



Administrative Regulations

Office of the Mayor

Title: REASSIGNMENT, TRANSFER, SEPARATION, AND REINSTATEMENT POLICY

A.R. Number: 5.21 **Effective Date:** 7/1/2023 **Page:** 1 of 6

Supersedes: N/A **A.R.:** N/A **DATED:** N/A

I. PURPOSE

The City of Richmond supports its workforce throughout the employee lifecycle. This policy authorizes non-disciplinary employment actions (transfers and reassignments), provides conditions for separation from city service and reinstatement, and outlines how such actions are to be handled.

II. POLICY

A. Reassignment

1. **Agency Initiated Reassignment** – An appointing authority/department head or designee may, within their own agency, reassign an employee from one position to another in the same class for non-disciplinary reasons. An employee reassigned to another position shall receive the same salary received in the former position, excluding salary differentials.
2. **Employee Initiated Reassignment** – If an employee wishes to be assigned to another position in a same or lower class within their own agency where a vacancy exists, they shall submit their request in writing to their appointing authority/department head or designee, stating the reason for their request. The appointing authority/department head or designee must be sure that the employee who requests a reassignment understands the effect to their rate of pay. The appointing authority/department head or designee may recommend approval of the lateral transfer or demotion in writing to the Director of Human Resources or designee who may either approve or deny the request. If the reassignment is to a lower classification, the salary shall be reduced by at least 5.0 percent. The new salary shall be within the pay range of the reassigned classification.

Reassignment of classified employees is not grievable under the city's Grievance Policy for Classified Service.

B. Transfers

Transfers may be initiated by the appointing authority/department head or designee when a position is open. An employee is eligible to be transferred if the employee meets the requirements for the position to which they are transferred. The employment status of an employee shall not be affected by a transfer. No change in evaluation date, seniority or leave accruals shall be made upon transfer. Transfers of classified employees is not grievable under the city's Grievance Policy for Classified Employees.



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1. **Administrative Transfers Between Agencies** – In instances in which two Appointing Authorities have determined that the best interest of their agencies would be served, the Appointing Authorities may administratively transfer an employee to a position in the same pay range with no reduction in pay. Recruitment procedures do not apply for administrative transfers.
2. **Temporary Transfers** – The Chief Administrative Officer or designee may reassign or transfer employees between agencies where the Appointing Authorities are appointed by the Chief Administrative Officer.
3. **Pay of Transferred Employees** – An employee transferred, in which recruitment procedures apply, may negotiate within the guidelines established by the Administrative Regulations for salary purposes not to exceed the maximum of the new pay range.

C. **Transfers between Legislative Agencies**

City Council or designee may reassign or transfer employees between agencies where the appointing authorities are appointed by City Council.

D. **Separation from City Service**

For the purpose of this policy, the separation of one's status as an employee of the City shall be referred to as a separation. The types of separation shall include but is not limited to the following: (1) resignation, (2) disability separation, (3) disability retirement, (4) retirement, (5) re-organization, (6) reduction-in-force, (7) job abolishment, (8) workload adjustments, (9) disciplinary dismissal, (10) forfeiture, (11) failure to return to work after the exhaustion of authorized leave, and (12) death.

Date and Notice of Separation - An employee's official date of separation is typically their last day in active pay status. If an employee is on approved sick leave, worker's compensation, or leave without pay when separated, the effective date of separation will be the actual date of separation designated by the employee and approved by the appointing authority/department head or designee and not necessarily the last day in active pay status. Notice of the effective date and the reasons for every separation shall be reported in writing by the appointing authority/department head or designee to the Department of Human Resources.

1. **Resignation** – An employee may leave the city service voluntarily. When such action takes the form of a written resignation, a copy shall be forwarded to the Department of Human



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Resources. If it is determined that a reported resignation was not voluntary, the appointing authority/department head or designee shall treat the separation as a dismissal and notify the employee of their rights, if applicable. An employee may withdraw their resignation before the effective date with the approval of the appointing authority/department head or designee. Where written resignation is not obtained, the appointing authority/department head or designee shall notify the employee in writing that their verbal resignation is accepted and forward a copy to the Department of Human Resources.

2. **Disability Placement/Separation** – Upon supported and certified medical evidence, an employee may be separated for service or non-service-related disability when he or she cannot perform the required duties because of physical or mental impairment without reasonable accommodation as defined by the American Disabilities Act as amended. Employees shall be given a twenty-one-day notice prior to the separation date.
3. **Disability Retirement** – If an employee qualifies under the rules of the Retirement System, he or she may apply for disability retirement.
4. **Retirement** – Whenever an employee meets the conditions set forth in the Retirement System Regulations, they may elect to retire and receive all benefits earned under the Retirement Plan. Persons retiring under this policy shall be considered as voluntarily separating from city service.
5. **Re-organization** – The involuntary separation of an employee from a position if a re-organization of the department or agency has been authorized.
6. **Reduction-in-force** – The involuntary separation of an employee from a position if it has been determined that positions will no longer be required or that funds will not support certain positions.
7. **Job Abolishment** – The elimination of a classification due primarily to considerations of efficiency and effectiveness. Affected employees shall be governed by the reduction-in-force provisions.
8. **Workload Adjustments** – The elimination of a position due to changing workloads.
9. **Disciplinary Dismissal** – Each employee is expected to comply with instructions, established city policies, procedures, regulations, ordinance, state and federal laws, and



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accepted standards of conduct. If an employee's performance or conduct is unsatisfactory because of neglect or failure to comply with these requirements, appropriate disciplinary action shall be taken pursuant to the discipline policy up to and including dismissal.

10. **Forfeiture** – Any officer, appointee of the council, or employee of the city who shall be convicted by a final judgment of any court from which no appeal has been taken or which has been affirmed by a court of last resort on a charge involving moral turpitude, or any felony, or any misdemeanor involving any controlled substances shall forfeit their office or employment.
11. **Death** – Separation shall be effective as of the date of death. Each appointing authority/department head or designee shall establish and maintain within their agency appropriate procedures to be followed in the event of any employee's death while on duty. Notwithstanding a person who dies while at work will be paid for the full day.

E. Reinstatement

Reinstatement status applies only to those tenured status employees who have (1) resigned in good standing, (2) apply for reinstatement within ten (10) calendar days of the date of their separation, (3) their position having remained unfilled, and (4) now meet the minimum qualifications for the position, and then only if such reinstatement is approved by both the appointing authority/department head or designee and the Director of Human Resources or designee. Seniority for employees reinstated shall be computed from the original date of employment.

Upon reinstatement, an employee's pay, employment date and all benefits shall remain unchanged and be restored.

III. PROCEDURE

The Department of Human Resources shall make available detailed procedures and required forms for this policy. Procedures shall be administered consistently within departments. Departments shall consult with HR when questions arise related to personnel changes.

IV. RESPONSIBILITY

Department of Human Resources (HR) – HR is responsible for oversight and administration of this policy. HR is the central repository for all personnel files and information. HR shall make available



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all necessary procedures and forms to departments and employees and provide guidance when questions arise.

Employees – Employees are responsible for abiding by the requirements and processes of this policy.

V. DEFINITIONS

Words and phrases contained within this policy are interpreted by the Director of Human Resources and can be made available upon request.



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VI. REGULATION UPDATE

Modifications to this policy shall be the responsibility of the Department of Human Resources under the advisement of the Chief Administrative Officer.

Approval


CHIEF ADMINISTRATIVE OFFICER


MAYOR