



RUTGERS POLICY

Section: 60.9.49

Section Title: Legacy UMDNJ policies associated with Human Resources

Policy Name: Separation from Employment

Formerly Book: 30-01-20-75:00

Approval Authority: Senior Vice President for Administration

Responsible Executive: Senior Vice President for Administration

Responsible Office: University Human Resources

Originally Issued: 3/25/2008

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Errors or changes? Contact: policies@hr.rutgers.edu

1. **Policy Statement**
The policy covers Rutgers University employees who are employed within legacy UMDNJ positions.
2. **Reason for the Policy**
To establish guidelines ensuring uniform and consistent procedures for Legacy UMDNJ employee staff members, Housestaff, and Postdoctoral students (non-faculty) separations, both voluntary and involuntary.
3. **Who Should Read This Policy**
All Rutgers employees who are employed in legacy UMDNJ positions.
4. **Related Documents**
N/A
5. **Contacts**
University Human Resources: 848-932-3020
6. **The Policy**

60.9.49 SEPARATION FROM EMPLOYMENT

I. DEFINITIONS:

- A. *Termination:* Cessation of the employment relationship between the University and employee.
- B. *Resignation:* Voluntary separation from the University initiated by an employee.
- C. *Retirement:* Voluntary separation from the University upon meeting the State of New Jersey's categorization as retired based on eligibility rules established by the State and requires application to the Division of Pensions and Benefits.

- D. *Layoff/Reduction in Force*: Termination based upon an action initiated by a department head as a result of the elimination or reductions in positions, funding, and grants, reduced or changed work requirements, or departmental reorganization.
- E. *Involuntary Separation*: Termination due to reasons constituting just cause, or release during the probationary or introductory period.
- F. *Death*: Employee is deceased.

II. REFERENCES:

Policy Title, Policy Reference Number

- Layoff Staff, 60.9.29
- Vacation, 60.9.43
- At Will Employment, 60.9.52
- Cancellation of Access to University Assets, 70.2.1

III. POLICY:

A. Voluntary Separations:

When an employee initiates a separation (i.e., the employee resigns or retires), the separation is considered voluntary.

When an employee has been absent for three (3) consecutive days and fails to contact his/her supervisor, the University has the right to process a termination of that employee, effective the first date of absence, and any such termination shall be considered voluntary abandonment of position.

When an employee fails to return from an approved leave of absence without proper notification, the University shall have the right to process a termination of that employee, effective the date the employee was scheduled to return from the leave of absence, and any such termination shall be considered voluntary abandonment of position.

1. *Resignation*

It is expected that employees shall provide a written notice of resignation:

- Depending on the specific bargaining agreement, employees may be required to provide three weeks' (21 calendar days) written notice;
- Non-union staff employees are required to provide three (3) weeks' notice;
- Management and executives are required to provide four (4) weeks' notice.

Upon receipt of such notice, the manager/supervisor shall meet with the employee to acknowledge the resignation and, if a reason is not provided, attempt to determine same. If circumstances exist where, for business reasons, the manager desires to extend the last date worked, it is reasonable that the manager and employee may discuss working out a mutually agreeable alternate date, if possible. Once the last day of work is agreed upon, the separation shall be effective as of that date.

2. *Retirement*

In planning for retirement, an employee should give as much advance notice as possible to his or her supervisor. Managers/Supervisors should encourage retiring employees to consult with University Human Resources Office of Benefits to learn about benefit options and coverage, and to visit the State of New Jersey website at: <http://www.state.nj.us/treasury/pensions/>

B. Involuntary Separations:

1. *Misconduct (i.e., Behavior, Performance, Attendance)*

An employee whose conduct, actions, or performance violates or is in conflict with University policies may be subject to discipline in accordance with established guidelines and collective negotiations agreements.

Managers/Supervisors who are planning to take disciplinary action against an employee, especially if an action is suspension or termination of employment, must consult with University Human Resources before any action is taken.

2. *Failure of Probation or Introductory Period*

Staff members covered by a collective negotiations agreement that are newly hired; transferred; or promoted into a regular position and fail to meet the expectations of the job requirements will be terminated. In certain circumstances, based on the collective negotiations agreement, the staff member may return to his/her previous position if the position is available. In either case, managers/supervisors must consult with University Human Resources before any action is taken. The same guidelines may apply for non-aligned, confidential employees.

3. *Layoff*

There are times when it becomes necessary to lay off an employee due to lack of work, reduced funding, departmental restructuring or other changes in the workplace which impact staffing needs. Before a decision is made to eliminate a position, a manager/supervisor must consult with University Human Resources. Layoff procedures must be followed in accordance with collective-negotiations agreements and the University's Layoff Policy.

4. *Death*

Upon receiving notification of the death of an employee, the manager/supervisor must notify University Human Resources immediately. A termination will be made effective as of the date of the death. University Human Resources will process all applicable beneficiary documentation based on appropriate University benefit programs.

IV. PROCEDURES:

A. *Involuntary Separations:* In the event of an involuntary separation, the manager/supervisor shall, with assistance from Information Services and Technology (IST) limit or cancel access to computer accounts, i.e., email, healthcare systems (i.e., EPIC), Banner, etc. in the employee's area of responsibility. Public Safety must also be contacted to deactivate the employee's identification card.

B. *Voluntary & Involuntary Separations:* It is the responsibility of the department head to forward a copy of the resignation letter or other documentation supporting the separation to Human Resources and to process an Electronic Personnel Action Form (EPAF) to effectuate the resignation. An EPAF must be completed to ensure that the employee is terminated from all appropriate systems in a uniform and consistent manner.

Further, it is the manager/supervisor's responsibility to ensure that the Payroll department receives the terminating employee's timesheet in sufficient time to process the final paycheck in accordance with state and federal laws and regulations.

C. *Benefits*

Accrued, unused vacation days will be paid in accordance with the University's Vacation policy.

Appropriate COBRA notification will be provided by University Human Resources. The expiration date of the medical, prescription and dental insurance coverage is based on the last day worked. For employees who separate between the first and the fifth of the month, coverage will cease at the end of the month. For employees who separate on the sixth of the month and thereafter, coverage will cease at the end of the following month. Group life insurance ends 31 days after employment ceases. University Human Resources Office of Benefits is responsible for terminating all insurance and notifying the employee of his/her rights.

D. *Return of Property upon Separation*

An employee is required to turn in all University property to his or her manager/supervisor, including identification card, uniforms, keys, tools, library materials, laptops, University-issued cell phones, parking decal, computer materials, and electronic equipment prior to his/her last day of work. It is the responsibility of the manager/supervisor to ensure that all University property is returned to the appropriate unit.

E. *Other Provisions:*

Employees who Transfer between Units: An employee who is transferring from one position to another within the University is also expected to comply with the above guidelines. The manager/supervisor is responsible for limiting or cancelling access to premises, computers, etc., based on the individual circumstances and should consult the University's policy on Transfers between Units. An EPAF should NOT be submitted to terminate the employee from the home department.