The purpose of this directive is to explain the procedures for separating from the employment of the Department. City Administrative Regulations govern many of the procedures associated with separating or retiring from employment as well as benefits. Employees are encouraged to review the Employee Handbook, and other Pension Plan documents available on AlexNet and in the Human Resources office, as there is a great deal of information available concerning benefits that are not contained in this directive. Police Directive 2.2, Rules of Conduct requires that employees turn in all uniforms and equipment upon separation.

**Disability Retirement** – The retirement of an employee, due to an illness or injury, which prevents him/her from performing the duties of his position. The process for the City’s disability determination is detailed in City AR-6-6.

**Resignation** – The voluntary separation of an employee from their position with the Department.
Retirement – The resignation of an employee from the Department upon completion of the required number of years of service and/or age to be eligible for a pension.

Termination – The involuntary separation of an employee from employment with the Department. An employee, who is terminated from employment for disciplinary reasons, forfeits all unused annual leave. (AR 6-18)

Medical Termination – An employee who is terminated due to his/her physical and/or mental incapacity to perform the usual and customary duties of his/her position shall have full access to the customary benefits, rights and procedures of an employee who voluntarily resigns his/her employment with the City. (AR 6-20)

4.11B.03 PROCEDURES

A. Employees desiring to separate from the employment of the Police Department via resignation or regular retirement will give at least two weeks notice and submit a memorandum to the police chief, through channels, advising of their intention to leave their employment. A copy of the memo will be provided to the Personnel & Training Division by the employee’s immediate supervisor. The memo must contain a resignation/retirement date or the last physical day worked will be used as the effective date of resignation/retirement.

1. Upon leaving City employment for any reason, all employees must contact City Human Resources Department and schedule an appointment for an exit interview prior to their last day of work.

2. For non-sworn employees retiring under the Virginia Retirement System (VRS), it is recommended that 90 days notice be given. This is to provide the City’s Human Resources Department and Pension Administration Division in the Finance Department ample time to coordinate your retirement and benefits package with VRS.

3. Sworn employees should contact the Pension Administration Office and allow at least 30 days notice for the preparation of retirement benefits.

4. It may be beneficial for employees to coordinate their retirement date either on the last day of the month or on the first day of the month. This decision should be made after discussing the effect on benefits the choice will make. Human Resources and the Pension Administration Office will be able to explain this in detail.
5. Any changes to a resignation/retirement date must be made known to the Personnel & Training Division and may affect the employee’s pension and benefits received. Employee’s changing a retirement date must also notify the Pension Office of the new retirement date.

B. Sworn employees (firefighters and police officers) hired prior to October 23, 2013 who has completed at least 30 years of credited service under the City Of Alexandria Firefighters and Police Officers Pension Plan are eligible to participate in the Deferred Retirement Option Plan (DROP). The DROP is a program that allows you to continue working for the City as a police officer for a period of up to 3-years and to have your retirement benefits credited to a deferred account at the same time. Participation in the DROP is entirely voluntary. If you do not want to commit to a retirement date, you do not have to participate in the DROP and you can continue working until you are ready to retire. However, once you elect to participate in the DROP you must retire within a 3-year period. Eligible employees wanting to participate in DROP should complete an application form in the Pension Administration Division office at least 60 days preceding the DROP election date.

C. Employees must report to work on their last day of employment and may not use their accrued leave balances to continue their active status. (Note: Employees who are terminated from employment are not required to submit a memorandum, or report to work on their last day of employment. Those employees should follow the direction of competent authority regarding reporting to the Department.)

D. Employees must obtain the Clearance Report (APD-30V) from the Personnel and Training Division and bring it with them to City Human Resources, City Hall, for the exit interview and have the form signed.

E. Employees will have the APD-30V signed by the appropriate person in each office listed on the form. All issued items of uniforms, equipment, cell phone and radio must be turned in. The police chief must approve any exceptions to this requirement, in writing.

F. The commander of Technology, Data and Analysis Division will ensure that the employee’s passwords are removed from Police Department computer systems upon complete separation from the Department.
written notice. Those who are terminated from service will forfeit all unused Annual Leave (see AR 6-18). Regular full time and regular part-time employees who have completed 20 years or more of service and who voluntarily separate from City employment shall be paid 25% of their sick leave balance at the current rate of pay at separation (See AR 6-18).

Employees who are in positions identified as the Senior Executive Group (SEG) do not earn compensatory time and as such will be paid out their Annual Leave balance, up to the cap, and 25% of their sick leave balance, if applicable.

Note: An employee who is terminated due to his/her physical and or/ mental capacity to perform the usual and customary duties and responsibilities of their position shall have full access to the customary benefits, rights and procedures of an employee who voluntarily resigns employment with the city (see AR 6-20).

### 4.11B.05 RESPONSIBILITIES

A. Employees separating from service are responsible for obtaining the necessary signatures on the APD-30V.

B. Failure to return the completed APD-30V to the Personnel and Training Division will result in a delay in processing salary and benefits that the employee may be entitled to receive.

C. Employees who are terminated as a result of an investigation of misconduct will receive a written statement citing the reason for their dismissal, the effective date of the dismissal, and the status of their fringe and retirement benefits after dismissal.

26.1.7.a.b.c.

1. The Human Services Department is responsible for the above notification statement of termination.

2. The statement will be given to the employee at the time they are formally advised of their termination.

3. A copy of the statement will be maintained in the employee’s police and city personnel files.

D. The supervisor of an employee leaving this Department’s employment will ensure that the employee completes a Property and Evidence Disposition Report (APD-129) for all remaining property turned in by that employee. The supervisor will then complete a Property and Evidence Disposition Review (APD-128) and
forward it to the Property Section Supervisor. The Property Section Supervisor will not sign off on the employee’s APD-30V until receipt of the completed forms.

E. Employees will arrange an exit interview with the police chief, or designee, and have the APD-30V signed.

### 4.11B.06 RETIRING SWORN LAW ENFORCEMENT OFFICERS

If an officer participates in the DROP the employment status does not change. The officer is still an **active** law enforcement officer of the City of Alexandria. The procedures outlined below would be followed when an officer plans to retire, leave employment with the Department, and wants to carry a concealed weapon.

There are provisions in Virginia Law and Federal Law for qualified retired law enforcement officers desiring to carry a concealed firearm after they retire. Each has different requirements. The procedures to be followed are outlined in this section.

**A. VIRGINIA LAW**

VA Code 18.2-308 allows for the carrying of a concealed firearm in Virginia and reciprocating states only. There is no requirement to qualify with the firearm after retirement.

The VA code requirement is:

1. Retired after at least 10 years of law-enforcement service, or
2. Who retired after reaching 55 years of age, or
3. Who retired with a service-related disability,
4. Provided such officer carries with him or her written proof of consultation with and favorable review of the need to carry a concealed handgun issued by the chief law-enforcement officer of the last such agency from which the officer retired. (18.2-308 at the time of this writing)
5. Provided he or she is not otherwise deemed disqualified from obtaining a concealed weapon permit by Virginia Law (18.2-308; at the time of this writing).

Retiring sworn officers desiring to carry a concealed weapon after retiring must complete an **Application for Authorization to Carry A Concealed Weapon** (APD-0065), and must demonstrate in writing the need to carry a concealed weapon. The APD-0065 form is available on FORMS or may be obtained from the **Crime Scene Investigation** Section. The Crime Scene Investigation Section will photograph all retirees and request a records check be completed by ISS before forwarding the application to the Personnel Division. Upon receipt of the APD-0065 form the Personnel Division will verify and complete the dates of service blocks, before forwarding it to the police chief.

Approved retirees will receive an identification card signed by the police chief authorizing the retiree to carry a concealed weapon. The identification card must be
carried when carrying the concealed weapon. The police chief may revoke this authorization at any time for cause.

Crime Scene Investigation Section will provide information from the APD-0065 form to the Virginia State Police for VCIN entry when the identification card is approved.

B. FEDERAL LAW (LAW ENFORCEMENT OFFICERS SAFETY ACT)

Federal Law (Law Enforcement Officers Safety Act of 2004 (Public Law 108-277). Codified at Title 18 USC §§ 926(B) and 926(C) allows qualified retired law enforcement officers to carry a concealed firearm in every state and the District of Columbia. There is a requirement that the retired officer qualify with the firearm every 12 months meeting the State standard required for active duty law enforcement officers in the State where he or she lives.

By enacting this law, the federal government has effectively overridden state limitations on carrying concealed handguns by certain qualified personnel who meet the federal definition of active and retired law enforcement officer set forth in that section.

This law specifically recognizes the authority of private property owners and state and local governments to prohibit the carrying of concealed weapons on their property. A retired member carrying a concealed handgun under this law should also verify and comply with any restrictions applicable to military and federal facilities and parks prior to attempting to enter such facilities.

To be in compliance, the qualified retired law enforcement officer in question must carry a photo identification issued by the Department when carrying a concealed weapon.

To meet the federal requirements, a retiree’s identification must either contain or be accompanied by a certification that the retiree has, within the previous twelve months, been tested, and met the standards established by the issuing agency for the training and qualifications required for active sworn law enforcement to carry a firearm.

Or

A qualified retired law enforcement officer must carry photo identification issued by the agency from which he or she retired from service as a law enforcement officer and a certification issued by the State in which they reside that indicates that they have been tested or otherwise found by the state to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm within the past 12 months.

Officers retiring and later moving to another state would have to qualify and arrange certification in the state of residence. The Department issued retired credential would
be carried with the State issued certification when carrying a concealed handgun. Qualification with the handgun must be done every 12 months.

The provisions of this act indicate that such certification shall be at the expense of the retiree. The law allows the concealment of handguns only and specifically excludes machineguns, silencers, and destructive devices. Retired members are also reminded that the carrying of and use or misuse of firearms may carry the potential for personal civil and criminal liability. The Department assumes no liability by issuing this authorization and retired personnel are reminded that they are not entitled to sovereign immunity.

Retiring officers desiring to comply with the Federal Law must follow the same procedures outlined above for obtaining retired credentials that meet the State Law and must contact the Range Manager to arrange for an appointment to qualify with their handgun.

The Range Manager will have the appropriate forms available to document and certify that the retired officer has met the DCJS standard for Virginia Law Enforcement Officers. Forms are also available on the DCJS website and our InfoPath forms.

C. CREDENTIALS

Upon retirement, qualified sworn officers will receive retirement identification credentials from the Department.

Officers desiring to carry a concealed weapon in Virginia (and other states having mutual recognition or reciprocity agreement with Virginia) may complete an APD-0065. Upon favorable review by the police chief they will be issued a retirement credential with concealed weapon privilege.

Retired officers desiring to qualify annually with their firearm must contact the Range to determine what dates are available and must schedule an appointment with the Range Manager. Upon meeting the Commonwealth of Virginia’s qualification requirement they will be issued a certification card (F-APD-0539), which expires 12 months after such qualification. They should also make application to DCJS for an issued credential.

D. SERVICE WEAPON

The disposition of the retired officer’s Department issued service weapon is at the discretion of the police chief and guided by Virginia law, i.e., § 59.1-148.3, and City ARs.
At the time of this writing, § 59.1-148.3 states local police departments may allow:

1. Officers retiring after at least 10 years of service or as a result of a service-incurred disability to purchase their service weapon for $1.00.

2. Officers retiring with 5 or more years of service, but less than 10, to purchase their service weapon at a price equivalent to the weapon’s fair market value.

3. Officers retiring on a non-service incurred disability to purchase the service weapon at a price equivalent to the weapon’s fair market value.

By Authority Of:

David Huchler
Acting Chief of Police