

**Idaho Department of
Juvenile Corrections
Administrative
Policy/Procedure**

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SUBJECT: SEPARATION OF EMPLOYMENT

CATEGORY: HUMAN RESOURCES

Policy

The purpose of this policy is to ensure that all decisions concerning the termination of staff employment are made with due consideration. Separation occurs when an employee is permanently removed from the Idaho Department of Juvenile Corrections (IDJC) payroll either voluntarily, involuntarily, or for disciplinary reasons.

It is therefore the policy of the IDJC that the effective date of termination is the last day the employee actually works, with the following exceptions:

- When an employee fails to return from an approved leave of absence, the effective date of separation is the date the employee was expected to return from leave, or
- When an employee on leave resigns, the date of separation is the date the employee notifies the IDJC.

Operating Procedures

I. Pay and Separation Provisions

- A. All employees who separate from state service will receive a lump sum payment with their final pay for any unused vacation leave and on-call hours earned through the last hour of work. On-call hours must be coded on I-Time to ensure payout. Compensatory time, if eligible for cash compensation, will be cashed out as a part of final pay. The supervisor is responsible for ensuring that the final timesheet is prepared and submitted on the employee's final workday. Separating employees will receive their final paycheck on the final scheduled pay date respective of their date of separation.

Note, the state of Idaho is exempt from 45-606, Idaho Code, which provides for payment of wages within 48 hours of separation with a written request.

Unused sick leave for employees who transfer to other state agencies will be transferred to the receiving department.

Unused vacation may transfer to the new state agency if the employee does not have a break in service of more than one working day (not including Saturday or Sunday).

Unused compensatory time is handled in accordance with state statute: Covered employees will be paid unused compensatory time. Non-covered employees forfeit unused compensatory time at separation.

- B. Unused sick leave will be forfeited at the time of the separation except when the employee is retiring, in which case, sick leave will be credited to the employee's retirement account as defined in Idaho Code, section 67-5333(2). Such sums will be used by the Idaho public employee retirement board to pay premiums, as permitted by and subject to applicable federal tax laws and limits, for such health, dental, vision, long-term care, prescription drug and life insurance programs as may be maintained by the state, to the extent of the funds credited to the employee's account pursuant to the statute. Sick leave forfeited at the time of separation and not used to purchase insurance under the provisions of PERSI will be reinstated if the employee is rehired or reinstated to state service within three years.
- C. Supervisors are responsible for collecting IDJC-owned equipment, including p-cards, keys and badges, from a separating employee.
- D. Human Resources (HR) will conduct an exit interview or send a link to the IDJC's exit survey to employees who separate voluntarily. The exit interview will allow employees to comment and provide feedback on their work experiences with the IDJC, including such issues as job requirements, operations, management techniques, and training. It will also provide the exiting employee with an opportunity to discuss their feelings regarding compensation, benefits, scheduling, workloads, etc. All exit interviews are maintained as confidential, to the extent possible, and information obtained will be used to enable IDJC to make appropriate system modifications for employee retention.
- E. Separated employees are responsible for keeping HR informed of any change of address or personal email so that retirement (PERSI), W-2 forms (State Controller's Office), etc., can be processed correctly.

II. Voluntary Separation

Voluntary separation occurs when the employee initiates the action to terminate the employment relationship. Upon notification of a resignation, the supervisor will notify HR and the appropriate Division Administrator.

Employees who voluntarily terminate their employment are asked to provide advanced written notice (e.g., 14 days) to their supervisor who, in turn, sends this notification to HR. If the employee provides notice orally rather than in writing, the supervisor should request a written resignation. If the employee is unavailable to do this, the supervisor will write a letter or email to the employee acknowledging the oral resignation and send a copy of this documentation to HR.

Requests for scheduled time off, through the use of available paid leave balances (e.g., vacation, sick, compensatory time, on-call), within the notice period, will be honored consistent with established IDJC policies, including but not limited to

Vacation Leave (355), Time Records and Reporting (350), Hours of Work and Rest Breaks (349), and Sick Leave (353). Supervisors will give reasonable consideration to the employee's needs and desires on the basis of work requirements and when it will least interfere with the efficient operation of IDJC.

An employee voluntarily separating employment from IDJC may request to extend the separation date by no more than two weeks through the use of available paid leave (e.g. vacation, compensatory time, and/or on-call time).

Once an employee has submitted a resignation, reinstatement is at the discretion of the appointing authority (IDJC Director or Division Administrator). The appointing authority may, but is not required to, allow an employee to rescind a resignation prior to its effective date.

III. Involuntary Separation

Involuntary separation occurs when the employer initiates the action to terminate the employment relationship. Normally, this is for reasons which are beyond the control of the employee, i.e., reduction in force, inability to perform essential functions of the job, medical layoff, unavailability of work, or expiration of appointment for temporary employees.

IV. Separation During Entrance Probation

Should an employee on entrance probation fail to render satisfactory service, they will first be given the opportunity to resign without prejudice prior to the completion of the probationary period. An employee who fails to resign may be terminated without cause assigned and without the right of due process or appeal. Notice to the employee of separation must be made no later than 15 calendar days prior to the effective date of termination, unless there are extenuating circumstances.

V. Dismissal

Dismissal occurs when the employer initiates the action to terminate the employment relationship. Any classified employee may be dismissed as outlined in Corrective and Disciplinary Action for IDJC Employees (325) policy and procedure (guided by the Rules of the Division of Human Resources and Personnel Commission).

Non-classified employees serve at the pleasure of the Governor and the IDJC Director. They may be dismissed for unsatisfactory service, unavailability, or for any other lawful reason deemed appropriate.

Reference:

[Glossary of Terms and Acronyms](#)

IDAPA 15.04.01 Rules of the Division of Human Resources and Personnel Commission

Idaho Statutes, Title 67, Government and State Affairs, Chapter 53, Personnel System, 67-5333 – Sick Leave.

[Records Retention Schedules](#)

[Records Destruction Logs](#)

Desk Manual: *None*

Related Policies: [Corrective and Disciplinary Action for IDJC Employees \(325\)](#)
[Hours of Work and Rest Breaks \(349\)](#)
[Time Records and Reporting \(350\)](#)
[Sick Leave \(353\)](#)
[Vacation Leave \(355\)](#)
[Records Management Program \(117\)](#)
[Public Records \(901\)](#)

Related Forms: [Records Destruction Worksheet \(DJC-279\)](#)