

## **FAIRLEIGH DICKINSON UNIVERSITY TERMINATION POLICY**

Employees who are discharged for poor performance will receive separation pay as outlined herein. Employees whose jobs are **eliminated** will receive salary continuation benefits.

Terminations occur as a result of any of the below listed events and are categorized as either voluntary or involuntary.

### **VOLUNTARY**

- Resignations including retirement
- End of Transfer to Retirement Period

### **INVOLUNTARY**

1. Non-renewal of contract
2. Discharge during Introductory Period (formerly called Probationary Period)
3. End of a Terminal Contract
4. Discharge for cause (other than poor job performance)
5. Discharge for poor job performance
6. Job Elimination
7. End of temporary position
8. End of Grant

### **SEPARATION PAY**

Non-faculty employees, who do not have a contract and who are being discharged because of documented poor job performance, are eligible to receive separation pay according to the following schedule. The University Salary Continuation Program remains in place in cases of job elimination.

Non-exempt	1 week
Exempt, non-managerial	2 weeks
Managers, Directors, Non-Academic Deans	4 weeks
Non-executive Officers – Asst VP, Assoc VP, Non-academic Provosts	8 weeks

The University Salary Continuation Program **applies** in cases of job elimination.

In all cases of termination the Department Chairs/School Directors, Supervisors and Managers are responsible to submit a CHANGE OF STATUS NOTICE to the Human Resources/Payroll Department. In cases of voluntary termination a letter of resignation is required and must be attached to the Change of Status Notice. Verbal notice will not be processed. To guard against overpaying the individual, if the effective date of the termination is less than two weeks away, a copy of the Change of Status Notice should be faxed to the Human Resources Department at 2717 while the original is being approved. The original change of status notice must still be sent to the Human Resources/Payroll Department for official action and filing in the employee's file.

It is imperative that the Human Resources/Payroll Department receives Change of Status Notice forms before the effective dates of employee terminations. Late submissions or failures to submit forms may result in overpayments of salary, benefits and retirement contributions to terminated employees. This also places the University in non-compliance status with notification requirements of a Federal Law concerning post-employment continuations of medical and dental/vision benefits for terminated employees.

In cases where the untimely submission of a Change of Status Notice, or the failure to submit a Change of Status Notice has caused the University to overpay a terminated employee, the supervisor, the Department Chair/School Director, Supervisor or Manager will be responsible for obtaining the return of the overpayment.

### **General Information:**

In most cases the last day of work is the termination date. There are a few exceptions:

- In cases of job elimination, the date of termination is the end of the salary continuation period, not the last day of work.
- In cases of terminal contracts and non-renewal of contracts, the date of termination is the end date of the contract, which is not necessarily the last day of work.
- In cases where an individual does not return to work at the end of a medical leave, the date of termination is the date of the end of the medical leave, not the last day of work.
- In cases where a University observed holiday falls on a Friday and an individual is precluded from completing the normal workweek, the termination date will be on the Friday.

Termination date may not be advanced because of earned and unused vacation. Vacation entitlement will be paid in the pay period following the termination date provided all time records and absence reports are up to date.

In cases of resignations that occur before a University observed holiday period such as the time immediately preceding the Christmas break or the time immediately preceding

the Spring break, the last day of work before the holiday period is the termination date,  
not the day the University resumes normal operations.  
HR 6/2008