



DEPARTMENTAL
GENERAL
ORDER

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B-2

Discharged Personnel, Termination
Clearance of
Employment, Termination of
Leaves of Absence, Unpaid and
Mandatory
Retirement Clearance
Suspension
Termination, Unpaid Leave,
Mandatory Leave
Voluntary Termination, Discharge,
Unpaid Leave, Mandatory Leave

Ref: CALEA
Standards 22.2.1;
26.1.7

**VOLUNTARY TERMINATION, DISCHARGE, UNPAID LEAVE,
MANDATORY LEAVE**

The purpose of this order is to set forth Departmental policy and the responsibilities of unit commanders, members, and employees regarding the termination of employment (voluntary and involuntary), mandatory leave, and unpaid leaves of absence. The provisions of this order do not apply to military leave, which is governed by [Departmental General Order D-12, MILITARY LEAVE](#).

As used in this order, the terms:

“Voluntary Termination” generally refers to resignations, voluntary separations from service, retirements (when not specifically articulated) and other means by which members and employees leave Departmental employment of their own accord.

“Discharge” generally refers to involuntary terminations or separations from service.

**I. LETTER OF INTENT OR REQUEST: VOLUNTARY
TERMINATION, UNPAID LEAVE**

A. Member or Employee

1. **Voluntary Termination:** All members and employees who terminate voluntarily, including those who retire, shall submit three copies of an interoffice memorandum of intent, through channels to the Chief of Police, at least two weeks in advance of the termination date. The memorandum shall state the reason for the termination, the date of the final working day, the standard days off during the final week of employment, and the requested disposition of accrued compensatory leave and vacation. Members and employees other than those who receive a service or disability retirement shall contact the Personnel Services Coordinator in the Personnel Section upon submitting the memorandum and make an appointment for an exit interview.
2. **Retirement:** Persons who plan to retire should consult the appropriate City retirement office to review their benefits and should consult the Departmental Accounting Section to review their accrued compensatory leave (OTA) and vacation balances prior to submitting notification of their intent to retire. Members and employees seeking service retirements must contact the Personnel Section at least three weeks in advance if they wish to receive a retirement identification card on or by their final working day. Eight weeks' advance notice to the Personnel Section is needed to obtain a police retirement badge by the final working day.
3. **Unpaid Leave:** Persons who request an unpaid leave of absence, including those who seek maternity leave, shall submit an interoffice memorandum and an Unpaid Leave of Absence form (TF-3002) to their unit supervisor at least two weeks before the leave date. The memorandum shall be addressed to the Chief of Police and shall state the reason for the request, the fact that the requested leave is to be unpaid, and the starting and ending dates of the leave.
 - a. Retirement contributions, vacation, sick leave, and seniority accruals and all insurance premium payments are discontinued when members and employees take unpaid leaves of absence in excess of 30 calendar days.

- b. Health and dental plan insurers do not automatically reinstate coverage upon a member's or employee's return to duty following an unpaid leave in excess of 30 days unless he/she has arranged through the Accounting Section to pay for continued coverage during the leave. If coverage is not continued, the member or employee will have to wait until the next open enrollment period after his/her return to duty to reinstate the coverage.

B. Office of Chief of Police

1. **Retirement and Other Voluntary Terminations:** When endorsed by the Chief of Police, all copies of a memorandum requesting termination shall be forwarded to the Personnel Section.
2. **Unpaid Leave:** The Chief of Police may approve requests for three or fewer consecutive working days of unpaid leave, provided that the member or employee is granted no more than five working days of unpaid leave during any one calendar year. Unpaid leave in excess of these amounts requires additional approval from the City Personnel Director (30 days or fewer) or the Civil Service Board (in excess of 30 days). When endorsed by the Chief of Police, all copies of a memorandum requesting unpaid leave in any amount shall be forwarded to the Personnel Section. Requests disapproved by the Chief of Police shall be returned through channels to the requesting individual.

II. CLEARANCE PROCEDURES FOR MEMBERS AND EMPLOYEES: VOLUNTARY TERMINATION, UNPAID LEAVE

A. Retirement or Other Voluntary Termination

1. The member or employee shall obtain two copies of the Termination of Employment Clearance Report (TF-907) from the Personnel Section and personally take them to all Departmental units and City departments listed.

2. Members and employees shall be required to make reimbursement at the Accounting Section for Department-owned equipment lost or damaged through negligence.

B. Unpaid Leave

Clearance is not required for unpaid leave of 30 calendar days or less.

**III. CLEARANCE PROCEDURES FOR MEMBERS AND EMPLOYEES:
DISCHARGE, SUSPENSION WITHOUT PAY, OR MANDATORY
PAID LEAVE REQUIRED BY THE DEPARTMENT**

A. Notification Policy

When a non-probationary member or employee's employment is involuntarily terminated, he/she shall be provided with a written notice stating the reason for dismissal, the effective discharge date, and the status of accrued fringe and/or retirement benefits.

B. Employees

1. Discharged employees shall complete procedures in Part II, A, 1 and 2 of this order.
2. Employees who are placed on mandatory paid leave at the discretion of the Department need not complete clearance procedures unless required to do so by their unit commander(s).

C. Members

1. Members who are discharged or suspended will be advised of the Department's action by their unit commander, appropriate designee, or by certified mail. Such advisement shall include information regarding their status under the law with respect to possessing or transporting concealable firearms.

2. **Discharge:** Discharged members shall be escorted while they obtain two copies of the Termination of Employment Clearance Report (TF-907) form from the Personnel Section and complete Departmental termination procedures.
 - a. Discharged members shall, without exception, turn in all Department-owned safety equipment and their stars and identification cards on the same day that they are discharged.
 - b. As part of the Departmental clearance process, they shall be required to make reimbursement at the Accounting Section for Department-owned equipment lost or damaged through negligence.
 - c. After completing Departmental termination clearance procedures, discharged members shall take the clearance form to the City departments listed.
3. **Suspension Without Pay:** At the discretion of their bureau commanders, members who are suspended may be required to turn in Department-owned safety equipment and their stars and identification cards on the same day that they are suspended and may be escorted during the turn-in process. Fringe benefit contributions and accruals will cease after 30 calendar days of unpaid suspension.
4. **Mandatory Paid Leave:** Members who are placed on paid leave at the discretion of the Department shall, if required by their bureau commanders, turn in Department-owned safety equipment and their stars and identification cards and may be escorted while they do so.

IV. RESPONSIBILITIES OF COMMANDERS AND SUPERVISORS

A. Endorse Memoranda Regarding Voluntary Terminations

Supervisors and commanders shall endorse memoranda from members and employees requesting voluntary termination. Except

in the case of retirements, persons in the chain of command shall attach comments regarding the quality of services performed by the terminating individual and a statement as to whether or not the person is recommended for reemployment.

B. Receive Property and Sign Clearance Forms.

1. To ensure personnel who separate from service (for any reason) are properly cleared from their respective unit, each unit commander shall designate a representative to receive Department-owned property and to sign clearance forms.
3. Only authorized representatives shall sign the Termination of Employment Clearance Report (TF-907). Full signatures in ink shall be used in all cases, not check marks or initials. Representatives shall not sign clearance forms unless all the property listed opposite their signature blocks has been turned in or accounted for.
4. Whenever a separating individual cannot turn in all of a unit's property at the same time, the representative shall document this information via memorandum and forward it to the Personnel Section. The representative shall not sign the clearance form until the remainder of the property has been turned in or is accounted for as specified in Part IV, B, 4 of this order.
4. In the event that a separating individual has lost or damaged Department-owned equipment, the representative shall make a determination as to whether or not the loss or damage was the result of negligence. If negligence is determined, the representative shall address an interoffice memorandum to the Accounting Section listing the lost or damaged items and the best available information regarding the cost of repair or replacement.
 - a. The individual shall be instructed to take the letter directly to the Accounting Section, in person, and to reimburse the City for the items.

- b. The Accounting Section shall give the individual a receipt and direct him/her to return to the unit.
 - c. When the individual presents the receipt, the representative shall make a copy for the unit's files and shall sign the clearance form if all the unit's equipment has been obtained or accounted for.
 - d. If the individual disputes the judgment that the loss or damage was the result of negligence, the representative shall report the matter via interoffice memorandum, through channels, to the Chief of Police. The Accounting Section shall reimburse the individual later if the Chief of Police determines that the loss or damage occurred in the line of duty, or not as a result of negligence on the part of the individual.
- C. Be Present When Members Are Discharged, Suspended, or Placed on Mandatory Paid Leave
- 1. Whenever a member is to be discharged, suspended without pay, or placed on mandatory paid leave at the discretion of the Department, the officer who will serve the notice or inform the member shall notify the individual's unit commander in advance so that the commander can be present or can designate a representative to be present. The officer shall also notify the individual's bureau commander in advance.
 - 2. If the unit commander is off duty and did not designate a representative, the Patrol Division watch commander shall be notified and shall be present or designate a representative to be present.
- D. As Required, Escort Discharged or Suspended Members or Members Placed on Paid Leave
- 1. **Discharged Members:** In all cases, the unit commander shall assign a command or supervisory officer to accompany a

discharged member as he/she completes Departmental clearance procedures. The clearance process involves obtaining the Termination of Employment Clearance Report TF-907 form from the Personnel Section, emptying the locker, and returning all Department-owned safety equipment and identification to the Training and Personnel Sections.

2. **Suspended Members and those Placed on Mandatory Paid Leave:** At their discretion, bureau commanders may require such members to return Departmental safety equipment, stars, and identification. Unit commanders may assign a command or supervisory officer to escort suspended members or those placed on mandatory paid leave while they complete appropriate procedures.
3. In the event that a discharged or suspended member or one placed on mandatory paid leave is physically unable to complete appropriate procedures, his/her unit commander shall, as necessary, arrange to recover Departmental equipment and complete the clearance report. If the member's locker is to be opened, the provisions of Government Code Section 3309 shall be followed.
4. In the event that a member's unit commander is unavailable to complete the above procedures, the Patrol Division Watch Commander shall ensure that they are completed.

E. Complete Clearance for Deceased Personnel

In the event that a member or employee dies, his/her unit supervisor shall be responsible for completing termination clearances on his/her behalf.

F. Refer Employment Development Department (EDD) Representatives to the Personnel Section

1. Supervisors and commanders shall not discuss with EDD representatives the circumstances under which former members and employees separated from service.

2. All telephone inquiries and correspondence from EDD shall be referred immediately to the Personnel Section Commander.

V. RESPONSIBILITIES OF THE PERSONNEL SECTION

A. Voluntary Termination, Retirement and Discharge

1. **Retirement and Other Voluntary Terminations:** Upon receiving a separation memorandum endorsed by the Chief of Police, the Personnel Section shall complete and distribute the Notice of Voluntary Resignation form (400-615).
2. **Unpaid Leave:** Upon receiving a request for unpaid leave approved by the Chief of Police, the Personnel Section shall complete and distribute the Unpaid Leave of Absence form (TF-3002). A copy of the member or employee's request memorandum endorsed by the Chief of Police shall be attached to the City Manager's copy of the form.
3. **Discharge:** The Personnel Section shall complete and distribute the Notice of Termination of Employment form (400-614) in accordance with the provisions of Administrative Instruction No. 522.

B. Exit Interviews

The Personnel Section Commander (or his/her designee) shall conduct an exit interview, as required by City procedures, whenever a member or employee voluntarily terminates his/her employment. The Personnel Section Commander shall document pertinent issues and/or concerns raised during such interviews, and shall forward them via interoffice memorandum to the Chief of Police.

C. Employment Development Department

The Personnel Section Commander shall handle all telephone inquiries and correspondence from the Employment Development Department regarding former members and employees.

D. Seriously Ill or Injured Personnel

Whenever a member or employee is gravely ill or injured, the Personnel Section Commander shall review his/her case individually and decide when, if at all, to require termination clearance.

E. Discharged Members/Employees

The authorized individual shall receive or account for all property issued by the section. Also, the Personnel Section shall ensure that the Accounting Section is notified of the address where the discharged member or employee's final paycheck shall be sent.

VI. RESPONSIBILITIES OF THE TRAINING SECTION

Whenever a member is discharged, the authorized individual in the Training Section shall receive or account for all Departmental safety equipment issued.

By order of

Richard L. Word
Chief of Police