



RESOLUTION 2023-07-26 (2)

Date: July 26, 2023

To: THA Board of Commissioners

From: Sharrall Maddens
Human Resources Director

Re: Employment Separation Policy - Updated

This resolution authorizes the Human Resources Director of Tacoma Housing Authority to revise the HR-50.01 - Employment Separation policy to align with the recently negotiated Collective Bargaining Agreements.

BACKGROUND

Tacoma Housing Authority would like to revise the Employment Separation policy to allow employees separating due to retirement or disability to be eligible for tiered sick leave cash-outs. These cash-outs will be calculated based on the length of their service with Tacoma Housing Authority. We believe that this policy change will increase retention and support of our tenured employees,

The breakdown of the proposed sick leave cash-outs is as follows:

1. Employees with 20 or more years of service: 100% of accrued sick leave balance, up to a maximum accumulation of 960 hours.
2. Employees with 10 to less than 20 years of service: 50% of accrued sick leave balance, up to a maximum accumulation of 960 hours (480 hours paid).
3. Employees with less than 10 years of service: 25% of accrued sick leave balance, up to a maximum accumulation of 960 hours (240 hours paid).
4. Retiring employees that were hired before July 26, 2023, will be paid the greater of 50% of sick leave or the percentage of sick leave they are eligible for based on length of service.

Additionally, the policy has been revised to clarify that employees are expected to work their notice period, unless they have previously approved vacation leave or qualifying sick leave reasons as defined by applicable law. This proposed amendment is intended to incentivize and recognize long-term employee commitment to THA.

RECOMMENDATION

The Board of Commissioners of the Tacoma Housing Authority (THA) is recommended to approve the proposed amendments to the HR-50.01- Employment Separation Policy.



RESOLUTION 2023-07-26 (2)

(HR-50.01- Employment Separation Policy – Update)

A **RESOLUTION** of the Board of Commissioners of the Housing Authority of the City of Tacoma

WHEREAS, the Tacoma Housing Authority values the dedication and loyalty of its employees and seeks to provide fair and transparent benefits policies; and

WHEREAS, THA aims to provide fair and equitable benefits to its employees, particularly those separating from employment due to disability or retirement; and

WHEREAS, it is deemed necessary to revise the current Employment Separation policy to allow for different levels of sick leave cash out based on the employee's years of service with THA; and

WHEREAS, that the policy has been revised to clarify that employees are expected to work their notice period, unless they have previously approved vacation leave or qualifying sick leave reasons as defined by applicable law; now, therefore, be it.

Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington as follows:

1. Employees separating from employment due to disability or retirement and with 20 or more years of service are eligible for a cash out of 100% of their accrued sick leave balance, up to a maximum accumulation of 960 hours.
2. Employees with 10 to less than 20 years of service are eligible for a cash out of 50% of their accrued sick leave balance, up to a maximum accumulation of 960 hours, equivalent to 480 hours paid.
3. Employees with less than 10 years of service are eligible for a cash out of 25% of their accrued sick leave balance, up to a maximum accumulation of 960 hours, equivalent to 240 hours paid.
4. Retiring employees that were hired before July 26, 2023, will be paid the greater of 50% of sick leave or the percentage of sick leave they are eligible for based on length of service.
5. This resolution supersedes any conflicting policies or resolutions previously adopted by the Board of Commissioners.
6. This resolution shall take effect immediately upon its adoption.

Approved: July 26, 2023



Shennetta Smith, Chair



TACOMA HOUSING AUTHORITY

Policy No.	HR-50.01
Policy	Employment Separation
Date	July 26, 2023

1. Purpose

To set forth the policies and procedures that govern the various occasions when an employee's employment ends.

2. Sources for Policy

- ▶ *WAC 296-126-050 Employment Records*
- ▶ *Collective bargaining agreements*
- ▶ *RCW 49.48.120 Payment on employee's death*
- ▶ *RCW 49.48.010: Payment of wages due to employee ceasing work*

3. Scope of Policy

This applies to all THA staff.

4. Who is Responsible for Implementing Policy

Who	Responsibilities
<i>Executive Director</i>	▶ Approve all involuntary terminations
<i>Human Resources Dept.</i>	▶ Through Payroll, arrange for the proper payment of wages and benefits upon separation ▶ Conduct all exit interviews ▶ Respond to all requests for references about former THA employees

5. Definitions

<i>Retirement</i>	A departure from employment of an employee who is at least 55 years old and has 10 years of employment service, upon leaving employment, will be eligible to begin receiving retirement payments.
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6. Forms Associated with this Policy

<i>THA Form HR-50.01(1)</i>	<i>Employment Reference Release</i>
<i>THA Form HR-50.01(5)</i>	<i>Exit Interview Survey</i>
<i>THA Form HR-50.01(10)</i>	<i>Employee Separation</i>

7. Policy

Tacoma Housing Authority requests that, should an employee choose to resign, they provide two weeks' notice to facilitate a smooth transition out of the organization. All employees are expected to work the duration of their notice period, unless you have any previously approved vacation leave or qualifying sick leave reasons as defined by applicable law.

An employee who is unable to report to work as scheduled for a foreseeable qualifying reason shall provide reasonable notice to their supervisor. For Washington State Paid Sick Leave purposes, foreseeable events require notice at least 10 days in advance, or as soon as practical. For unforeseen leave for a qualifying reason, notice should be provided as soon as possible before the start of the scheduled shift, unless it is impractical to do so. The Employer may require a physician statement or other proof of the medical necessity for any absence for which sick leave has been used if the absence continues for more than three consecutive workdays.

If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire, depending on the circumstances regarding the notice given. All resignations must be provided in writing with the last day clearly noted. Employees who verbally resign will be asked to confirm their resignation in writing, or Human Resources may confirm the resignation in writing.

Tacoma Housing Authority reserves the right to provide an employee with two weeks' pay in lieu of notice in situations where business needs warrant. Resigning employees will be invited to participate in an exit interview with Human Resources to provide final pay, benefit, and retirement plan information and collect feedback about employment with Tacoma Housing Authority. Exiting employees will be asked to confirm their contact information to ensure that year-end tax information is sent to the correct address.

Employees who fail to report to work for three consecutive days without properly communicating to the company the reasons for their absence will be viewed as voluntarily resigning their employment as of the third day. Employees who resign in good standing under this policy and whose documented performance is above average under the organization's performance management system may be eligible for rehire.

7.1 Separations, Notice and Cash Out of Accrued Leave

7.1.1 Resignation or Retirement

Employees may resign or retire at any time. The Human Resources Department or supervisor will request the employee to confirm their resignation or retirement in writing with an effective date.

Notice Period:

The employee is requested to give THA written notice at least two (2) weeks in advance of the effective date of their resignation or retirement. If the requested notice period is not received, you will not be eligible for Vacation or Sick Leave payout.

Cash Out of Accrued Benefits:

Vacation Leave: the employee may cash out their accrued vacation leave up to forty (40) days unless still in newly hired probationary status.

Resignation Sick Leave: Sick Leave cash out equal to 25% of accrued sick leave up to a maximum accrual of 960 hours (i.e. maximum cash out of 240 hours). No cash-out if still in probationary status.

Retirement Sick Leave: Employee who is separated from employment due to retirement for disability or length of service after at least 20 years of employment with Tacoma Housing Authority is eligible for 100% of their accrued sick leave, up to a maximum accumulation of 960 hours.

An employee who is separated from employment due to retirement for disability or length of service after 10 years, but less than 20, years shall be compensated to the extent of 50% of their accrued sick leave, up to a maximum of 960 hours (480 hours paid).

An employee who retires after less than 10 years of employment with the Employer shall be compensated to the extent of 25% of their sick leave accrued up to a maximum accumulation of 960 hours (240 hours paid).

7.1.2 **Layoffs**

Lay-offs are separations that result from a lack of work, lack of funds, or other problems unrelated to employee's job performance. If lay-offs are necessary, THA shall select employees to be dismissed based on their relative qualifications, skills, abilities, attendance, and discipline record.

For union-represented staff, the applicable collective bargaining agreement will apply.

Notice Period:

Two (2) weeks' notice of their lay-off or, at THA's sole discretion, two (2) weeks' pay in lieu of notice. Pay in lieu of notice shall not include any fringe benefits.

Cash Out of Accrued Benefits:

Vacation Leave: the employee may cash out their accrued vacation leave up to forty (40) days unless still in newly hired probationary status.

Sick Leave cash out equal to 25% of accrued sick leave up to a maximum accrual of 960 hours (i.e. maximum cash out of 240 hours). No cash-out if still in probationary status.

7.1.3 **Probation Termination**

Failure of newly hired or newly promoted/transferred staff to complete probation periods. See THA Policy HR-01.15 Probation for Newly Hired or Transferred Staff.

Notice Period:

No notice required and no pay in lieu of notice.

Cash Out of Accrued Benefits:

No Vacation Leave cash out for newly hired probationary staff. If you are promoted or transferred probationary employee, you may receive cash out balance of accrued vacation leave, up to forty (40) days.

No Sick Leave cash out for newly hired probationary staff. If you are promoted or transferred probationary employee, you may receive cash out equal to 25% of accrued sick leave up to a maximum accrual of 960 hours (i.e. maximum cash out of 240 hours).

7.1.4 Expiration of Temporary Employment or Employment Contract

THA may separate a temporary employee or a contract employee at the end of his or her term of employment.

Notice Period:

No notice required and no pay in lieu of notice.

Cash Out of Accrued Benefits:

No Vacation or Sick Leave cash out.

7.1.5 Discipline

Staff involuntarily terminated because of discipline. See THA Policy HR-10.50, Discipline of Regular Employees.

Notice Period:

No notice required and no pay in lieu of notice.

Cash Out of Accrued Benefits:

No Vacation or Sick Leave cash out.

7.1.6 Death

Employment terminates upon the employee's death. THA will pay wages due and cash outs to the deceased employee's estate or successor as provided by law.

Notice Period:

Not applicable

Cash Out of Accrued Benefits:

Vacation Leave: the employees' estate or successor may receive up to forty (40) days unless still in newly hired probationary status.

Sick Leave: the employees' estate or successor may receive up to 100% of the balance of accrued sick leave, up to a maximum of 960 hours.

To calculate payment of wages due and cash outs of accrued leave, THA will use the rate of pay applicable on the last day actually worked. Employees separated from employment for reasons other than retirement or death shall be compensated to the extent of 25% of their sick leave accrued up to a maximum accumulation of 960 hours (240 hours paid).

7.2 Exit Interviews

Before you leave employment at Tacoma Housing Authority, an exit interview may be conducted by a member of the Human Resources Department. THA will endeavor to conduct an exit interview with each departing employee. The exit interview is intended to (i) allow the employee to complete paperwork or other administrative matters associated with his or her departure; (ii) to allow him or her to express any views or concerns about his or her own experience at THA or departure that THA should know; (iii) to allow THA to elicit from the employee ways to improve its performance or its workplace. The results of this interview will be kept confidential to the greatest extent possible and will not be placed in your personnel file.

7.3 Recall and Reemployment

THA's collective bargaining agreements govern recall rights of laid-off regular, represented employees.

7.4 References for Former Employees

Only the Human Resources Department has the authority to respond to requests for job references about former THA employees. The Human Resource Department shall provide only the position title(s) held and the dates that the former employee's employment began and ended, unless THA receives the former employee's written and signed request to reveal more information.