employees terminated without prejudice for health reasons/inability to return to work will be eligible to apply for any advertised position for which they meet minimum qualifications. A physician's certificate indicating that the employee can perform the functions outlined in the job description for which the employee has been accepted must be submitted to the hiring official prior to employment.

**XIV. Resignation in Lieu of Involuntary Termination**

At the discretion of the Division Director or Office Chief, employees being terminated may be given the option of resigning in lieu of being involuntarily terminated. The resignation must be submitted in writing.

**XV. Final Payment**

Employees who resign or terminate will receive a final payment that includes payment for unpaid salary, unused compensatory time, and accrued annual leave up to 240 hours, including unused holidays. (See DHS Policy 1007, Leave Policy). The final payment to employees terminating due to retirement or death may also include a percentage of their accrued but unused sick leave. (See DHS Policy 1092, Sick Leave Incentive Program and OPM Policy # 54).

Attachment 1

TERMINATION CODES

<b>Action</b>	<b>Name of Reason for Action</b>	<b>Code Z5</b>
01	Voluntary	
02	Involuntary	
03	Seasonal/Temporary	Extra help, for example
04	No Reason Given	
05	Management Conflict	
06	Probationary Period	6-month probationary period for new hires in a position
07	Career Opportunity	
08	Military	
09	Health Reasons – Self	
10	Health Reasons – Family	
11	Education/Retraining	
12	Relocation	
13	Non-Participating Agency	New employment in a non-participating agency
14	Limited Advancement	
15	Insufficient Pay or Benefits	
16	Working Conditions	
17	Unsatisfactory Job Performance	
18	Non-Reappointment	Employee not re-appointed to their position
19	Death of Employee	
20	Reduction in Force (RIF)	
21	Gross Misconduct	Permanently ineligible for re-employment with DHS
22	Decline Job Offer	Employee does not take the job
23	Reorganization	Position ended due to reorganization of the agency
<b>Action</b>	<b>Name of Reason for Action</b>	<b>Code Z7</b>
01	Retirement	
02	Early Retirement	