

## Extended Absence Prior to Retirement or Voluntary Separation

**4.2.9**

### PURPOSE

To ensure City wide consistency in approving extended leaves prior to retirement or voluntary separation and to ensure adequate preparation to provide for meeting service delivery requirements.

### SCOPE

This policy applies to all City of San José employees.

### POLICY

#### A. Approval for Time Off Guidelines

1. Use of accrued vacation, personal leave, compensatory time or executive leave is subject to the advance approval of the Department Director or designee.
2. Approval will not be given if such absence has a negative impact on the efficient conduct of public business.
3. Memoranda of Agreements (MOA) determine the order of preference of the timing for vacation and other forms of time off, as applicable.

#### B. Approval for Time Off Immediately Preceding Separation or Retirement

1. Requests for time off in excess of thirty (30) calendar days prior to separation or retirement will not be authorized.
2. The impact of the absence on the efficient operation of the department will be taken into consideration by the Department Director in making the decision on whether or not to approve extended absence.

### RESPONSIBILITIES

1. Department Directors who authorize extended time off prior to retirement or voluntary separation will inform the City Manager and provide a staffing strategy for continuity of service delivery where:
  - a. multiple employees will be approved for extended time off in the approximate same time period or,
  - b. an employee provides a highly specialized service.
2. If an overstrength position is required, the Budget Office will ensure that the Department has sufficient funds to cover the cost of paying for a replacement position, as well as the vacation and other leave.

**Extended Absence Prior to Retirement or  
Voluntary Separation****4.2.9****PROCEDURES**

1. When an employee separates or retires, all accrued but unused vacation will be paid out as a lump sum two pay periods after their last check. This cost is charged to the departmental budget.
2. Employees on paid leave continue to accrue sick leave and vacation credit until their separation or retirement.
3. Vacation and other paid time off utilized in this way counts toward the time an individual needs to reach certain milestones, e.g., in Federated Retirement System five (5) years of service are required for vesting, and fifteen (15) years for medical benefits, etc.

**IMPACT ON RECIPROCITY WITH PERS**

1. A separating employee will lose his or her eligibility for reciprocity if there is overlapping service. An employee who is going to another PERS reciprocal agency or to a PERS agency should not allow the separation date from the City of San José to be later than the start date at the new agency. Please contact the Department of Retirement Services for more information.

Approved:

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/s/ Kay Winer  
Deputy City Manager

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May 11, 2001  
Date