

CHAPTER 21

RESIGNATIONS

21.1 RESIGNATION PROCEDURES

21.1.A RESIGNATION DURING PROBATIONARY PERIOD: A person who resigns while in good standing during his/her probationary term may be returned to his/her original place on the eligibility list at the discretion of the Commission, provided said list is still in effect.

REFERENCE: Education Code Sections 88080 and 88081

21.1.B. RESIGNATION AND EFFECT ON ELIGIBILITY LISTS: A resignation relates only to the specific position or employment with the District from which the employee resigns and does not impair his/her rights on other eligibility lists, except if his/her name is on any promotional eligibility list, it shall be removed from any such list.

REFERENCE: Education Code Section 88080

21.1.C PROCEDURE FOR RESIGNATION OF EMPLOYEE: Whenever a classified employee desires to resign from the District, he/she shall present his/her resignation in writing to their immediate supervisor or the Human Resources office. The resignation letter shall indicate the last day in paid status of the resigning employee and the reasons for the resignation. The supervisor shall send a copy of the resignation to the Director of Human Resources. The Human Resources office or the Director of Human Resources may conduct an exit interview with the employee.

REFERENCE: Education Code Sections 88080 and 88081

21.1.D TWO WEEK NOTICE OF RESIGNATION: Classified employees are requested to provide the District with at least two (2) weeks notice. Management classified employees are requested to provide at least four (4) weeks notice to the District.

REFERENCE: Education Code Sections 88080 and 88081

21.1.E ACCEPTANCE OF RESIGNATION: No resignation of a classified employee shall be considered final until approved by the Board of Trustees.

REFERENCE: Education Code Sections 88080 and 88081

21.1.F RESIGNATIONS SHALL BE SUBMITTED IN THE YEAR EFFECTIVE: A resignation shall take effect no later than the close of the fiscal year during which the resignation is received and acted upon by the Board of Trustees.

REFERENCE: Education Code Sections 88201, 88080 and 88081

21.1.G RETIREMENT UNDER P.E.R.S.: Classified employees working over 960 hours per year (approximately 4 hours per day) will be covered by the Public Employees' Retirement System and Social Security. Employees wishing to retire under this system are required to submit appropriate retirement applications to the Public Employees' Retirement System. Forms will be available in the Human Resources office.

REFERENCE: Education Code Sections 88080 and 88081

21.1.H. REINSTATEMENT AFTER RESIGNATIONS: see Chapter 11.3

21.2 HEALTH BENEFIT CONTINUATION UPON RESIGNATION

21.2.A C.O.B.R.A. HEALTH CONTINUATION REQUIREMENTS: Under federal law employees and their families are provided a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the health plan would otherwise end.

REFERENCE: 1. Federal Public Law 99-272, Title C -
Consolidated Omnibus Budget Reconciliation
Act
2. Education Code Sections 88080 and 88081

21.2.B EMPLOYEE CONTINUATION UPON REDUCTION ON LAYOFF: A classified employee who is covered by the District's health plans has the right to continuation coverage as outlined in these Rules if the employee loses his/her group health coverage because of a reduction in hours of employment, or the termination of his/her employment for reasons other than disciplinary cause as outlined in Chapter 12 of these Rules and Regulations.

REFERENCE: 1. Federal Public Law 99-272, Title C -
Consolidated Omnibus Budget Reconciliation
Act
2. Education Code Sections 88080 and 88081

21.2.C. SPOUSE COVERAGE: The spouse of an employee covered by the District's health plans has the right to choose continuation coverage if the employee loses group health coverage for any of the following reasons:

1. The death of the employee.
2. A termination of the employee's employment for reasons other than disciplinary cause as outlined in Chapter 12 of these Rules and Regulations.

3. Divorce or legal separation from the employee.
4. The employee becomes eligible for Medicare.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.D DEPENDENT CHILD COVERAGE: The dependent child of an employee covered by the District's health plans has the right to choose continuation coverage if the employee loses group health coverage for any of the following reasons:

1. The death of a parent covered by the plans.
2. The termination of a parent's employment for reasons other than disciplinary cause as outlined in Chapter 12 of these Rules and Regulations with the District, or reduction in a parent's hours of employment with the District which results in a loss of health benefits.
3. A parent's divorce or legal separation.
4. A parent becomes eligible for Medicare.
5. The dependent ceases to be a "dependent child."

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.E RESPONSIBILITY TO NOTIFY DISTRICT IN STATUS CHANGE: The classified employee or eligible party has the responsibility to inform the District of a divorce, legal separation, or a child losing dependent status under the District's health plans.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.F DISTRICT SHALL SEND NOTIFICATION OF RIGHTS: When the District is notified about one of the circumstances outlined in Rules 21.2.B - 21.2.D, the District shall notify the eligible party (employee, spouse, dependents) in writing of the right to choose continuation coverage. The eligible party shall have 60 days from the date of losing coverage because

of the events outlined in Rules 21.2.B - 21.2.D to inform the District in writing that continuation coverage is desired.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.G FAILURE TO ACCEPT CONTINUATION: If an employee or eligible party eligible under these Rules for health benefits continuation coverage either opts not to accept coverage or fails to indicate that coverage is desired within the stated time lines in these Rules, the right to continue to participate in the District's group health insurance plans will be terminated.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.H REQUIREMENT TO PROVIDE SIMILAR COVERAGE: If an employee or eligible party chooses continuation coverage, the District is required to give health benefit continuation coverage which, as of the time coverage is provided, is identical to the coverage provided under the health plans to similarly situated employees or to family members.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.I LENGTH OF CONTINUATION COVERAGE PROVIDED: The eligible employee is afforded the opportunity to maintain continuation coverage for eighteen (18) months except as noted below. The employee's spouse and dependents are afforded the opportunity to maintain continuation coverage for three (3) years except as noted below. If the employee or eligible party lost group health coverage because of a termination of employment or reduction in hours of the classified employee, the required continuation coverage may be cut short for any of the following reasons:

1. The District no longer provides group health coverage to any of its employees.
2. The premium for the continuation coverage is not paid by the employee or the eligible party.
3. The employee or eligible party becomes an employee covered under another group health plan.
4. The employee or eligible party becomes eligible for Medicare.

5. The divorced spouse of a covered employee subsequently remarries and is covered under the new spouse's group health plan.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.J EVIDENCE OF INSURABILITY NECESSARY: An employee or eligible party is required to prove insurability to choose continuation coverage.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.K PAYMENT OF PREMIUM: The employee or eligible party must pay the full premium for the health benefit continuation coverage, plus an additional charge not to exceed 2% for administrative expenses.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081

21.2.L INDIVIDUAL CONVERSION PLANS: At the conclusion of the continuation coverage eligibility period, the employee or eligible party will be allowed to enroll in an individual conversion health plan provided under health plans offered by the District.

- REFERENCE:
1. Federal Public Law 99-272, Title C - Consolidated Omnibus Budget Reconciliation Act
 2. Education Code Sections 88080 and 88081