

Separation of Employment

Applies to: All employees

Policy Statement:

Both full- and part-time regular employees are governed by the separation policies as described below. Employment for temporary employees may be terminated at any time, for any reason, with or without notice.

Definitions and Regulations:

Resignation

Resignation is a voluntary, permanent separation initiated by the employee. A regular, hourly employee who resigns with at least two weeks written notice or a salaried employee who resigns with at least one month's notice is eligible for pay for any unused vacation and the earned vacation credit toward the next fiscal year. Employees may not take vacation during the period of notice without his or her supervisor's express approval. In all cases the employee's effective date of termination is the last day he or she works. Managers should request that the resigning employee write a letter of resignation and send the original copy to the Office of Human Resources.

Absence Without Notification

Employees must notify their supervisors if they are going to be absent for any reason. If an employee is absent without prior supervisor approval, he or she must notify his or her supervisor of the reason for the absence at the earliest possible time. If the employee has not provided such notification before the end of three consecutive working days, the College will consider that the employee has voluntarily quit without notice. Employees may be disciplined, up to and including discharge, for being absent without notice or approval.

Involuntary Termination

Involuntary termination is a separation initiated by the College for serious misconduct or cause. Managers should contact their human resources consultant or department head *prior* to terminating an employee's employment.

Serious misconduct includes, but is not limited to, theft, insubordination (e.g., refusal without reason to perform a work assignment) falsification of records, or any conduct deemed to be highly disruptive to the normal operation of the College. In such cases, employees terminated for serious misconduct are not eligible to receive any notice or pay for any unused vacation or the earned vacation credit toward the next fiscal year.

Termination for cause may include an employee's inability to perform his or job duties or his or

disruptive behavior, poor attendance, misconduct, or violation of College policies. Employees terminated at the initiative of the College for cause will not receive pay for any remaining vacation or accrued vacation toward the following year. For immediate termination, employees may receive two weeks pay in lieu of notice.

If an employee believes that he or she was involuntarily terminated based on discrimination due to his or her race, color, religion, sex, age, sexual orientation, national origin, or disability or status as a disabled or Vietnam-era veteran, he or she may pursue action under the Equal Opportunity Grievance Procedure (see the Equal Opportunity and Affirmative Action section of this manual).

Layoff

A layoff is a separation initiated by the College due to reorganization or a lack of funds. An employee who has been laid-off retains recall rights for a period equal to the length of his or her continuous service at his or her termination date but not to exceed one year. Thus if a laid-off employee is rehired within that period to any regular job at the College, his or her previous continuous service date is reinstated. If an employee refuses recall, his or her recall rights immediately cease and if subsequently employed, he or she will be considered as a new employee.

Employees terminated as a result of a layoff, may receive 2 weeks of paid notice for each full year of continuous service to a maximum of 52 weeks, unless, upon hire, notice of grant limitations is given. Affected employees will receive pay for any earned but unused vacation.

The department head and the Office of Human Resources may set a shorter than normal notice period if they determine that continuing the employee's services for the normal notice period would be contrary to the College's interest. In such cases, the Office of Human Resources may approve payment to such employee of an amount not to exceed payment for the number of weeks remaining in the applicable termination notice period described above. Payment will be at the employee's base wages.

An employee who on his or her own initiative does not serve out a period of notice before a layoff, will be paid through the last day he or she actually worked, plus any vacation pay due him or her in accordance with College policy. By accepting such a payment, the laid-off employee relieves the College of any further liability or obligation and also cancels his or her recall rights. The employee must sign an appropriate release before such payment can be made. When there is a reasonable expectation that a terminated employee may be re-employed elsewhere at the College, an arrangement may be made, subject to the approval of the Office of Human Resources, to continue salary payments to the employee through the regular payroll process. Such salary payments will continue until the person is employed in either another position at the College or elsewhere, or until the expiration of the notice period, whichever occurs first. Such an

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arrangement will allow the laid-off employee to retain recall rights in accordance with College policy. The approval of such an arrangement will be contingent upon the employee signing an appropriate release.