

**POLICIES**

**Issued:** March 6, 2017  
**Responsible Official:** Executive Vice President and Chief Operating and  
Financial Officer  
**Responsible Office:** Human Resources

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**Policy Statement**

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Employees of the University and/or their respective department heads are required to complete certain administrative actions when employees separate from the University.

Individuals who leave employment with the University are expected to return University property, and satisfy outstanding financial or other obligations before the last work day.

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**Purpose**

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To establish a reliable and uniform method of processing and reporting employee separations from the University; to ensure objective and fair treatment of employees leaving the University, while preserving institutional authority and discretion; and to ensure that appropriate clearance actions are completed prior to an employee's last work day.

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**Definitions**

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**Voluntary Separation**

A voluntary separation is one that results when an employee leaves a job on his or her own initiative, usually through resignation or retirement. Some examples include but are not limited to return to school, better job/pay, and personal reasons. This also includes job abandonment, when an employee does not report to work or notify his or her supervisor/manager for three consecutive days.

**Involuntary Separation**

An involuntary separation is one initiated by the University and may result from a variety of reasons, including but not limited to job elimination, discharge for unsatisfactory behavior and/or work performance.

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**Procedures**

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**Voluntary Separations for Staff (Including Retirement), and Temporary Employees**

An Employee Separation and Clearance Form must be initiated to begin the separation process. The online separation notice can be found at <http://www.memphis.edu/sep-clear>. The submission of this online form will result in the notification via e-mail of affected University departments. All approvals are obtained electronically during the routing of the form. The employee, the supervisor/manager, and the submitter of the form will also receive copies of this notification.

Supervisors/managers should review and approve final time sheets and/or leave reports, where appropriate, prior to the last day of employment or before the payroll deadline date.

If a retiring employee elects terminal leave, the employee/ supervisor will report time/leave through the last day worked, approve and submit the record. HR Records Management will process the terminal leave disbursement and there will be no future time/leave forms required by the department.

Temporary employees do not receive leave benefits; therefore, the leave section of the form is not applicable.

**Involuntary Separations - General Information for all Staff Employees**

Managers and supervisors must receive approval from the AVP/Chief Human Resources Officer prior to notifying an employee of termination.

To recommend a termination, the Department Head or appropriate administrator will consult with Human Resources - Office of Employee Relations and Engagement regarding the request for termination. A memo of justification addressed to the AVP/Chief Human Resources Officer should be submitted and routed through the appropriate Vice President/Provost, if required. The Office of Employee Relations and Engagement will initiate the online Employee Separation and Clearance Form. The online separation notice can be found at <http://www.memphis.edu/sep-clear>. The submission of this online form will result in the notification via e-mail to affected University departments. All approvals are obtained electronically during the routing of the form. The AVP/Chief Human Resources Officer is the final approver for staff separations. Time sheets and/or leave reports should be completed prior to the last day of work or no later than the corresponding payroll deadline date for either biweekly or monthly paid employees.

Human Resources - Office of Employee Relations and Engagement, in conjunction with the department representative, will conduct an exit interview with the employee. The employee will be given all information as it relates to separation from the University, i.e., benefits, unemployment and appeal rights, if applicable.

**Involuntary Separations – Staff Employees**

**Termination Without Cause:**

- **Probationary Employees** - Staff employees serve in a probationary status for the first six months following their hire

date, and will serve subsequent probationary periods for six months following the date of any promotion or transfer to a different position. Employees may be terminated at any time for any reason during their probationary period. Employees terminated within their probationary period do not have appeal rights under the *Grievance Process and Conflict Resolution Policy*.

- **Job Eliminations** – Employees may be subject to termination if their job is eliminated due to reasons such as reorganization or financial exigency. In these cases, advance notice of the job elimination will be given to the affected employee so he/she can seek other employment. Job elimination is not covered under the *Grievance Process and Conflict Resolution Policy*.
- **Involuntary Separation under the Terms of the Employment Agreement** – Exempt employees may be given notice of involuntary separation under the terms of their employment agreement, i.e., the contract clause that states the agreement may be terminated upon 30 days' notice. It is not necessary to document the reasons for invoking this clause in the employment agreement, but such actions must be reviewed by the Department of Human Resources in conjunction with the Office of Legal Counsel.

**Note:** Non-exempt, hourly-paid employees may not be released under these terms.

#### **Termination for Cause:**

- **Misconduct** - For situations involving deficiencies in work performance, attendance, punctuality, behavior or other such work-related concerns, employees who have completed their probationary period may be terminated only after proper warning and placement in a performance improvement plan.

The Performance Improvement Process [HR5051 - Performance Improvement Process](#) is applicable to non-exempt, biweekly paid employees.

- **Gross Misconduct** – Employees may be terminated without notice or a performance plan for committing acts of gross misconduct. Some examples of gross misconduct include, but are not limited to, fighting on the job, working under the influence of illegal drugs or alcohol, insubordination toward a supervisor, stealing, falsification of University records, etc. If terminated due to gross misconduct employees are subject to losing accrued and unused annual leave and rights to continuation of health insurance under COBRA.

Additionally, employees terminated under the above conditions are given the right to appeal the decision covered under the Grievance Process and Conflict Resolution Policy.

**Involuntary Separations - Faculty**

Involuntary termination of faculty should be in accordance with procedures established through the Offices of the President and the Provost. Additional information may be found in the Faculty Handbook at <http://www.memphis.edu/aa/resources/facres/facultyhandbook/index.php>.

**Involuntary Separations - Temporary Employees**

Temporary employees may be released from their employment at any time during their appointment. Notice is not required; however, an Employee Separation and Clearance Form must be initiated to begin the separation process. The submission of this online form will result in the notification via e-mail to affected University departments. All approvals are obtained electronically during the routing of the form. The employee, the supervisor/manager, and the submitter of the form will also receive copies of this notification.

**Removal of System Access**

Supervisors are responsible for ensuring that an Online Separation and Clearance Form is completed for his/her employee prior to their last day of work. As a result of completing the aforementioned form, systems access will be removed by IT Security Officers.

**Separation Notices**

Every employee who terminates employment with the University may file a claim for Unemployment Insurance Benefits with the Tennessee Department of Labor and Workforce Development or their resident state's local unemployment office. Upon request, a copy of the separation and clearance notice may be obtained through the Office of HR Records Management.

**Rehire Eligibility**

The University reserves the right to designate a separating employee as ineligible for rehire. All designations of "Not Eligible for Rehire" must be approved by the AVP/Chief Human Resources Officer, or designee. A memo with supporting documentation outlining the reason for an ineligible rehire status must be submitted to the AVP/Chief Human Resources Officer. Once approved by the AVP/Chief Human Resources Officer, the employee will receive notification of this status during the Exit Meeting. The "Not Eligible for Rehire" designation will remain in effect indefinitely.

**Separation Checklist**

[https://umwa.memphis.edu/sep-clear/assets/docs/sep\\_checklist.pdf](https://umwa.memphis.edu/sep-clear/assets/docs/sep_checklist.pdf)

**Appointing/Terminating Officials by Employee Category**

**Listed below are the appointing/terminating officials for each employee class.**

- Faculty (full-time) – President/Provost
- Faculty (part-time) – Provost
- Staff (Administrative/Professional) - AVP/Chief Human Resources Officer
- Staff (Clerical/Support) - AVP/Chief Human Resources Officer
- Temporary Employees – Supervisor/Department Head

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**FAQs**

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Who do I contact for further information?

HR Records Management at [emprecords@memphis.edu](mailto:emprecords@memphis.edu)

Employee Relations and Engagement at [emprelations@memphis.edu](mailto:emprelations@memphis.edu)

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**Links**

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**Data Access Policy**

[IT6000 - Data Access](#)

**Employee Separation and Clearance System**

<http://www.memphis.edu/sep-clear>

**eContract System**

<https://memphis.edu/econtract/>

**Faculty Handbook**

<http://memphis.edu/aa/resources/facres/facultyhandbook/>

**Grievance Process and Conflict Resolution Policy**

[HR5052 - Grievance Process and Conflict Resolution](#)

**Performance Improvement Process Policy**

[HR5051 - Performance Improvement Process](#)

**Separation Checklist**

[https://umwa.memphis.edu/sep-clear/assets/docs/sep\\_checklist.pdf](https://umwa.memphis.edu/sep-clear/assets/docs/sep_checklist.pdf)

**Student Employment**

[http://www.memphis.edu/financialaid/student\\_employment/](http://www.memphis.edu/financialaid/student_employment/)

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**Revision Dates**

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HR5054 - Supersedes UM1382 March 22, 2018

UM1382 - Revised March 6, 2017

UM1382 - Revised September 16, 2016

UM1382 - Issued December 2, 2003

(Supersedes policy number 1:2D:05:04)

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**Subject Areas:**

| Academic                 | Finance                  | General                  | Human Resources                     | Information Technology   | Research                 | Student Affairs          |
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