

**YAKIMA COUNTY
EMPLOYEE SEPARATION POLICY
POLICY NO. HR-021**

I. PURPOSE

It is Yakima County's policy to ensure that employee separations are handled in a professional manner with minimal disruption to ongoing work functions.

There are three types of separations:

- A. Voluntary
- B. Involuntary
- C. Death

Employee types include:

- A. Regular Budgeted Employees
 - a. Full Time
 - b. Part Time
 - c. Temporary
- B. Extra Help Employees
 - a. Short Term
 - b. Intermittent/On-Call

II. VOLUNTARY SEPARATIONS

- A. Voluntary separation of employment occurs when an employee informs his or her supervisor of the employee's decision to resign and includes, but is not limited to resignation, retirement, or separation is deemed to have occurred when an employee is absent from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment or no call/no show).
- B. Employees are encouraged to provide a minimum of two weeks' notice of their intention to separate from Yakima County in order to allow a reasonable amount of time to transfer ongoing workloads. It is encouraged that written notification will be provided to the employee's supervisor.

III. INVOLUNTARY SEPARATION

- A. All involuntary separations must be approved in advance by Human Resources and/or the Prosecuting Attorney's Office.
 1. An involuntary separation of employment, including layoffs over 30 days, is a management-initiated dismissal. The inability of an employee to perform the essential

functions of the job with or without a reasonable accommodation may also result in an involuntary separation.

2. Discharge may be for any legal reason, i.e., probationary employee, misconduct, tardiness, absenteeism, unsatisfactory performance, inability to perform, etc. In some cases progressive discipline may be used, prior to separation, to correct a performance/behavior problem. However, certain types of employee misconduct are so severe that one incident of misconduct can result in immediate dismissal without prior use of progressive discipline.

B. Disciplinary Discharge

1. Gross Misconduct – a substantial or intentional disregard of the employer's interests. Gross misconduct refers to behavior that can get a person dismissed immediately from work because it is serious enough and possibly criminal. While there is no formal definition of what constitutes gross misconduct in the workplace, some accepted descriptions include wanton disregard for the safety of others; deliberate acts of violence or hostility; illegal drug use at work; being drunk while on duty; stealing; discrimination; sexual harassment; significant levels of insubordination; lying; and dishonesty through falsification of documents or other forms of misrepresentation.

Employees terminated for Gross Misconduct may be subject to forfeiture of PTO/Annual Leave cash out upon separation.

2. Other (Non-Gross) Misconduct – may include an employee's disruptive behavior, poor attendance, or violation of policies/rules.

C. Non-Disciplinary Discharge

1. Layoff – is a separation of employment initiated by Yakima County, resulting in the elimination of a position typically due to a re-organization, a budget reduction or lack of funds, or a lack of work.
2. Unable to accommodate – it might be acceptable to terminate an employee if the termination is unrelated to the disability; or the employee does not meet legitimate requirements for the job, such as performance or production standards, with or without a reasonable accommodation; or because of the employee's disability, he or she poses a direct threat to health or safety in the workplace. Always check with Human Resources and/or the Prosecuting Attorney's Office before taking any action.
3. Probationary – probationary employees are considered At-Will employees and may be terminated with or without cause during the probationary period due to unsuitability. Unsuitability includes, but is not limited to, unsatisfactory performance, misconduct, violation of County rules, insubordination, etc. Always check with Human Resources and/or the Prosecuting Attorney's Office before taking any action.

D. Before any action is taken to discharge an employee, the employee's department head should review the decision with the HR Director and/or the Prosecuting Attorney's office.

IV. DECEASED EMPLOYEES

A. A separation due to the death of an employee will be made effective as of the date of death.

V. FINAL PAYCHECK

A. An employee who resigns in good standing or is discharged will be paid through the last day of work, plus any qualifying PTO/Annual Leave. Final paycheck due, upon the death of an employee, will be paid to the deceased employee's estate.

Adopted Copy Available at
Yakima County Human Resources
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