

<p>Involuntary Separation of Employment Policy</p>	<p>BOT Approved: January 21, 2020 -Updates approved by Board June 16, 2020. -Updates due to addition of a new Disciplinary Action Policy 11/2021. Approved by Board on 2/15/2022.</p>
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PURPOSE:

Separation from employment at Garrett College (the “College”) may be voluntary or involuntary. In both cases, the College is committed to fair and equitable policies and procedures in support of the transition and the rights of employees. This policy covers the involuntary separation from employment. Voluntary separation is covered in the Human Resources Manual (See *Part Two: Employment, III. Resignation*).

POLICY:

Involuntary Separation of Employment may be due to cause – behavior, actions or inactions that are continuously or grossly unacceptable – due to position elimination, including non-renewal of employment, which is a result of reorganization or fiscal challenges. It is the policy of the Board of Trustees to encourage high standards of service; confront unacceptable employee behavior; act swiftly, fairly, and equitably; and provide constructive counseling. Employees whose behavior, actions or inactions are continuously or grossly unacceptable will be subject to disciplinary action for cause, up to and including suspension or dismissal. Continuously in this regard refers to a situation in which an employee continues to violate College policies or procedures or continues to neglect his or her employment obligations despite successive, documented warnings.

DEFINITIONS

- **Regular Employee:** A regular employee, whether full-time or part-time holds a continuing employment relationship with the College in positions that are included in the classification system. This individual is paid through the College payroll system to perform a service for the College.
- **Faculty:** Full-time faculty member that is hired on a continual basis. This does not include any adjunct faculty.
- **Staff:** A regular employee that is not a faculty member (which includes direct reports to the President and Deans).

PROCEDURES:

Notification of Non-renewal of Employment:

The Notification of Non-Renewal of Employment process is intended to provide all regular employees with reasonable notice of non-renewal of employment each fiscal year. This process replaces the notice parameters set forth for staff and faculty members that had been classified with tenure.

Contracts and payroll authorizations for regular employees are issued at the beginning of each fiscal year. This process provides the parameters for reasonable notification to employees if the college does not intend to renew their contract or pay authorization in the upcoming fiscal year.

Any regular employee will be given the following notification of non-renewal of their employment relationship with Garrett College for any reasons unless the College is ending the employment relationship immediately for cause due to behavior, actions or inactions that are continuously or grossly unacceptable.

Employee Classification	Notification Parameters	Status through FY End
Faculty	October 1 of current FY	Work out contract to the end of the current fiscal year.
Staff	90 days before end of current FY	Paid through June 30 with applicable benefits; the employee is not required to work past notification date.

If a faculty employee fails to work out the rest of their contract to the end of the spring semester, the employment relationship will end. No further compensation or benefits will be paid.

In an effort to streamline operations, letters of intent will no longer be sent to regular employees for the next fiscal year. If a regular employee does not receive notice of non-renewal in the time frame per this process, their continued employment into the next fiscal year is assumed.

Notification of Position Elimination:

The College may find it necessary to eliminate regular positions due to budgetary and fiscal challenges at any point during a fiscal year. The Notification of Involuntary Separation of Employment process due to position elimination is intended to provide all regular employees with reasonable notice in the event their position is eliminated during a given fiscal year. This process replaces the notice parameters set forth for staff and faculty members that had been classified with tenure.

Any regular employee will be given the following notification of involuntary separation of employment due to position elimination:

Employee Classification	Notification Parameters	Status through FY End
Faculty	October 1 of current FY	Work out contract to the end of current fiscal year
Staff	60 days' notice	Paid for 60 days from date of notification with applicable benefits; the employee is not required to work past notification date.

If a faculty employee fails to work out the rest of their contract to the end of the spring semester, the employment relationship will end. No further compensation or benefits will be paid.

There is no appeal process if an employee's position is eliminated.

Dismissal as a result of Disciplinary Action:

Disciplinary action taken by supervisors should be timely and progressive, including, but not limited to, a warning, reprimand, or suspension prior to dismissal. However, in certain cases it may be impractical to give warnings, such as when the employee's behavior is of so grave a nature that a first occasion violation is cause for a recommendation for the employee's discharge.

Disciplinary action may always be taken against an employee, when warranted, regardless of whether the employee may have a satisfactory performance rating or regardless of the lack of previous disciplinary actions against the employee. The *Disciplinary Action Policy* outlines the procedures followed for disciplinary action taken against employees and the dismissal outcome.