

CONCORDIA COLLEGE

Policy and Procedure Manual

Subject: Separating Employment
Section: General Job Related
Number: 5.1

Effective Date: 06/01/2008
Scope: Administrative and Support Staff

Purpose

To outline options for separating employment with Concordia College.

Policy

There are four categories of separation for employment from the College: voluntary, layoff, non-reappointment and involuntary.

Voluntary separations include resignation, initiated by the employee or by mutual agreement between the employee and the College; retirement; and completion of the term appointment.

Concordia College recognizes Minnesota's state law giving employees and the College the right to terminate the employment relationship at any time and for any reason, with or without notice.

RESIGNATION

To allow the department time to plan for such a transition with minimal disruption of service, appropriate written notice is expected. Non-exempt staff are expected to give at least two weeks written notice. Exempt staff are expected to give at least one month written notice. Notice of resignation is expected to be a "working" notice to allow for productive work time to complete projects or to help train the person(s) assuming the responsibilities of the position. For that reason, it is seldom possible to allow a resignation notice to be taken as vacation time or other paid time off. However, any accrued, unused vacation will be included as part of the final paycheck. There is no payout for sick time.

Failure to give appropriate written working notice may affect consideration for future employment at Concordia.

PERMANENT LAYOFF / END OF POSITION

On occasion, organizational needs or changes may require existing positions to be eliminated. When it becomes necessary to eliminate regular positions Concordia strives to handle such layoffs in a systematic and consistent way throughout the organization and to help identify opportunities that may be available to employees that will be affected.

Layoff procedures and eligibility for severance may be different for staff employed on a limited-term basis or who are paid through grants or other externally-funded resources.

In general, departments are expected to give at least as much layoff notice to staff as is expected of employees when they resign. At a minimum, non-exempt staff should be given two weeks notice of layoff or position elimination; exempt staff should be given one month. The department may offer comparable pay in lieu of notice. However, any accrued vacation should be paid as part of the final paycheck. There is no payout for sick time.

NON-REAPPOINTMENT

Administrative Staff are employed at will; therefore, no specific reason is required for non-reappointment. Typical reasons for non-reappointments of Administrative Staff by the College,

however, may include, but are not limited to the following: quality of performance, budget constraints, program change, inability to perform position responsibilities, personal misconduct. There is no defined length of time required for notice of non-reappointment for administrative personnel. Each notice of non-reappointment will be handled on an individual basis

DISCHARGE

Supervisors must consult with their department head and Human Resources before discharging an employee for performance or misconduct related issues.

Discharge, either for failure to meet performance expectations or for misconduct, should be documented in accordance with established College guidelines for performance improvement counseling or warnings as appropriate.

Discharge due to performance issues or misconduct may affect consideration for future employment with Concordia College. Discharge for gross misconduct may result in disqualification from COBRA continuation rights.

Once discharge based on employee performance or misconduct has been established as the appropriate action according to College guidelines, the discharge is effective immediately and there is no provision for severance pay. Any accrued vacation should be paid as part of the final paycheck. There is no payout for sick leave.

SEVERANCE

Severance agreements are not an entitlement and are not guaranteed. In general, severance agreements consider the position held and length of service to the College, with each situation evaluated on an individual basis.

In the case of certain involuntary terminations, the College may, at its discretion, provide for severance to separated employees, contingent upon a release of claims. No severance agreement will be valid or authorized unless approved by the President or designee.

Employees expressly ineligible for severance include those who:

- Are covered by an enforceable written employment agreement that has a specified end date of employment.
- Are terminated for gross misconduct, policy violation, or poor performance
- Voluntarily resign
- Are offered another comparable position with Concordia College or an affiliate and decline that position.

Only the President of the College has the authority to negotiate or award severance agreements.

History: Approved 05/19/2008; Effective 06/01/2008

President's Signature

Date Approved

Effective Date