07-01.22 – SEPARATION FOR REGULAR EXEMPT EMPLOYEES

I. Policy Statement:

Towson University (the “University”) has established implementing procedures pursuant to the USM Policy VII-1.22, Policy on Separation of Regular Exempt Staff Employees, regarding the separation of Regular Exempt employees.

II. Responsible Executive and Office:

Responsible Executive: Associate Vice President of Human Resources

Responsible Office: Office of Human Resources (“OHR”)

III. Entities Affected by this Policy: All divisions, colleges, departments and operating units.

IV. Procedures:

A. Applicability

This policy applies to all Regular Exempt Employees except those positions excluded by USM Policy VII-1.22, (Policy on Separation for Regular Exempt Staff Employees) Section I, B and any additional positions excluded by the President of the University and approved by the Chancellor. The Office of Human Resources shall notify, in writing, any employee excluded from this policy.

B. General

1. Regular Exempt Employees at the University are employed on an at-will basis. This means that, subject to applicable laws and policies, either the employee or the University may terminate the employment relationship at any time in accordance with the provisions of this policy.

2. The Separation Policy for Exempt Employees does not apply when an exempt employee is laid off. Layoffs will be in accordance with USM Policy VII-1.32, Policy on Layoff and Recall of Regular Exempt Staff Employees.

3. The provisions for probation and rejection on probation are covered under USM Policy VII-1.21, Policy on Probation for...
Regular Nonexempt and Exempt Staff Employees.

C. Process for Voluntary Separation

1. An exempt employee who wishes to end his or her employment with the University should give at least thirty (30) calendar days written notice. This written notice should be given to the employee’s Supervisor.

2. The Supervisor completes the Personnel Separation Form and attaches a copy of the letter of resignation or retirement from the employee. The form and attached letter are sent to the Vice President of the respective office or department and OHR. The Separation Form and Separation Checklists can be found on the OHR website.

D. Process for Involuntary Separation

1. Any Supervisor who is contemplating the involuntary separation of a regular exempt employee shall contact the Vice President for the respective office or department, and the Associate Vice President for Human Resources or the Employee/Labor Relations Manager prior to any action to terminate the employee.

2. The Supervisor completes the Personnel Separation Form and attaches a copy of the termination letter from the University or the resignation or retirement letter written by the employee in lieu of termination. The form and the attached letter are sent to the Vice President for the respective office or department, and the Associate Vice President for Human Resources or the Employee/Labor Relations Manager. The Separation Form and Separation Checklists can be found on the OHR website.

3. Termination letters shall be signed by the Vice President for the respective office or department (or their designee) with a copy to the Associate Vice President of Human Resources in accordance with either Sections IV.E or IV.F of this policy, as applicable.

E. Period of Notice for Involuntary Separation

1. An employee may be involuntarily separated and shall be provided with a defined period of notice. Service for determining length of notice is based on service at the University rather than University System of Maryland (USM) service and shall include prior service at the University provided there were no breaks in service longer than three (3) years. An exempt employee at one USM institution who is offered an exempt position at another USM institution may, at the discretion of the offering institution, be credited with prior
USM service for purposes of calculating the required period of notice upon separation. Any such decision to credit prior service at another USM institution shall be noted in the employee’s personnel file at the time of appointment and become effective after satisfactory completion of the probation period. The period of notice shall be as follows:

<table>
<thead>
<tr>
<th>Years of Towson University Service</th>
<th>Period of Notice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than one year</td>
<td>One month</td>
</tr>
<tr>
<td>One year but less than four years</td>
<td>Three months</td>
</tr>
<tr>
<td>Four years but less than seven years</td>
<td>Six months</td>
</tr>
<tr>
<td>Seven years but less than ten years</td>
<td>Nine months</td>
</tr>
<tr>
<td>Ten years or more</td>
<td>Twelve months</td>
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</table>

2. At the option of the President or Vice President for the respective area, an employee who has been notified of a separation, may be placed in an administrative leave with pay status for any part or all of the notification period. The employee shall not earn other paid leave (annual, sick, holiday, personal) during the period of administrative leave. The President or Vice President for the respective area may assign alternate duties and responsibilities to an employee who has been notified of separation for any part or all of the period of notice.

3. Failure to provide notice as set forth in this (Period of Notice for Involuntary Separation) section may be appealed in accordance with TU Policy 07-08.05, Policy on Grievances and Special Action Appeals for Regular Exempt Employees.

F. Termination for Cause

Section IV.E above does not apply if the employee is to be terminated for any of the following reasons: moral turpitude, incompetency, willful neglect of duty, illegal actions, gross misconduct, severe safety violations, failure to accept reassignment, or medical condition causing inability to perform essential job duties with or without reasonable accommodations required by law. Termination for cause may be appealed in accordance with TU Policy 07-08.05.

Related Policies:

USM Policy VII-1.21, Policy on Probation for Regular Nonexempt and Exempt Staff Employees

USM Policy VII-1.22 – Policy on Separation for Regular Exempt Employees
USM Policy VII-1.32, Policy on Layoff and Recall of Regular Exempt Staff Employees

TU Policy 07-08.05 – Policy on Grievances and Special Action Appeals for Regular Exempt Employees

**Effective Date:** 06/07/2004

**Amended Date:** 04/01/2020

**Approved by:** President’s Council

**Approved by:** President Kim Schatzel