

DEPARTMENT OF PUBLIC WORKS MANAGEMENT MANUAL

**Personnel
Directive**

Subject: TERMINATION OF EMERGENCY,
EXEMPT OR LIMITED EMPLOYEES
FOR CAUSE

ADOPTED BY THE BOARD OF PUBLIC WORKS, CITY OF LOS ANGELES

June 20, 2007

PERSONNEL DIRECTIVE NO. 31

BACKGROUND

Emergency, exempt or limited employees do not have Civil Service status or appeal rights upon termination from that type of appointment. However, to ensure equitable treatment of all employees the following procedure is to be used when terminating emergency, exempt or limited employees for cause. While these employees do not have "Skelly" rights, supervisors must document the reasons for recommending termination. In cases where these employees are being discharged for reasons that might damage their character (i.e., an accusation of theft, etc.) they are entitled to a Liberty Interest meeting. Consult with the Office of Management-Employee Services (OMES) Analyst for questions regarding this matter.

Regularly tenured City employees may also receive emergency, exempt or limited appointments. These employees can be terminated under this Directive provided they are returned to their previous regular positions. However, if the reason for the termination is severe enough to warrant discharge from the City, then Personnel Directive No. 21 must be used and "Skelly" rights provided. Supervisors should review the employee's background with the OMES Liaison Analyst to determine the employees' Civil Service status before requesting termination.

This procedure does not apply to termination or layoff for lack of work or lack of funds or expiration of appointment. Supervisors should review the appropriate procedures for instructions regarding these issues, or contact their Bureau's Personnel section. The OMES Liaison Analyst should also be consulted to ensure that the proposed termination is appropriate.

PROCEDURE

1. Upon determining that cause exists to terminate an emergency, exempt or limited employee, the employing Bureau/Office shall discuss the case with the OMES Liaison Analyst prior to beginning the termination process.
2. The employing Bureau/Office shall verbally notify the employee that his/her discharge is imminent and give the employee an opportunity to respond to the charges.
3. The employing Bureau/Office shall review the situation for appropriateness and complete the termination, if justified, by sending the employee a certified letter stating the last day on the payroll and the reason for discharge. This letter is the only official notice to the employee of his/her termination.

4. After the letter of termination has been sent, the employing Bureau/Office shall send copies of all pertinent documents and information to the Employment Services Section, Office of Management-Employee Services for preparation of the Form General 41, formal termination document, and filing in the employee's folder.