EMPLOYEE SEPARATIONS 8580.4

(Revised 06/05)

Departments are responsible to ensure that payments to separating employees are in accordance with Labor Code Sections 201 and 202.

Salary warrants will not be distributed to separating employees until the department has verified that all travel and salary advances have been paid (cleared). The verification must be provided by office revolving fund staff. See SAM Section 8595.

It is recommended that a check-out list acknowledging the return of state-owned items such as credit cards, keys, state records, and equipment be completed for separating employees prior to the release of the final warrant. The check-out list may also include the verification from the office revolving fund staff that there are no outstanding advances.

Government Code Section 19838 authorizes the state to withhold amounts owed for outstanding travel and salary advances from an employee's final separation pay, provided the employee receives an amount sufficient to satisfy the state's minimum wage requirement. Departments should direct all questions regarding the state's minimum wage requirements to their departmental legal staff.

Amounts owed by the employee, other than salary and travel advances will not be deducted from an employee's final separation pay. If, after the check-out, the separating employee leaves owing the department money, it is the responsibility of the department to pursue collections as described in SAM Section 8776.6.