



<b>Name of Policy</b>	Separation of Employment Policy
<b>Description of Policy</b>	This Separation of Employment Policy outlines the categories of separation of employment from the University: voluntary, involuntary, death, and layoff.
<b>Policy applies to</b>	<input checked="" type="checkbox"/> University-wide <input type="checkbox"/> Specific ( <i>outline location, campus, organizational unit, etc.</i> )
	<input checked="" type="checkbox"/> Staff only <input type="checkbox"/> Students only <input type="checkbox"/> Staff and students
<b>Policy status</b>	<input checked="" type="checkbox"/> New policy <input type="checkbox"/> Revision of existing policy

<b>Approval authority</b>	Senior Vice President, Finance, Administrative Services, and Operations/CFO
<b>Governing authority</b>	Office of Human Resources Management
<b>Responsible officer</b>	Assistant Vice President, Human Resources Management

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<b>Effective date</b>	May 1, 2024
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<b>Date of policy review*</b>	N/A

<b>Related legislation, policies, procedures, guidelines, and local protocols</b>	N/A
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## Purpose

It is the policy of Alcorn State University to ensure that employee terminations, including voluntary, involuntary, due to layoff, and due to death of the employee, are managed in a professional manner with minimal disruption to the workplace.

## Scope/Application

This policy applies to all employees of Alcorn State University, with the exception of involuntary separation of faculty members above the rank of Instructor, which is governed by the Office of Academic Affairs via the current Faculty Handbook.

### 1. General

There are four (4) categories of separation of employment from the University, voluntary, involuntary, due to lay off, and due to death of the employee. This policy outlines the policies and procedures for recognizing and processing each type of separation of employment.

### 2. Voluntary Separation

Voluntary separation includes resignation, initiated by the employee or by mutual agreement between the employee and the University, or retirement.

#### 2.1. Resignation

Employees may elect to resign or leave the University voluntarily through mutual agreement with the University.

Resignations also occur when:

- An employee walks off the job
- An employee is absent for three (3) consecutive workdays without the supervisor's permission, except when an emergency precludes giving notice. Workdays are considered consecutive even when broken by normal non-working days such as holidays or weekends.
- An employee fails to return to work, within the prescribed time limits, following an authorized leave of absence.

Employees must submit all letters of resignation, addressed to the University President/IEO, with copies to applicable parties, e.g.:

- Immediate Supervisor
- Assistant Vice President, Human Resources Management
- Payroll Coordinator
- Chief Information Officer
- Budget Director

Employees submitting letters of resignation will be paid through the last day worked and will receive earnings on the first pay day following resignation and completion of the exit process.

All exiting employees are required to contact the Office of Human Resources Management to set up an exit interview. In order to receive final clearance from employment, the employee must complete the Exit/Clearance process.

#### 2.2. Retirement

Employees may elect to retire after meeting the eligibility requirements (See State Retirement Policy). Employees should give, at minimum, four (4) weeks' notice, when possible. Employees must notify the Office of Human Resources Management (Benefits department) of their intention to retire at least ninety (90) days prior to their retirement date to learn of their options with respect to health insurance and other benefits. Failure to provide the Office of Human Resources Management a 90-day notice may result in delays in enrollment in post-retirement benefits.

### **3. Death**

Upon the death of an employee, the employee's department should immediately notify the Office of Human Resources Management, which will assist the department and the next of kin in completing any applicable paperwork and with locating any additional ASU resources that are available. Employees who experience difficulty with the loss of a co-worker are encouraged to contact the Office of Counselling Services and/or utilize the university-provided Employment Assistance Program.

### **4. Involuntary Separation**

When the University initiates a separation (i.e., the employee is terminated), the separation is considered involuntary. Involuntary separations may occur for a variety of reasons, including with cause or without cause.

When practical, employees will be warned and counseled. However, failure to correct behavior or further violation of university policy may result in additional disciplinary action, up to and including termination. Depending on the nature of the offense, Alcorn State University reserves the right to terminate at-will employees, without warning. Warnings and counselling are to be documented on the Record of Counseling and Corrective Action Form and are to be entered in the employee's personnel file.

All involuntary separations must be recommended, in writing, by the immediate supervisor to the appropriate Vice President/Dean. Documentation supporting the recommendation must be included. Upon receipt of required approvals, documentation of the approved involuntary separation should be routed to the Office of Human Resources Management to execute the involuntary separation and facilitate the employee's exit from the institution.

When appropriate, the Office of Human Resources Management will attempt to schedule and conduct an exit interview with the terminated employee. An exit interview helps the University obtain information that may be useful in improving employee relations, as well as to provide additional information to the employee regarding, COBRA, Retirement, etc.

With respect to all involuntary separations:

- The terminated employee will be informed of the reason for termination.
- The date of separation will be the employee's last scheduled workday worked.

With respect to all involuntary terminations without cause:

- The employee's record will indicate an involuntary termination without cause (i.e., from layoff).

The department will be responsible for ensuring that employee/departmental documents are complete for authorization of release of the final payment. The electronic process requires clearance approvals from all required departments, culminating with clearance by the exiting employee's department. Department representatives will perform their internal checks and certify via online approval that the employee meets the required criteria for exit.

If the employee owes funds to any department, or is still in possession of equipment, technology, proprietary published assets, or other University property, the employee's final payment (if applicable) will be held, pending completed exit form with written approval by the Department of Fiscal Affairs and Human Resources Management (maximum 60 days). If the exiting employee does not complete the 0065it process within 60 days, his/her leave balance will be certified to the Public Employees Retirement System (PERS) of Mississippi (as applicable). The final payment is sent via direct deposit unless the former employee elects to receive a paper check. In this case, the Payroll Office will forward the final leave payment to the former employee's address, as listed in the authorization for release of final pay.

The department is responsible for submission of a final leave summary to Human Resources Management. The former employee's unused leave hours will not be submitted until the final leave summary is received.

All terminated employees will be paid in accordance with state and federal laws.

Health, life, and other benefits for a terminated employee will terminate on the last day of the month in which the involuntary separation becomes effective, unless otherwise noted in a written separation agreement, approved by the university President/IEO. The Office of Human Resources Management is responsible for terminating all insurance coverage and for notifying the former employee of his/her conversion rights.

## **5. Layoff or Reduction in Force**

From time to time, it may be necessary for the University, or any unit within the University, to restructure its programs and services in response to changing demands, or loss of funding for programs or services. When there is a loss of funding or a unit is restructured, it may be necessary to eliminate or reduce one or more staff positions. This section describes the process for eliminating staff positions and the reemployment rights of individuals placed on layoff status as a result of such decisions. Employees who are laid off from their jobs may contact the Mississippi Department of Employment Security regarding potential unemployment benefits.

This section also applies to involuntary reductions in appointment percentage or full time equivalent (FTE) for staff positions when the reduction results in changes to the employee's benefits. Any reference to layoffs in this section also include such reductions in FTE.

### **5.1. Elimination of Staff Positions or Reduction in FTE**

The Vice President/Dean responsible for the unit being restructured must approve the restructure that results in the elimination of staff positions. If the unit that is being impacted reports directly to the University President/IEO, he/she must approve the restructure. An administrator proposing to modify a program or service that includes the permanent elimination or reduction of staff positions must perform the following steps:

- 5.1.1.** The administrator must submit a written explanation of the reasons for the restructuring to the Vice President/Dean of the impacted unit, who will forward a recommendation to Assistant Vice President, Human Resources Management (AVPHR) for review. The AVPHR will review and forward to the Senior Vice President, Finance, Administrative Services, & Operations (FASO)/CFO, with comments/recommendations. The Senior Vice President of FASO/CFO will review and send a recommendation to the University President/IEO, who will serve as the final decision maker.

The administrator requesting the restructure should submit the initial request to the Office of HRM at the earliest time, but no less than sixty (60) calendar days prior to the requested effective date of the elimination or reduction in order to allow sufficient time for required reviews/approvals and to minimize disruption of employment and departmental functions. A minimum of thirty (30) calendar days is required.

**5.1.2.** The administrator must identify the specific positions that are to be eliminated or reduced, and the rationale behind each selection. When a unit has more than one individual employed under the position title being eliminated, selection of employees to be laid off generally will be based on seniority; however, documented unique skills, certifications, or experience may be considered if they can be substantiated by the administrator, in writing, as necessary to perform the job. Temporary and on-call employees in similar positions will be released from employment first. If further reduction is necessary, employees on probation in similar positions shall be laid off before employees who have completed their probationary period. If seniority within a job classification is exactly equal, selection of employees for layoff may be based on qualifications and performance as determined by the administrator (documented). Performance of individuals within similar positions shall not be a criterion for selection of positions to be eliminated or employees to be laid off unless seniority is exactly equal.

**5.1.3.** The administrator must make a good faith effort, along with the applicable Vice President/Dean, to transfer employees in positions that are being eliminated to other similar positions that are available and not scheduled for elimination.

**5.1.4.** The administrator must agree that the eliminated position or a similar position will not be reinstated for at least one (1) year from the date of elimination. During this period, a position may not be reclassified to take the place of the position eliminated and new positions created in the department must not fulfill a majority of the duties and responsibilities of the position eliminated. Reinstatement of the position must be approved by the applicable Vice President/Dean and university President/IEO.

If the position was eliminated due to a loss of funding and additional funding is received for the hiring of a similar position within one (1) year, the position must first be offered to the individual laid off due to the funding loss.

**5.1.5.** Once the layoff is approved, the Office of Human Resources Management will give the employee being laid off as much notice, in writing, as practicable, but no less than thirty (30) calendar days. The notice shall include the effective date of the layoff, the reason(s) for the layoff, and information about the employee's reemployment rights.

## **6. Reemployment Rights for Layoff**

Employees who have been provided notice that they will be laid off because of loss of funding, restructuring, or elimination of programs or services shall be given reemployment rights and placed on a layoff roster from the time they receive the layoff notice and for up to six (6) months from their date of separation.

## **7. Reemployment**

If reemployed after separation (1 day break in service), the employee will have to complete a six (6) month probationary appointment, subject to the acceptable performance requirements for any new employee. If the employee is transferred, without a break in service, the trial period in the new assignment will be three (3) months.

## **8. Exit Survey**

As part of the separation process, employees have the option of completing an online Exit Survey before leaving the University and are encouraged to do so. The information in the form is used only in the aggregate to determine employment trends and to identify problem areas. Individual confidentiality will normally be maintained, except when disclosure is required by law.

## **9. Exceptions**

Any requests for an exception to this policy must be sent to the Assistant Vice President, Human Resources Management, who will coordinate with the Senior Vice President, FASO/CFO and/or University President/IEO, who will approve or deny the request.

## Review

As indicated, but at least every four (4) years.

### REVIEWED BY:

/s/ Wanda C. Fleming, Ph.D. May 1, 2024  
Assistant Vice President Date  
Human Resources Management

/s/ Adell Brown, Ph.D. May 1, 2024  
Interim Vice President for Finance, Date  
Administrative Services and Operations/CFO

/s/ Alfred L. Galtney, J.D. May 1, 2024  
Chief Compliance Officer Date

### APPROVED:

/s/ Tracy M. Cook, Ed.D. May 1, 2024  
President/IEO Date