

**BREVARD COUNTY
MERIT SYSTEM
POLICIES POLICY XIV**

Title: **SEPARATION FROM COUNTY SERVICE**

I. OBJECTIVE

To provide consistent criteria for employees separating from County service.

II. DIRECTIVES

A. RESIGNATIONS

An employee wishing to leave County Service in good standing shall provide written notice of resignation to the appropriate supervisor or appointing authority stating the date and reasons for leaving. The resignation should be submitted at least fourteen (14) calendar days prior to the date of leaving. The appointing authority may waive the required fourteen (14) days' notice if extenuating circumstances exist. Failure to provide proper notice may be cause for denial of reemployment rights or forfeiture of payment of any unused leave benefits.

B. LAYOFFS

When for any reason it becomes necessary to reduce the work force of any department or office, the appointing authority shall determine the number and classes of employees to be laid off. In determining order of layoff within a class, the appointing authority shall consider past employee performance based upon each employee's most recent performance evaluation. Employees shall be laid off without prejudice as layoff is not considered a disciplinary action.

The following factors shall be used in determining the order of layoff:

1. The appointing authority shall first layoff the individual or individuals with the lowest past employee performance within the selected classification in the department unless an employee is considered an essential employee.
2. When there are individuals who are subject to being laid off with equal past employee performance in a class the individual with the shortest length of service shall be laid off first. If two or more employees with equal past employee performances have the same length of service the individual with less total County service shall be laid off first.
3. No Career Service employee shall be laid off while there are emergency, temporary or probationary employees serving in the same classification within the jurisdiction of the same appointing authority, unless such employees have been designated as essential. If a Career Service employee is scheduled to be laid off, the employee shall be

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offered a demotion to a lower class if a vacancy exists within the office or department and the employee is qualified to fill the position in the lower class.

Career Service employees to be laid off shall be given written notification of such layoff by the appointing authority. Career Service employees receiving less than two (2) weeks' notice of layoff shall be entitled to payment in lieu of said notice.

C. MEDICAL DISMISSALS

In the event it becomes necessary to terminate the employment of a County Service employee due to physical inability to perform the job, such termination shall be deemed a medical dismissal. Medical dismissals shall be without prejudice and the employee shall receive payment of leave benefits, if otherwise eligible. Such employees shall be eligible for reemployment as their medical condition permits.

D. DISMISSAL OF APPOINTIVE SERVICE EMPLOYEES

Appointive service employees may be dismissed either for cause or for the convenience of the County. Authority to dismiss appointive service shall rest with the appropriate appointing authority, except that no Administrative Officer II or above may be terminated by his/her Administrative Officer IV/V (working title: department/office director) without the concurrence of the County Manager.

Effective 08/01/96