ORDINANCE NO. 2013-11

An Ordinance Relating to the Separation of Employment

The Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. Section 2-6-90 through Section 2-6-94 of the Municipal Code of the City of Cedarburg is hereby amended as follows:

~~Retirement and Resignation~~
Separation of Employment

SEC. 2-6-90 RESIGNATION/RETIREMENT.

(a) An employee shall file a written letter of resignation to his supervisor and the City Administrator stating the reason(s) and the effective date of the resignation. Employees shall provide written notice a minimum of ten (10) working days prior to their termination date. Employees shall provide written notice a minimum of twenty (20) working days prior to their retirement. Retirement is defined as being qualified for the Wisconsin Retirement System. Failure to provide the required number of days will result in a forfeiture of the sick leave payout.

(b) The workdays required for proper notice shall exclude vacation and holidays and any other paid time off. Failure to provide the proper notice of resignation as identified in this section shall cause the employee's personnel record to indicate that the employee did not leave the City in good standing. The City retains the right to waive the resignation notice requirement if it is in the best interest of the City to do so. If sufficient notice is not given, the employee will not be entitled to accrued vacation pay as wages.

SEC. 2-6-91 JOB ABANDONMENT

Employees who fail to report to work or contact their supervisor for three (3) consecutive work days or employees who fail to return from approved leaves of absence (i.e., FMLA, worker's compensation, unpaid leave of absence) on a specified return date without prior notice to their supervisor shall be considered to have abandoned their job without notice. Supervisors shall notify the Payroll Officer at the expiration of the fifth (5th) work day and initiate the paper work to terminate the employee. Employees who abandon their jobs are ineligible to receive accrued benefits and are ineligible for rehire.

SEC. 2-6-~~91~~ 92 DISPOSITION OF THE FINAL PAYCHECK.

(a) The final paycheck for employees who have retired, resigned or been dismissed shall be computed and the final earnings directly deposited to the employee's last known depository. The check detail will be mailed to the employee at the address of record, or if the employee prefers, ready to be picked up in the City Treasurer's Office only on the regular scheduled pay day following the termination date. The final paycheck shall also include payments for accrued wages.

(b) All deductions for amounts owed by the employee to the City have been computed and deducted from the final paycheck.

SEC. 2-6-~~92~~ 93 FINAL COMPENSATION UPON DEATH OF AN EMPLOYEE.

If an employee dies, the City may pay all wages due the employee to his or her spouse, children, parent, brother, sister or creditors (in that order of priority) after at least five (5) days have passed after death and before probate proceedings have commenced. In any case, the wages become due and payable upon death, and if the employee's spouse, children or dependent demands them before the employer has voluntarily made payment, the City shall pay them to that person. In either case, payment constitutes a full discharge of the employer's obligation. The amount of wages due includes unused vacation allowances.

SEC. 2-6-94 PROCEDURE OF DEPARTURE

(a) The Department Head shall notify the Payroll Officer immediately when they know an employee has resigned or plans to retire. The Department Head will conduct the check-out and return of property, utilizing the Exit Interview Form. The form should be forwarded to the Payroll Officer. The departing employee will be given a copy of the Exit Interview Form and informed that a COBRA notice will be sent directly to them from the City's third party administrator.

(1) Return of Property.

All items which have been issued to an employee during the course of employment remain the property of the City. At the time of an employee's separation, whether voluntary or involuntary, all City documents and other items of City property in the employee's possession (i.e. cell phones, identification cards, uniforms, keys, key cards, credit card or procurement cards, tools and equipment) must be returned on or before the employee's last of work. It will be supervisor's responsibility to ensure that all City property is returned.

(2) Exit Interview.

An exit interview will be conducted by the Payroll Officer for all separations of employment for regular and part-time employees. This interview is intended to be beneficial for both the City and the departing employee. During the interview, an exit questionnaire form will be completed by the employee and the employee will have the opportunity to ask questions, discuss any areas of concern, and receive answers to specific questions. It is the intention of the City to obtain information that will help in recruitment and retention efforts.

Department Heads are responsible for ensuring the exit interview has been scheduled.

The Payroll Officer will document any issues that the departing employee indentifies. Any issues brought up related to the Department Head will be directed to the City Administrator and any issues with the City Administrator will be brought to the attention of the Mayor. The Payroll Officer will verify that the department check out process has occurred, ensure the exit questionnaire is completed, process

any benefit payout information, and distribute the required information to the departing employee.

SECTION 2. This ordinance shall take effect upon its passage and publication as provided by law.

Passed and adopted this 10th day of June 2013.

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Kip Kinzel, Mayor

Countersigned:

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Constance K. McHugh, City Clerk

Approved as to form:

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Kaye K. Vance, City Attorney