
SUBJECT: SEPARATION OF CLASSIFIED EMPLOYEES

A. Resignation

- 1.0 Full-time classified employees who wish to resign should give at least two weeks' notice. Resignations submitted with less than the specified notice may be accepted with prejudice.

B. Layoffs

- 1.0 In the absence of sufficient work or sufficient funds or in the event of a reorganization of a unit that results in the elimination of one or more positions, employees may be laid off according to the following procedure:
 - a. The departmental administrator determines which position classification is to be reduced.
 - b. Departmental employees in that classification are categorized as follows:
 - (1) disabled war veterans, (2) employees with permanent status in the class, (3) probationary employees who have permanent status in a lower class, and (4) probationary employees without permanent status in any class.
 - c. Departmental employees in the classification are awarded retention points as follows: (1) one point for each month of state service, (2) one point for each month of state service rated satisfactory, and (3) one-half point for each month of state service rated above satisfactory.
 - d. Employees in category (4) of b are to be laid off before any in category (3) are laid off, and so on, with highest priority for retention assigned to those in category (1). Within each category, the employee with the lowest number of retention points is the first to be laid off.
- 1.1 In every case of layoff, the departmental administrator must give two-weeks' notice to the employee and concurrently to the personnel officer.
- 1.2 The human resources officer will make every effort to place an employee being laid off in a position of the same classification and pay grade. If another position is not available, the employee's name is placed on a "layoff roster". An employee whose name is on this roster and who is qualified for the position must be offered reinstatement to a position in the class from which he or she was laid off, or in a lower class in the same series, or in a class in which the employee has held permanent status with LCSC, before any other person may be promoted, transferred, reinstated,

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or hired for that class by any LCSC unit. Reference for re-employment from layoff rosters is determined as in the preceding page, i.e., those in category (1) are to be reemployed before any in category (2) and so on, and, within a category, the employee with the largest number of retention points is the first to be reemployed.

Names of employees laid off remain on the layoff roster for one year.

- 1.3 An employee who resigns voluntarily, is terminated for cause, or fails to satisfactorily complete the required probationary period is not eligible to be placed on the layoff roster.

C. Dismissal or Suspension

- 1.0 Suspension means an enforced period of absence, with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.
- 1.1 Grounds for Dismissal or Suspension: Any classified employee may be dismissed or suspended for any of the following causes that occur during the period of his or her employment:
 - a. Failure to perform the duties and carry out the obligations imposed upon him or her by the state constitution, state statutes, or LCSC rules and regulations.
 - b. Inefficiency, incompetence, or negligence in the performance of duties.
 - c. Physical or mental incapability of performing assigned duties.
 - d. Refusal to accept a reasonable and proper assignment from an authorized superior.
 - e. Insubordination, conduct unbecoming a state employee, or conduct detrimental to good order and discipline in his or her department.
 - f. Intoxication on duty.
 - g. Careless, negligent, or improper use or unlawful conversion of LCSC property, equipment, or funds.
 - h. Use of any influence that violates the principles of the merit system in an attempt to secure a promotion or privileges for individual advantage.

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- i. Conviction of official misconduct in office, conviction of any felony, or conviction of any other crime involving moral turpitude.
 - j. Acceptance of gifts in exchange for influence or favors given in his or her official capacity.
 - k. Habitual pattern of failure to report for duty at the assigned time and place.
 - l. Habitual improper use of sick leave privileges.
 - m. Unauthorized disclosure of confidential information from official records.
 - n. Absence without leave.
 - o. Misstatement or deception in his or her application for LCSC employment.
 - p. Failure to obtain or maintain a current license or certification lawfully required as a condition for performing his or her duties.
 - q. Prohibited participation in political activities.
- 1.2 Dismissal Procedure: Whenever a departmental administrator considers it necessary to dismiss a classified employee, the administrator must notify the employee and the human resources officer concurrently. In the case of employees with permanent status, the notification is to clearly set forth the specific reasons for the recommendation for dismissal. Normally, two weeks notice will be given to classified employees, including those on probation. Two weeks notice is not necessary for temporary employees, but every effort should be made to give at least five working days notice.
- 1.3 Suspension for Investigation: A departmental administrator may place a classified employee on suspension, with pay, pending investigation of charges that, if substantiated, would constitute proper cause for dismissal. Such suspension may be effected without prior notice upon concurrent notification of the employee and the human resources officer. Each such suspension must be superseded by reinstatement to duty, dismissal, or disciplinary suspension within 30 calendar days after the suspension or within such extension of time as may be approved by the personnel officer.
- 1.4 Suspension on Felony Charges: A departmental administrator may place a classified employee on suspension, without pay, upon the issuance of an indictment for felony

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charges relating to conduct outside his or her employment and upon concurrent notification of the employee and the human resources officer. Such suspensions may remain in effect during the time such charges are pending. Full reinstatement of all benefits and salary to which the employee would have otherwise been entitled will be provided to the employee upon a subsequent finding that the charges or information were without grounds or were dismissed.

- 1.5 Disciplinary Suspension: A departmental administrator may place a classified employee on suspension, without pay, for discipline, upon concurrent notification of the employee and the human resources officer. Such suspensions must not exceed 30 calendar days.

D. Expiration of Temporary Appointment

- 1.0 A departmental administrator may recommend the termination of any classified appointment that was of a temporary nature upon at least five working days' notice concurrently to the employee and the human resources officer.