University Policies and Procedures

07-01.22 - SEPARATION FOR REGULAR EXEMPT EMPLOYEES

I. Purpose: Towson University has established implementing procedures pursuant to the USM Policy
   www.usmd.edu/Leadership/BoardOfRegents/Bylaws/SectionVII/VII122.html regarding the separation of Regular Exempt employees.

II. Applicability

   This policy applies to all Regular Exempt Employees except those positions excluded by USM Policy VII.122, 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.

III. General

   A. Regular Exempt Employees at Towson 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.

   B. The Separation Policy for Exempt Employees does not apply when an Exempt employee is laid off. Layoffs will be in accordance with the “Layoff Policy for Exempt Employees.”

   C. The provisions for probation and rejection on probation are covered under the Towson University Procedures on “Probation for Regular Exempt Employees.”

IV. Process for Voluntary Separation

   A. 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 immediate supervisor.

   B. 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 Office of Human Resources (OHR). The Separation Form and Separation Checklists can be found on the OHR website under http://www.towson.edu/hr/separating.html.
V. Process for Involuntary Separation

A. Any Supervisor who is contemplating the involuntary separation of a Regular Exempt Employee shall contact the Associate Vice President for Human Resources or the Employer/Employee Relations Manager prior to any action to terminate the employee.

B. Termination letters shall be signed by the President or Associate Vice President for Human Resources in accordance with section VI of these procedures (Period of Notice for Involuntary Separation).

C. 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 Office of Human Resources (OHR). The Separation Form and Separation Checklists can be found on the OHR website under “Employee Relations.”

VI. Period of Notice for Involuntary Separation

A. 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 Towson University rather than University System of Maryland (USM) service and shall include prior service at Towson 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>

B. 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.

C. The period of notice 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 reasonable accommodations required by law.

D. Failure to provide notice as set forth in this (Period of Notice for Involuntary Separation) section may be grieved.

VII. Appeal of Separation

A. An employee who is being terminated for cause as defined under section VI above (Period of Notice for Involuntary Separation) is entitled to appeal the termination within five (5) working days from the date on which the employee receives notification of the termination, as evidenced by the return receipt or other evidence of delivery. The appeal shall be submitted to the Fair Practices Officer, Office of Diversity and Equal Opportunity. The Fair Practices Officer shall investigate the charges and give the employee the opportunity to be heard. The decision shall be given to the employee in writing within thirty (30) working days, if possible, after the investigation and meeting with the employee.

Contact

Contact the Office of Human Resources’ Employer/Employee Relations Manager at 410-704-6016 for more information.

Responsibility: Associate Vice President of Human Resources
Authorization: 
Date: 6/7/04
Effective Date: 6/7/04