Delaware State University

University Area(s) Responsible: Office of Human Resources
Policy Number & Name: 4-10 Separation of Employment Policy
Approval Date: October 2021

I. Policy

Delaware State University (University or DSU) is committed to ensuring the appropriate notification and processing of faculty and staff separating their employment services. Timely separation actions allow for accurate reporting to manage employee benefits, ensure processing of final pay to prevent overpayments to separating employees and other regulatory requirements.

II. Scope and Applicability

Separations may occur based upon resignation, retirement, end of appointments, reductions in workforce/reorganizations, outsourcing and/or disciplinary actions, long-term disability, and death. All employees, full and part-time, grant-funded, temporary, and wage positions are subject to the terms of this policy. All separations, regardless of classification, must be appropriately reviewed through the Office of Human Resources.

III. Employee Categories

A. At-will Employees

Employment with Delaware State University is voluntary and subject to termination by the employee or the University at will, with or without cause, and with or without notice, at any time. Nothing in this policy shall be interpreted to conflict with, eliminate, or modify the employment-at-will status of Delaware State University employees in this classification.

B. AAUP Bargaining Unit Members

For American Association of University Professors (AAUP) members, notification shall be provided as outlined in Severance Procedures of the collectively bargained agreement.

C. Classified

Employees in collectively bargained positions, apart from AAUP members, must also provide ample notification to their respective supervisors of their intent to resign or retire in accordance with the directives stated herein.
IV. Responsibility

To ensure the University is compliant with its responsibilities governing voluntary and involuntary separations, the following must be adhered to:

A. Voluntary Separations (For At-will, Grant, Temporary, Wage, and Union Employees)

A voluntary separation of employment occurs when an employee submits a written or verbal notice of resignation, including an intent to retire, to their supervisor and the Office of Human Resources.

Procedures

1. All employees are encouraged to give advanced notice when ending their employment, including retirement.
   a. Professional employees are requested to provide a minimum of four weeks’ notice of their intention to separate employment. Classified employees are requested to provide a minimum of two weeks’ notice. A written resignation notification must be provided to the employee’s supervisor and the Office of Human Resources.
   b. Upon receipt of an employee’s resignation or intent to retire, the supervisor will confirm with the Office of Human Resources that notification has been received. In the event it has not, the department will send a copy of the resignation letter along with a completed Personnel Action Form (PAF) separating the employee from the University to the Office of Human Resources as soon as possible.
   c. Employees must work through their entire resignation period including their last day of employment. The administrator of the department or college may waive the last day requirement if the employee fails to return from a leave of absence, FMLA, sick leave or injury on the job. Additionally, accrued vacation leave will not be granted during this transition period without approval from the Office of Human Resources.

2. For retiring employees, the Office of Pensions will verify that the University has separated the employee in the State of Delaware Payroll Human Resources Statewide Technology (PHRST) system before the first retirement check can be dispersed.

3. The Office of Human Resources will facilitate the employee’s departure from the University, which will include the return of all University property, a review of the employee’s post-termination benefits, and the completion of an exit interview.
B. Involuntary Terminations

Procedures

1. **Classified** - All involuntary separations for classified employees will be subject to applicable provisions of the Collective Bargaining Agreement. Once a final decision is reached by the Office of Human Resources to separate the employee, an official letter of notification will be provided to the employee, their supervisor, and the union representative.

2. **At-will** - Supervisors must notify the Office of Human Resources and submit a separation PAF ending grant-funded positions, wage, or temporary employees at least forty-five (45) days in advance of the appointment ending date. The Office of Human Resources will make every attempt to give the separating employee thirty (30) days notification in advance of ending employment.

3. **AAUP Bargaining Unit Members** - AAUP members will be notified pursuant to the Collective Bargaining Agreement.

4. No involuntary separations, either for disciplinary reasons or business needs, shall take place without consultation, review, and approval by the Office of Human Resources.

C. Death of an Employee

A termination due to the death of an employee will be made as of the date of death.

Procedures

1. Upon supervisor’s receipt of notice of the death of an employee, the Office of Human Resources must be notified immediately.

2. The Office of Human Resources Benefits Representative will process all authorized beneficiary entitlements, wage payments and pertinent benefits plans available, upon receipt of required documentation. The Office of Human Resources will also provide written notification to the State of Delaware Office of Pensions.

3. Supervisors must prepare a separation PAF.

D. Final Pay

1. An employee who resigns will be paid through the last day of work, plus unused vacation time, less any outstanding obligations owed to the University, pursuant to University Policy.

2. Employees who retire will be paid though the last day of work, plus unused vacation and sick time, less any outstanding obligations owed to the University, pursuant to University Policy.

3. Discharged employees will be paid through the last day of work plus any unused accrued vacation leave, less any outstanding obligations owed to the University, pursuant to University Policy.
4. Union employees will be paid in accordance with the Collective Bargaining Agreements.
5. In case of an employee’s death, the final pay due will be paid to the deceased employee’s estate or as otherwise required under state law.

E. Health Insurance

Medical, dental and vision insurance coverage terminates on the last day of the month the employee separates employment or is terminated. Information regarding the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) continuation coverage will be provided by the Benefits Coordinator.

F. Return of Property

Employees must return all University property at the time of separation, including uniforms, cellphones, keys, laptops, files (if applicable) and identification cards. Failure to return items may result in deductions from the employee’s final paycheck where state law allows.

G. Email and Network Access/Federal, State, and Local Access

Delaware State University network access will be deactivated at the close of business on the last day of employment. Access will not be restored beyond that date. Individuals possessing multiple access to federal, state or local systems as a part of their DSU employment, will have this right to use deactivated on their final workday with the University. Individuals awarded Emeritus status by the University will be provided access to a new email address pursuant to current policy on this matter.

H. Research Grants

Individuals on grant funded projects, must work with the Office of Sponsored Programs to process the required separation of duty documents upon notification of their intent the exit the University, i.e. request for transference of grant and/or equipment. Any requests to transfer grant funded equipment must be approved by the College Dean and Provost prior to departure. Only research grants, and not institutional focused grants, will be considered for transfer. All faculty PI accounts will revert to the Office of the Provost post departure.

I. Exit Interview

The Office of Human Resources will contact an employee who voluntarily resigns to schedule an exit interview prior to the employee’s last day of work.

J. Eligibility for Rehire

Employees who leave Delaware State University in good standing with proper notice may be considered for rehire. Former employees must follow the normal application and hiring processes and must meet all minimum qualifications and requirements of the position.
Employees who are involuntarily terminated by Delaware State University for cause or who resign in lieu of termination are ineligible for rehire. In addition, employees who resign without providing adequate notice or who abandon their position will not be considered for rehire.

It is expected that all Delaware State University employees adhere to this policy. The University reserves the right to modify or edit this policy as needed without advance notification.