

Voluntary and Involuntary Separation

HR-10-40



About This Policy

Effective Date:

02-24-1968

Last Updated:

02-23-2016

Responsible University Office:

University Human Resources

Responsible University Administrator:

Vice President and Chief Financial Officer

Policy Contact:

[University Human Resources](#)hrpolicy@iu.edu

Related Information

- * [Separations Resource page](#)
- * [Separation Pay for Unused Time Off Accruals](#)
- * [Medical and Dental Coverages](#)
- * [Base Retirement Plan for Support and Service Staff](#)
- * [Base Retirement Plan for Professional Staff](#)
- * [Paid Time Off \(PTO\) for PA](#)
- * [Paid Time Off \(PTO\) for PB](#)
- * [Holidays](#)
- * [Overtime](#)
- * [Vacation Time](#)
- * [Income Protection Time \(Sick Time\)](#)

[Scope](#)[Policy Statement](#)[Procedure](#)[Sanctions](#)[History](#)[Back to top ^](#)[Scope](#)

This policy applies to all Staff and Temporary employees.

[Back to top ^](#)[Policy Statement](#)

1. Staff employees can be separated from the University voluntarily or involuntarily.

2. Voluntary separation

- a. Employees are encouraged to give advance notice of at least two weeks when separating from university employment, including retirement.
- b. During the notice period, Staff may be removed from the workplace and required to take accrued Vacation, Holiday, or PTO; such removal requires prior approval from either the campus HR office or University Human Resources.
- c. An employee is expected to work their last day on the job; the use of accrued Vacation, Comp Time, Holiday, or PTO will only be allowed with prior approval by the campus HR office or University Human Resources.

3. Involuntary separation as a result of corrective action (termination)

- a. Employees who are separated from employment are entitled to receive the reasons in writing.
- b. A staff employee may be required to take accrued time off (PTO, and/or vacation), compensatory time off, or time off without pay when the employee is provided notice of involuntary separation from the university or when the employee is removed from the workplace pending termination.

4. Involuntary separations for non-corrective action reasons

- a. Employees may be separated from employment for non-corrective action reasons, including but not limited to:
 - i. can no longer meet the qualifications and/or perform the essential functions of the position.
 - ii. no reasonable accommodation can be found under the **Americans with Disabilities Act** and its Amendments. Refer to the **Reduction In Force policy**.
 - iii. an employees has exhausted all leave options or is ineligible for additional leave; and unable to return to work.
 - iv. loss of position under the **Reduction In Force policy**.
 - v. other circumstances not covered in **Involuntary separation as a result of corrective action (termination)**.

5. All final written notices of involuntary separation must be cleared with the campus Human Resources office before distribution to the employee.

[Back to top ↗](#)

Procedure

A. Involuntary separation (termination) as a result of corrective action

1. Prior to making a decision about involuntarily separating an employee, the administrative authority considering the action will apply the steps contained in the Procedure section of the Corrective Action policy (**AFSCME Police, AFSCME Service, CWA, Employees not covered by a Union, Temporary**).
- a. An employee who has been returned to work under the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) may not be separated from employment except for cause for 180 days after his or her date of reemployment if the most recent period of uniformed service was less than 181 days or for one year after the date of reemployment if the most recent period of uniformed services was more than 180 days.
2. When the University separates an employee from employment, a notice period is not required.
 - a. For AFSCME Police and AFSCME Service suspended without pay subject to discharge at the end of five workdays of suspension.
 - b. For Temporary employees, no notice period is required when the university separates employment. Departments are encouraged to give an advance notice of at least two weeks when circumstances permit. If the separation is performance related, the administrative authority considering the action is encouraged to follow the guidelines contained in the Corrective Action policy (**AFSCME Police, AFSCME Service, CWA, Employees not covered by a Union, Temporary**).
 - c. Campus or University HR must be consulted prior to any notice of suspension.

B. Involuntary separations for non-corrective action reasons

1. A staff employee involuntarily separated from the university for non-disciplinary reasons, such as a reduction in force or for medical reasons, may be required to use accrued time off (PTO and/or vacation), income protection (consistent with that policy), compensatory time off, or time off without pay during the notification period if:
 - a. Such action is necessary to address a legitimate job related work performance or behavior issue; and
 - b. Is approved by the campus Human Resource office.
2. Employees may be re-assigned during this notice period.
3. An employee may be required to take accrued vacation during the notice period.

How to process a separation

1. When processing a termination in HRMS the action reason must be indicated on the E-Doc with an explanation of the reason for the separation added to the "Notes" section of the E-Doc. For assistance in determining the action reason, see the document, "Termination/Separation Reasons."
2. For Temporary employees:
 - a. If a Temporary employee has not worked any hours for 6 consecutive bi-weekly pay periods, that department is to terminate the employee from their temporary jobs.
 - b. If it is known or expected that a Temporary employee who has stopped working for a department will not return to work in that department within six months, the department is to terminate the Temporary employee immediately from its temporary jobs.
3. The effective date of a separation is the day after the last day on the job except in the following circumstances. In the following cases, the effective date of separation is the day after that the end of these events:
 - a. an unpaid leave of absence for any reason
 - b. a Family and Medical Leave of Absence (FMLA) with or without pay
 - c. an absence caused by an injury on the job
 - d. use of income protection time
 - e. removal from work pending a decision to separate
 - f. required use of vacation time or PTO during the notice period
4. If an employee dies, the effective date of separation is the day after the death, whether the employee was working, using paid-time-off benefits, on leave, or absent without pay on the day of death.
5. Process a payroll adjustment voucher for payment to the employee of all terminal pay (includes accrued time-off, hours worked in final pay period, etc.). Contact the campus Payroll office for assistance.
6. Include the employee's permanent forwarding address
7. All payments for unused accruals should be processed with the last regular payroll cycle. See the following exception
 - a. Upon request, staff who have been involuntarily separated may receive unpaid wages within three workdays of the request to a supervisor. Departments should contact the campus payroll office to arrange payment. A special voucher must be sent to Payroll within one workday of the employee's request and Payroll must make payment to the employee within two workdays of receipt of the voucher. Instruct the employee to contact the campus Human Resources office concerning the status and continuation of employee benefit plans.
8. For PAE employees, within the separation e-doc, verify and include a note indicating that the employee's ePTO calendar has been updated through their separation date.
9. The supervisor should ensure that the employee returns all university property (keys, uniforms, tools, records, books, etc.).

See also

1. See the following for information about pay benefits an employee receives.
 - a. **Separation Pay for Unused Time Off Accruals**
 - b. Policies
 - i. **Paid Time Off for PA**

- ii. [Paid Time Off for PB](#)
 - iii. [Holidays](#)
 - iv. [Overtime](#)
 - v. [Vacation Time](#)
2. Refer to the [Medical and Dental Coverages policy](#) for information concerning continuation of medical and dental care plans.
 3. Refer to Retirement policies ([Support and Service Staff](#), [Professional Staff](#)) for employee eligibility and related information.

[Back to top](#) ↗

Sanctions

Violations of University policies will be handled in accordance with applicable University policies and procedures; which may include disciplinary actions up to and including termination from the University.

[Back to top](#) ↗

History

Replaces the following policies:

AFSCME Police	Separation from the University
AFSCME Service	9.3 - Separations
CWA	13.1 - Voluntary and Involuntary Separations
Professional and Support/Service Staff not covered by a union	7.2 - Separation from the University
Temporary	8.1 - Voluntary and Involuntary Separations