

PERSONNEL POLICY NO. 8 - TERMINATION OF EMPLOYMENT

8.1 VOLUNTARY TERMINATION (RESIGNATION)

Voluntary termination occurs when an employee:

- a. Notifies his/her Supervisor, in writing, of intent to resign. Gives an effective date of the resignation. Exempt employees are requested to provide 30 calendar days advance notice. All other employees are requested to provide two weeks advance notice.
- b. Notification to resign must be forwarded to the Human Resource Office immediately, along with a copy of the timesheet or anticipated work hours and absence requests (if any) of the employee for the pay period of the resignation.
- c. All travel to, and attendance at, training sessions, conferences or other meetings will be canceled or reassigned upon notification of an employee's intent to terminate his/her employment with the Tribe. Any exception to this will be upon direction from the Tribal Council, and based upon their belief that it serves the best interest of the Tribe to allow the individual to attend.

8.2 INVOLUNTARY TERMINATION

- a. A regular full-time, part-time or intermittent hourly employee, temporary employee, seasonal employee, or an employee who is in his/her initial trial period may be terminated at any time with or without any reason and with or without any advance notice, in accord with these written policies and procedures.
- b. A layoff occurs when an employee is removed from a position for any of the following reasons:
 - Reorganization
 - Downsizing
 - Expiration of Contract
 - Lack of Funds
 - Other Administrative Adjustments
- c. If possible, layoffs of regular employees will be preceded with advance notice.
- d. Employment applications of laid off employees will be placed in the active applications file for re-employment if requested by the employee.

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8.3 TERMINATION PROCEDURES

8.3.1 Authorization for Involuntary Termination

- a. The Executive Director is authorized to approve or reject any termination recommendation from a Supervisor. The Executive Director will immediately notify the Supervisor and the concerned employee of his/her decision in the event of a termination.
- b. A copy of the Personnel Action Notice shall be provided to the employee along with his/her final payment. Documentation verifying that the Head Start Policy Council reviewed and approved the dismissal of a Head Start employee must be provided to the Human Resource Office.

8.3.2 Termination Process

- a. Notification of termination must be provided to the Human Resource Office in writing immediately along with required termination paperwork listed below.
- b. It is the policy of the Yurok Tribe to determine if an employee who is terminating Yurok Tribe employment, whether voluntarily or involuntarily, is eligible for rehire and if any conditions are associated with the rehire eligibility process. Please see Personnel Policy No. 3 Recruitment and Hiring. To process the termination, the Supervisor must complete the following items and forward them to the Human Resource Office immediately:
 - an evaluation of the employee's performance with the Tribe,
 - the "Termination Check List"
 - the letter notifying employee of the termination, or
 - copy of employee's resignation letter, and
 - timesheet and absence requests for the current pay period, signed by the employee and the Supervisor, and
 - the employee's 'informal file' and copies of any documents which should be included as part of the employee's official Personnel File.
- c. The Human Resource Office will immediately process the Personnel Action Notice and forward necessary termination papers to the Fiscal Office.
- d. Terminated employees may be eligible for future employment dependent upon review by the Human Resources, Executive Director and Interview Panel.

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8.3.3 Payment of Final Wages

- a. If an employee resigns without advance notice, final wages due shall be paid within seventy-two (72) hours (excluding holidays and weekends). If the employee gives prior seventy-two (72) hours notice, then she/he shall receive a final paycheck on the last day of work.
- b. If an employee is terminated or laid-off, s/he will be paid all wages due within five working days.
- c. Employees who are issued equipment during their employment are expected to take proper care of the equipment. Employees will be charged reasonable replacement costs for equipment which is lost, stolen, damaged or not returned to the Tribe in proper condition upon completion of assignment or termination from employment.
- d. All tools, materials, goods, keys, and any other items belonging to the Tribe shall be returned in proper condition in order for the employee to receive his/her final paycheck. Failure to return any items belonging to the Tribe, or failure to return the items in proper condition may result in legal action.
- e. All outstanding salary or travel advances issued to the employee must be liquidated before the employee will receive his/her final paycheck.