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4.223 Termination of Employment

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Type of Policy <input checked="" type="checkbox"/> University <input type="checkbox"/> <i>Campus</i> <input type="checkbox"/> <i>Department/Unit</i> <input type="checkbox"/> <i>Interim</i>		Termination of Employment Policy 4.223	
Human Resource Policies		Effective date: October 25, 2011	
Policy History:	Approved by:	Resolution #	Date:
Approved	Chancellor	N/A	October 25, 2011
Revised (Non-substantive)	Office of University Counsel	N/A	May 15, 2017
Responsible Office:	Responsible Administrator:	Contact information:	Applies to:
Office of Human Resources	Director of University Human Resources	937-769-1375	All Employees except those members of a recognized collective bargaining unit

I. Introduction and Purpose

Employment is a matter of continuing agreement between the employee and the University. Either the employee or the University may decide to end the employee's employment for any reason not prohibited by law, in accordance with the terms of his or his appointment letter or contract. Employees' rights and obligations under applicable collective bargaining agreements are not affected by this policy.

AU has four procedures for employees to separate employment from the University. The most common is by voluntary termination, and more rarely involuntary termination, job elimination, and death. Each has its own set of unique procedures and this policy serves as a comprehensive guide so that they are managed equitably and fairly.

II. Voluntary Termination

A voluntary termination is a resignation or retirement initiated by the employee.

- A. Employees on bi-weekly payroll are expected to give a minimum of two weeks' notice and provide written notification of a resignation or retirement to their supervisor with a copy to the Director of the Office of Human Resources ("HR") to be eligible for re-employment and to preserve a positive relationship with the University.
- B. Employees on monthly payroll are expected to give a minimum of four weeks' notice and provide written notification of a resignation or retirement to their supervisor with a copy to HR to be eligible for re-employment and to preserve a positive relationship with the University.
- C. Core Faculty are expected to give notice on or before the first day of the term which precedes the term in which the resignation is to be effective. The notification should be in writing to the unit head with a copy to HR to be eligible for re-employment and to preserve a positive relationship with the University.
- D. In rare cases, at a supervisor's discretion and after consultation with HR, employees may be asked to cease actively reporting to work on a daily basis once notice has been given. However, employees will be paid for the notice period of resignation if employees have provided written notice as required above.
- E. An employee's use of vacation time during the notice period shall be at the discretion of the supervisor and based on operational needs.
- F. Employees will participate in an exit interview with HR prior to the last day of work. This gives employees a chance to provide the University with candid feedback about University operations and programs. Additionally, HR will review the status of final paychecks, insurance, and retirement benefits.

III. Involuntary Termination

Involuntary termination is usually the result of a reduction in force or discipline. Further information can be found in the Corrective Action and Discipline Procedure Policy # 4.617. Examples of conduct which may lead to immediate termination include but are not limited to: unsatisfactory job performance, excessive absenteeism or tardiness, insubordination, violence, theft, dishonesty, sexual harassment or other serious infractions or a series of infractions.

- A. All involuntary terminations should be discussed by the Supervisor with HR and University Counsel in accordance with the Corrective Action and Discipline Procedure Policy # 4.617, prior to notification to the employee.
- B. Employees who are involuntarily terminated other than as part of a reduction in force are not eligible for rehire at the University and are not considered part of subsequent applicant pools.

IV. Job Elimination / Reduction in Force

Job elimination is a termination initiated by the University because the job or position is discontinued due to a lack of work, significant change of work/responsibilities, or a lack of funds.

- A. In situations where a department must select a person for job elimination from among multiple incumbents in the same job classification, consideration should be given to: education, relevant skills, ability, job performance, and experience. Where two or more incumbents are equally qualified to perform the remaining work, seniority will be used to determine the order of job elimination.
- B. All job eliminations must be discussed in advance with HR and ordinarily with University Counsel to ensure compliance with University policies and procedures including the Temporary Layoff and Recall Policy # 4.221.

V. Death

The supervisor should inform HR upon first learning of the death of an employee. Heirs and survivors of a deceased employee should be referred to HR to complete the necessary documents for insurance claims and for release of a deceased employee's final paycheck and to return any University property.

VI. Return of University Property and Satisfying Financial Obligations

Individuals who terminate employment must return all University property to the appropriate supervisor or HR, and satisfy all financial obligations on or before the last work day. Examples include, but are not limited to:

- A. Identification cards, keys to buildings, vehicles, and equipment;
- B. Pagers, cellular telephones, laptops, and other electronic equipment;
- C. Policy manuals and other confidential material including flash drives;
- D. Books and other materials owned by the University, library books, computers, software, business records, student records and academic work, supplies, and any other related materials;
- E. Uniforms and tools issued by the University;
- F. Credit, telephone, and other cards; and
- G. Tuition grants, outstanding advances, and library fines.

Employees, supervisors and HR in a coordinated effort are responsible for ensuring that all University property is obtained from terminating employees and financial obligations are satisfied.

VII. Access to Computerized Information Systems

Upon termination, supervisors in consultation with HR must make appropriate arrangements with the Office of Information Technology to discontinue an employee's password and/or access to all University information systems. This may include but is not limited to financial, departmental local area networks and student information systems.

VIII. Final Paycheck and Payment of Leave

A. Final Paycheck

A terminating employee must be paid no later than the next regularly scheduled payday and in some cases sooner, as in accordance with applicable state law.

B. Payment of Leave

Employees will be paid for unused, accumulated paid vacation when terminating employment with the University as per the Vacation Policy # 4.433 and any applicable state law. No payment will be made for unused sick leave.

Policy Cross References

Temporary Layoffs and Recalls	Policy # 4.221
Vacation	Policy # 4.433
Corrective Action and Discipline Procedure	Policy # 4.617