

# Termination or Resignation of Employment Policy

## FT\_HR\_CM\_30

Responsible Officer  
Chris Ronk  
Responsible Office  
Human Resources  
Approving Body  
Board of Trustees  
Approval Date  
2019-01  
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Departmental Impact  
All departments

### Policy Statement

The employment relationship is terminable at will, at any time, either at the employee's option or at the option of the Administration. In the case of an employee contract, both parties--the University and employee--are obliged to follow the guidelines of the contract.

### Rationale

#### Staff

1. Should the University find it necessary to terminate the employment of any Staff member, the Administration will attempt to provide notice at least two weeks in advance of the termination date. Some circumstances, of course, may require immediate dismissal.
2. Should the termination be for poor work performance or for incompatibility of the worker and the University, an attempt will typically be made to remedy the situation by holding a confidential review with the employee and discussing possible solutions.
3. If the Staff member elects to leave the employment of the University, he/she is expected to give a two week notice before his/her departure date.

#### Faculty

1. If the Faculty member, who is under contract, elects to leave the employment of the University, he/she is expected to communicate in writing prior to March 1
2. Letter of Administrative Intent: Should the University Administration conclude that a Faculty member should be dismissed or that his/her contract not be renewed, the Administration shall prepare a letter to the faculty member in which the following information shall be included:
  1. a statement of intention by the Administration to recommend to the Board of Trustees that dismissal be implemented (at a specified date) or that the faculty member's contract not be renewed
  2. a statement of the reason(s) for taking this action
  3. a statement of the faculty member's appeal right, including the specific 35 time limit within which this right must be exercised
  4. an opportunity for the faculty member to resign rather than go through the appeal procedure
3. First Appeal: Should the faculty member exercise his/her appeal rights, he/she shall be granted a hearing before a committee comprised of the President, the Provost, the Vice President of Administration, and the Dean of the school of the faculty member at a time and place to be specified in writing. The faculty member shall have the right to present evidence and witnesses in his/her own defense. Should the decision of this committee be that dismissal is the appropriate action to take, a letter to the faculty member shall be prepared by the committee which shall contain:
  1. a statement informing the faculty member of the committee's decision to convey the administration's recommendation to the Board of Trustees
  2. a statement of the reason(s) for the committee's decision
  3. a description of the remaining appeal rights of the faculty member
  4. an opportunity for the faculty member to resign
4. Second Appeal: Should a faculty member again exercise his/her appeal rights, he/she shall be granted a hearing before a committee of the Board of Trustees comprised of at least five Trustees. The faculty member shall again have the right to

present evidence and witnesses in his/her own defense. This is the final appeal step before presentation to the full Board. After their investigation, this committee shall determine whether or not the Administration's recommendation is the appropriate action to take and will notify both the faculty member and the Administration of their decision and will present a full report to the Executive Committee of the Board of Trustees. Unless the faculty member chooses to resign, the Executive Committee will make a complete report to the Board and call for a decision on the matter. The action of the full Board shall be final. Should the faculty member submit a letter of resignation before the matter is presented to the full Board, this will consummate separation from the University without further action.

### Both Staff & Faculty

#### Exit Interview:

Before voluntary termination or resignation of employment, each employee choosing to leave the University is asked to meet with the appropriate Cabinet Member to discuss his/her reason for leaving. This meeting will give the departing employee a final opportunity to express his/her feelings.

#### Severance Pay:

An employee who is leaving the University must meet with a member of the Business Office to determine the final date for employment and any holiday and/or PTO that may be due. These final payments will be in accordance with those other pertinent sections of the Faculty or Staff Handbook. The final pay will be given at the nearest payday following the termination date.

