OM 3.1.18 Termination/Resignation Policy

Scope
This policy applies to exempt and non-exempt employees.

Purpose
This policy serves as a comprehensive guide for departments to manage terminations equitably and fairly.

Summary
This policy provides guidelines for termination of employment from Clarkson University and is intended to ensure that the University fulfills its responsibilities in relation to all terminations.

Definition of Terms

Voluntary Termination. Termination of the employment relationship resulting from the voluntary decision of the Staff Member to resign from the employment of the University, and includes but is not limited to resignation, inability or failure to return from an authorized leave of absence or job abandonment.

Involuntary Termination. Termination of the employment relationship between the University and a Staff Member resulting from the decision of the University.

Retirement: Resignation from the University for any reason at age 55 with 15 years of service, age 60 with 10 years of service or older. (See also OM Sections 3.2.1 & 3.3.5.)

Policy Statement
To ensure timely and accurate communication between the university and the employee who is terminating employment with the University. Individuals who leave employment with the University are expected to return University property, and satisfy outstanding financial or other obligations before the last work day. Separation from employment, whether voluntary or involuntary, must be handled in a responsible manner confidential and professional manner by all individuals involved. The University will pay employees for unused, accumulated vacation according to this policy.

Procedures
Departments will follow the below procedures for the type of termination:

**Involuntary Termination** Departments must contact the Chief Inclusion and Human Resource Officer or the Director of Human Resources Operations before any disciplinary termination. Departments must contact the Director of Human Resources Operations before terminating any employee who is on disability leave or receiving workers' compensation benefits.

**Voluntary Termination--Notice of Separation** Employees who leave the University are expected to provide written advance notice. Minimum requested notice is four weeks for exempt and two weeks for non-exempt individuals. The notice period is to be used to transition the work. Employees are expected to work their notice period.

**Retirement** Employees who retire from the University are expected to give written advanced notice. Minimum requested notice is four weeks for exempt and two weeks for non-exempt individuals.

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**Notice to Human Resources**

Departments will forward the resignation letter and submit a payroll authorization to Human Resources upon receiving notice from the employee. For exempt employees who terminate, the department will indicate on the payroll authorization the number of remaining vacation days the employee has left for that fiscal year.

Employees who are retiring will meet with Human Resources prior to their retirement date to review benefits they may be eligible for after retirement.

Human Resources will conduct an exit interview for all terminating employees. An exit interview will be held with a representative from Human Resource. Benefit and other relevant matters will be discussed with the employee. If the employee is not available for a face-to-face meeting, relevant information will be mailed to the employee.

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**Status of Benefit Plans**

**COBRA**

- The Federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) provides eligible employees and their qualified dependents the opportunity to continue coverage under the University's health and dental insurance plans when a "qualifying event" would normally result in loss of benefits. Some common qualifying events include termination of employment (except termination for gross misconduct), death of an employee, a reduction in an employee's hours, a leave of absence, an employee's divorce or legal separation, and a dependent child who no longer meets eligibility requirements.
- Employees, who are eligible for continuation of their health care coverage and other benefits, as stipulated in COBRA, will receive written information concerning this benefit from UMR. Under COBRA, the employee and his or her dependent(s) will pay the full cost for coverage at the University's group rate plus an administration fee. The written materials provided by United Healthcare will clearly outline how long the employee and his or her dependent(s) will be eligible for the COBRA coverage.

**Health Insurance Portability and Accountability Act**

- The Health Insurance Portability and Accountability Act (HIPAA-1996) requires that a certificate of insurance be given to all terminated employees who have been provided health insurance through the University's group plans. This certificate provides evidence of coverage so that, potentially, the terms of pre-existing conditions may be waived with a new health insurance provider. Continuous health insurance coverage with the University will count towards the time period required by the new insurance provider. United Healthcare will mail COBRA information to you within 30 days. If the certificate is not received within thirty (30) days, then please call the Human Resource at (315) 268-6497.

**Life Insurance**

- Life insurance ends on the employee's termination date and may be converted within 31 days after the employment termination date. Information is provided by Human Resources.

**Long-Term Disability Insurance**

- Group total disability income insurance (long-term disability) ends on the employee's termination date and cannot be converted.

**Retirement**

- Status of retirement funds should be reviewed with TIAA. Contact information is 800-732-8353.
**Return of University Property and Satisfying Financial Obligations**

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

- Identification cards, keys to buildings, and equipment
- Cellular telephones, and other communications equipment
- Policy manuals and other confidential material
- Books and other materials owned by the University, computers, software, documentation, supplies, and other computer-related materials
- Tools issued by the University
- Credit, telephone, and other cards
- Tuition grants, outstanding advances, library and parking fines

Supervisors and managers are responsible for ensuring that all University property is obtained from terminating employees and financial obligations are satisfied.

**Access to Computerized Information Systems**

Upon termination, Human Resources will notify the Service Center to discontinue an employee's password and/or access to all University information systems. This may include but is not limited to financial, employee, departmental local area networks and student information systems.

**Payment of Leave**

Employees will be paid for unused, accumulated vacation when terminating employment with the University. Vacation time cannot be used in lieu of giving proper advanced notice as stated in this policy or to continue or extend the period of time to receive employee benefits. Special Personal day(s) that have not been taken prior to termination will not be paid. No payment will be made for time accrued as sick leave. Employees who have been employed for less than six months will not be paid for any accrued vacation. Upon termination, employees who have been continuously employed by the University for six months or longer will be paid for unused vacation time. Any monies owed the University will be deducted from the employee's final paycheck per University policy.

**Reference Checks**

All inquiries, including written requests, regarding a current or former employee of the University must be referred to Human Resources at 268.6497.

**History**

Approved May 2014

Editorial Revision December 2016 (revised position title and phone number)

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