



POLICIES AND PROCEDURES MANUAL

SUBJECT Separation, Reinstatement, and Recall	DEPARTMENT Human Resources	DEPARTMENT IDENTIFICATION 1400	
	SECTION 1405	PAGES 1-?	EFFECTIVE DATE TBD
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1.0 PURPOSE:

To describe the policies and procedures of the City of West Allis in regard to separation from, reinstatement and/or recall to, active employment.

2.0 ORGANIZATIONS AND PERSONS AFFECTED:

This policy applies to all City of West Allis departments, boards, commissions, and employees except elected officials or as otherwise provided by City policies and/or employment contracts.

3.0 POLICY:

It is the policy of the City of West Allis to follow a uniform set of procedures in regard to separation from, reinstatement and/or recall to, active employment.

4.0 REFERENCES:

City of West Allis Policies and Procedures -

- o Policy 1205 – Payroll and Time Records
- o Policy 1402 – Recruitment, Selection, and Employment
- o Policy 1407 – Fair Employment/Affirmative Action
- o Policy 1413 – Health and Dental Insurance
- o Policy 1420 – Military Leave
- o Policy 1432 – Vacations
- o Policy 1455 – Managerial Services (Division Head) Conditions of Employment

City of West Allis Revised Municipal Code Section 2.76

City of West Allis Hiring Procedures

Civil Service Rules and Regulations

Employment at Will Doctrine

Wisconsin Department of Employee Trust Funds' WRS and Life Insurance Programs

5.0 PROCEDURES:

5.1 Separation of Employment.

In the absence of a specific written agreement, an employee is free to resign at any time and for any reason, and the City reserves the right to terminate employment at any time and for any reason not prohibited by law.

- (1) An employee shall be considered separated from employment on the last date they serve as an active employee, whether paid or unpaid, as initiated and/or accepted and approved by the City, or upon their death.

- a. Retirement – when an employee voluntarily leaves employment and (1) is of retirement age per ETF-WRS and (2) is eligible to participate in the City’s Retiree Health Insurance Program.
- b. Resignation/Termination - when an employee voluntarily leaves employment and (1) is not of retirement age per the Wisconsin Department of Employee Trust Funds Wisconsin Retirement System (ETF-WRS) and/or (2) is not eligible to participate in the City’s Retiree Health Insurance Program.
- c. Release from Employment/Termination – when an Appointing Authority or the City determines the services of an employee are no longer needed (e.g., end of temporary or seasonal employment, discharge without cause during training/probationary period, misconduct, reduction in force, etc.).
- d. Job Abandonment – when an employee fails to report to work or contact their supervisor for three (3) consecutive work days, effective at the end of the employee’s normal shift on the third day, or an employee who fails to return from an approved paid or unpaid leave of absence (e.g., FMLA, worker’s compensation, voluntary time off) on a specified return date without prior notice to their supervisor.

(2) An employee’s notice of separation from employment may be in the form of a verbal or written communication to their Appointing Authority/designee, or as a result of death.

(3) In order to separate from employment in good standing, an employee shall provide a written notice to their Appointing Authority/designee a minimum of two (2) weeks prior to their last day of employment and have a satisfactory *Employment in Review*.

5.2 Reductions in Force. Reductions in the workforce may occur through layoffs or furloughs, in addition to attrition or position elimination or modification. The City will determine the Departments, number of positions and persons impacted by the reduction in workforce. The City may choose to solicit volunteers for the reduction in workforce.

(1) In the event a reduction in workforce occurs, the Appointing Authority, in conjunction with the City Administrator, Human Resources Director, Finance Director and Attorney’s Office, will determine who shall be laid off/terminated.

(2) Employees will be laid off/terminated or furloughed based on skills, abilities, qualifications, job performance, and conduct, taking into consideration the interests and needs of the City; all things being equal for two qualified employees, and the needs of the City do not necessitate retaining one employee rather than another, then the employee with the longest years of service¹ with the City will be retained.

5.3 Withdrawal of Notice to Separate Employment.

The City may choose to accept an employee’s request to rescind his/her notice to separate employment with the City during a time period of up to two (2) workweeks of the separation. The determination for rescinding is in the sole discretion of the City; said determination shall be made on a case by case basis by a unanimous decision of the

¹ Longest years of service shall be calculated by the HR Department utilizing the following formula based on FTE (full time equivalency):

_____ years of full-time service x 1 = _____ FTE
 _____ years of part-time service (20+ hours/week) @ _____% = _____ FTE
 _____ years of part-time service (<20 hours/week) @ _____% = _____ FTE
 _____ Total FTE years of service

Appointing Authority, City Administrator, and Human Resources Director in consultation with the City Attorney.

5.4 Off-Boarding.

An employee shall be afforded benefits and wage payment in accordance with City Policies or other agreements the employee may have with the City. Their off-boarding shall be coordinated by the Appointing Authority/designee with the Human Resources, Finance, and IT Departments and shall include, but not be limited to:

- (1) completion and submittal of a Personnel Action Form (PAF), including, if applicable the resignation/termination or retirement notice;
- (2) completion of timekeeping records for last paycheck processing;
- (3) the employee's return of City documents and property issued to the employee during the course of employment (e.g., keys and key fobs, ID card; iPad, cell phone and other electronic communication devices; procurement cards; tools/equipment).

5.5 Rehire and/or Reinstatement of City Employees Other Than Those Returning from Military Service.

- (1) An individual who has been terminated due to a reduction in force or who separated from employment in good standing within the preceding twelve (12) months may be rehired and/or reinstated without having to go through the entire recruitment process as set forth in City Policies 404, 1402, and the City of West Allis Hiring Procedures subject to approval by the appointing authority, Human Resources Director and City Administrator
- (2) A rehired and/or reinstated employee shall serve a probationary period as designated for their classification regardless of the length of probation served during the prior service.
- (3) A rehired and/or reinstated employee, excluding a City of West Allis Retiree, shall be afforded benefits and wage payment in accordance with City Policies and Procedures in effect at the time they are rehired unless otherwise approved by the Human Resources Director and Finance Director, and as agreed to and approved by the City Administrator.
- (4) A rehired City of West Allis Retiree may only be employed in Temporary Appointment opportunities, and as allowed per re-employment guidelines of ETF-WRS; said Retiree is only eligible for benefits as required by law.