


Policy Title:		Separation of Employment	
	OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER	Category	Separation of Employment
		Administrative Policy #	
		Revision #	
		Review Frequency	As Needed – no less frequently than triennially
Administrative Division	Human Resources	Reviewed By	Chief Administrative Officer, General Counsel, Human Resources Director
BOWC Approval		Last Reviewed/Update Date	
Implementation Date			

1. AUTHORITY

- 1.1. The Consolidated Omnibus Reconciliation Act (COBRA) is a law passed by the U.S. Congress that, among other things, mandates an insurance program, which gives employees the ability to continue health insurance coverage after employment.
- 1.2. The Michigan Payment of Wages and Fringe Benefits Act 390 states that when an employer discharges or lays off an employee, the employer must pay the employee all wages due by the regularly scheduled payday for the period in which the termination occurs. When an employee voluntarily terminates employment, the employer must pay the employee all wages due by the regularly scheduled payday for the period in which the termination occurs.

2. OBJECTIVE

- 2.1. To establish guidelines and internal controls to ensure and provide an effective process for separation of employment.

3. PURPOSE

- 3.1. The purpose of this policy is to establish guidelines for the separation of employment with Detroit Water and Sewage Department (DWSD) in compliance with federal and state laws.

4. DEFINITIONS

“Discharge” means an employee does not initiate the separation.

“Last Day Paid” means the final day an employee received any type of pay for paid time off or hours physically worked.

“Last Day Worked” means the final day an employee physically worked.

“Management” means DWSD employees, including members of Executive Management, who exercise management authority and responsibility in each division for work groups, supervisors and/or employees.

5. SCOPE

- 5.1. These policies and procedures apply to all DWSD employees and student interns who are terminating employment.

6. RESPONSIBILITIES

6.1. Human Resources Director

- 6.1.1. The Human Resources Director publishes this policy; communicates this policy to all employees; reviews, approves and publishes divisional standard operating procedures; and updates this policy as necessary.
- 6.1.2. The Human Resources Director interprets and enforces this policy.

6.2. Human Resources

- 6.2.1. Human Resources notifies payroll of terminations and updates records.

6.3. Management

- 6.3.1. Management should be familiar with, understand, and act in full compliance with this policy.

6.4. Employees

- 6.4.1. Employees should be familiar with, understand, and act in full compliance with this policy.

7. POLICY

7.1. Separation of Employment

- 7.1.1. Separation of employment may result from resignation, retirement, completion of time-limited appointment, death or discharge.
- 7.1.2. The effective date for all separations of employment will be the employee's last day worked.

7.2. Benefits

- 7.2.1. All vacation time earned, up to established accrual limits, will be paid out. Accrual bank payout for other types of leave are based upon the employee's length of service and the Detroit Bankruptcy Plan of Adjustment. Employees are encouraged to contact Human Resources for more information.
- 7.2.2. The employee may elect and pay for continuation of personal medical, dental and vision coverage through COBRA at the time of separation.
- 7.2.3. If eligible, an employee must contact City of Detroit Retirement Services for information related to the payout of their individual retirement plans.
- 7.2.4. In case of the employee's death, the surviving spouse or beneficiary may receive death benefit payments. The beneficiary should contact City of Detroit Retirement Services for more information.

7.3. Eligibility for Rehire

- 7.3.1. Employees who leave DWSD in good standing with proper notice may be considered for rehire. Former employees must follow the normal application and hiring processes and must meet all minimum qualifications and requirements of the position, including any required qualifying exam. Rehired employees will not retain previous tenure when calculating longevity, leave accruals or any other benefits, unless required by law.
- 7.3.2. Employees who are involuntarily terminated by DWSD for cause or whom resign in lieu of termination may be ineligible for rehire subject to the discretion of Human Resources and Management.
- 7.3.3. Employees who resign without providing adequate notice or who abandon their job will not be considered for rehire.

7.4. Reasonable and Necessary Accommodations

- 7.4.1. Management may take reasonable and necessary actions to accomplish the intent of this policy.

8. PROCEDURE

8.1. Voluntary Separation Process

- 8.1.1. The employee must notify their manager or supervisor and Human Resources, in writing, with a minimum of two weeks advance notice of official last day worked.
- 8.1.2. The employee must return all DWSD property, including identification badge, keys, etc. to their manager or supervisor on or prior to the last day worked.
- 8.1.3. The manager or supervisor shall communicate the separation to the Security, Information Technology and Payroll divisions.
- 8.1.4. Human Resources will schedule an exit interview with the employee, complete all necessary documentation, and update records.

8.2. Involuntary Separation Process

- 8.2.1. In an event of hostile or actual or potentially violent situation, the manager/supervisor will immediately contact a member of DWSD's Security & Integrity Unit (Security) as well as the Human Resources Director to ensure the safety of all employees.
- 8.2.2. Managers and supervisors must confer with Human Resources in advance of involuntary separations to ensure that the collective bargaining agreement and DWSD policies and procedures are followed.
- 8.2.3. The manager or supervisor or Human Resources communicates the impending separation to the Security, Information Technology and Payroll divisions.
- 8.2.4. At the time involuntary separation is carried out, the manager or supervisor must collect all DWSD property assigned to the employee, including identification badge, keys, etc.

- 8.2.5. Security will deactivate the employee badge, take inventory of DWSD property and identify any items that may not have been turned in.
- 8.2.6. Information Technology will terminate employee's access to computers and DWSD data files.
- 8.2.7. Human Resources will complete all necessary documentation and update employment records.

8.3. Deceased Employee

- 8.3.1. Human Resources will contact the deceased employee's emergency contact to retrieve the employee's personal belongings and final paycheck.
 - 8.3.1.1. Human Resources will also be available to discuss other benefits if further information is needed.

8.4. Rescinding Retirement or Resignation Letters

- 8.4.1. If an employee desires to rescind his or her retirement application or resignation letter and continue their employment with DWSD, they must send a written request to rescind their retirement application or resignation letter to Human Resources thirty (30) days prior to the resignation effective date.
- 8.4.2. Management retains the right to make the final decision to approve or deny a rescission request. Management will render the decision to approve or deny the request within ten (10) business days of receiving the request.