SEPARATION FROM EMPLOYMENT

PURPOSE: To provide a process for the resignation and/or separation of employment of University employees that satisfies State Department of Labor regulations, and that provides compensation and the continuation of benefits under certain circumstances.

POLICY: The University classifies separation of employment as being either voluntary or involuntary allowing different processes and methods of treatment of employees under each which satisfy State Labor regulations, and compliment Department of Employment Security designations.

DATE APPROVED: July 7, 1999

REVISED: September 1, 2007

PRACTICES & PROCEDURES:

I. VOLUNTARY TERMINATION
   A. Voluntary terminations shall require supervisors to be responsible for arranging an exit interview for the employee with the Human Resources Department (prior to the day of departure) so that all details are discussed, and State and Federal employment laws are satisfied.
   B. Resignation
      1. When an employee decides to resign, they must notify both their supervisor and the Human Resources Department.
      2. An exempt employee (salaried) is required to give a minimum of four (4) weeks written notice.
      3. A non-exempt employee (hourly) is required to give a minimum of two (2) weeks written notice.
      4. Written notices are mandatory in order to receive pay for accumulated, unused vacation time that either an exempt or non-exempt employee may have accrued, and in order to be considered for rehire. If the notice period provided includes any days scheduled as personal or vacation, this time will not count as part of the notice period. Also, if the written notice requirement is not satisfied, such scheduled days off shall not be paid, nor will any accumulated unused vacation time be paid either.
   C. University Initiated Resignation
      1. Any employee absent from work for three (3) consecutive workdays without notice shall be considered to have automatically resigned from the University. The University may then take the necessary action to implement that resignation.
      2. Involuntary resignations may also be offered under other circumstances at the discretion of the University. See Section II.C.3.
3. An employee who resigns automatically or involuntary is ineligible to receive any pay in lieu of notice or pay for any accumulated unused vacation time, and is also ineligible for rehire.

II. INVOLUNTARY TERMINATION

A. Any involuntary termination shall only be implemented after proper consultation with the Manager of Human Resources, and shall only be conducted in their presence and with their assistance.

B. Discharge After Warning

1. An employee may be discharged from the University when their work performance, including but not limited to, unacceptable behavior and inappropriate attitude continues to be unsatisfactory after the issuance of a written warning.

2. The supervisor must have previously consulted in a timely manner with the Manager of Human Resources to ensure that adequate warnings, verbal and written had been issued to, and personally discussed with the employee. Copies of any written warnings must have been sent, on the date of issuance, to the Human Resources Office for inclusion in the employee’s personnel file. Supervisors must adhere to all other University policies and procedures pertinent to this process as well.

3. Employees so terminated may receive pay for any accumulated, unused vacation time in accordance with the Vacation Policy.

4. Exempt employees may receive four (4) weeks termination pay in lieu of notice. Non-exempt employees may receive two (2) weeks termination pay in lieu of notice.

5. Termination pay as stipulated in Number 4 above, together with vacation pay, if any, shall constitute full severance in all instances of termination under Section II.B.

6. The individual's official University termination date shall be the final wage/salary pay-through date.

C. Immediate Discharge (For Cause)

1. Employees (exempt or non-exempt) can be immediately discharged at any time without any prior warning, or notice having been given.

2. Reasons for discharge under this category may include, but are in no way limited to, insubordination, any violation of the Administrative Policy Manual: "University Code of Conduct", any illegal or generally unacceptable behavior such as endangering the welfare of others, illegally using drugs, vandalism, making threats of violence, or theft, including theft of work-time.

3. Under this termination category, the employee may be given the opportunity to resign immediately.

4. The exit interview may be waived if determined to be in the best interest of the Institution.

5. The Manager of Human Resources shall ensure University policy is followed related to the individual immediately departing Campus, and that the welfare of other employees and the University are protected.
6. The Manager of Human Resources shall in all instances be consulted in advance of any discharge for cause situation, and shall be personally involved in the discharge proceedings.

7. The Director of Safety may be notified prior to discharge proceedings if deemed necessary by either the Manager of Human Resources.

8. Employees who are discharged for cause are not eligible for pay in lieu of notice or pay for accumulated, unused vacation time. However, any wage or salary previously earned, but yet unpaid and due the employee must be paid within a 72 hour period following time of discharge.

D. Retrenchment or lay-off which is designated as an involuntary termination has a separate severance pay plan and is discussed in detail in the Administrative Policy Manual: "Retrenchment".

III. EXIT INTERVIEW

A. The Office of Human Resources shall conduct exit interviews with all voluntarily terminating employees to discuss the individual's concerns, provide details on the possible continuation of benefits, and to cover other relevant material associated with the employee's departure. Appropriate discussions will be held with all other terminations.

B. All University-issued property (i.e., vehicles, keys, credit cards, ID's, academic regalia, uniforms, etc.) must be deposited with the Office of Human Resources. Pay may be held until all University property has been returned, provided this option is fully discussed with the terminating employee and the employee agrees to the "exchange".

IV. HEALTH/DENTAL/LIFE INSURANCE CONTINUATION

A. An employee shall continue to participate in the University's health/dental/life insurance coverage, until the end of the calendar month in which the termination is effective.

B. Upon any type of termination, employees may choose to continue health and/or dental insurance at the University's group rate for up to eighteen (18) months (see COBRA regulations) at the employee's full expense.

C. Life insurance may be converted to a non-group plan, also at the employee's full expense. Employees will receive the necessary signed conversion form at the exit interview.