

**PRINCE WILLIAM COUNTY POLICE DEPARTMENT
MANUAL OF GENERAL ORDERS**

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SEPARATION FROM SERVICE: TYPES OF SEPARATION

The purpose of this General Order is to provide members with guidelines pertaining to separation from service. Further information is available in County Personnel Policy. Adverse actions, such as demotion and suspension, are addressed in General Order 10.

A. Kinds of Separation

1. Termination and Resignation in Lieu of Termination
2. Dismissal (used for involuntary separation during probationary periods) of competitive service employees
3. Voluntary Resignation and Indefinite Leave of Absence
4. Lay-off (Reduction-in-Force)
5. Service Retirement
6. Disability Retirement

B. Termination and Resignation in Lieu of Termination

A member who has completed the initial probationary hire period may be terminated for any of the following reasons:

1. Continued or gross neglect of duty
2. Absence without leave or failure to give proper notice of absence
3. Incompetence or inefficient performance, as shown by performance evaluations
4. Mental or physical disability in the absence of eligibility for retirement
5. Insubordination or serious breach of discipline
6. Habitual use of intoxicating beverages to excess or indulgence in intoxicating beverages while on duty
7. Conduct unbecoming a member of the Department such as to bring the service into disrepute.
8. Willful violation of any departmental directive
9. Conviction of any criminal act involving moral turpitude
10. Use of dangerous drugs or narcotics
11. Negligent or willful damage, or waste to public or Department property
12. Use of bribery or political pressure to secure appointment or advantages
13. Material falsification of application

As a part of the disciplinary process, members may be allowed to formally resign in lieu of termination. This process is not considered voluntary on the part of the member.

C. Dismissal (used for involuntary separation during probationary periods) of competitive service employees

Dismissals shall be the sole method of separating probationary employees or other employees not covered by State or local grievance procedures. No reason for dismissal of any such employee need be given if dismissal takes place prior to completing two months service. Probationary employees who have completed two months of service shall be provided in writing the reasons for the dismissal and shall be given the opportunity to respond. If the employee requests an opportunity to respond, a request will be made to the employee's appointing authority within twenty-four (24) hours of receipt of the written reasons for the dismissal. An employee dismissed pursuant to this section has no right to the Employee Grievance Procedure.

D. Voluntary Resignation and Indefinite Leave of Absence

Any member who plans to resign or who wishes to request a leave of absence must submit a memorandum through the Chain of Command to the Chief of Police at least ten (10) work days prior to the last day of work. The memo should state the reason for such request.

A member absent from duty for three consecutive days without approved leave will be deemed to have resigned, unless the absence is later justified and covered by a grant of leave. Such absence may be grounds for termination.

E. Lay-off (Reduction-in-Force)

A member may be removed from service involuntarily as a result of policy decisions by the Board of County Supervisors, program modification, or budget shortfalls. A lay-off does not adversely affect eligibility for further employment with the County. The Reduction-in-Force policy is contained in County Personnel Policy.

F. Service Retirement

A member that elects to take service retirement, as outlined by the Virginia Retirement System, must apply for benefits three to four months before the date he/she wishes to retire. Retirement dates are always on the first day of the month.

Any member who plans to apply for service retirement must submit a memorandum through the Chain of Command to the Chief of Police, indicating his/her current assignment, intention, and the effective date of status change.

G. Disability Retirement

Whenever a member has become physically or mentally incapable of performing the duties of their position satisfactorily, the Chief of Police has the duty to recommend retirement for the concerned member. The Chief of Police, in lieu of recommending retirement, may demote or transfer a member to any position for which they are eligible and capable of performing in a satisfactory

manner. Retirement under the special benefits for law enforcement officers is not mandatory unless the employer determines that the individual is incapable of performing their duties in a safe and efficient manner.

Any member who plans to apply for any type of disability retirement must submit a memorandum through the Chain of Command to the Chief of Police, indicating his/her current status, intention, and the effective date of status change.

1. Non-Work Related Disability Retirement:

A member may apply for non-work related disability retirement if he/she becomes unable to perform the job because of a physical or mental disability and the disability is likely to be permanent. Applications should be made in conjunction with the Virginia Retirement System and the Police Benefits and Payroll Supervisor. The member must also apply for Social Security benefits if not already eligible by age.

2. Work Related Disability Retirement:

Work related disability retirement claims under the Worker's Compensation Act will be processed in conjunction with the Virginia Retirement System, the Police Benefits and Payroll Supervisor, and Division of Risk and Wellness Services. Applications for the Line of Duty (Health and Dental) Benefit are made to the Virginia State Police upon a member's receipt of an approval award from the Virginia Retirement System for Disability Retirement. Vested members who retire for a work-related disability may be entitled to a partial Supplemental Retirement annuity through the County's Police and Uniformed Firefighter's Supplemental Retirement System.