

2A-23 ADMINISTRATIVE SEPARATION

Administrative Separation is a non-disciplinary involuntary separation of employment when an employee is unable to perform the essential functions of their position. The Human Resources Department and Elected Official or Department Head will determine the separation at the conclusion of the interactive process. Employees who are administratively separated will be paid out all unused, accrued vacation and their longevity in their final pay.

An employee may be administratively separated for reasons including, but not limited to:

- Inability to perform the essential functions of the position, with or without reasonable accommodations, as determined through the interactive process.
- Failure to meet medical, physical, psychological, or fitness-for-duty requirements as required by law or the position.
- Permanent restrictions that prevent the employee from performing the essential functions of the position.
- Any other circumstance in which continued employment is not feasible and the separation is not disciplinary in nature.

Determination for administrative separation is evaluated consistent with applicable laws including:

- Americans with Disabilities Act (ADA);
- Family and Medical Leave Act (FMLA);
- Workers' Compensation laws; and
- Any other applicable federal or state requirements.

Employees who are administratively separated are designated as eligible for rehire should they be able to perform all essential functions of the position in which they're applying for with or without accommodations. Employees who wish to be rehired must follow the steps outlined in the 2A-16 Hiring Policy.

Nothing in this policy alters the at-will nature of employment with Atascosa County.