
Topic: Separation of Employment - Procedures

Policy Number:
SS6

Resignation.

Any support staff employee who wishes to terminate voluntarily his/her employment at the College shall submit a letter of resignation to his/her immediate supervisor a minimum of two (2) weeks prior to the date of resignation. The employee will be compensated at his/her hourly rate on the first monthly payroll following the date of resignation for all unpaid hours, all accrued but unused vacation days, and all accrued but unused compensatory time. In order to receive payment for accrued but unused vacation leave upon separation, proper notice must be given. Proper notice is defined as ten business days. Business days are defined as weekdays, Monday through Friday, excluding scheduled College closings. Employees who are terminated for "gross misconduct" as used by the Kansas Unemployment System or whose voluntary resignation date is escalated for "gross misconduct" as used by the Kansas Unemployment System will not be eligible for payout for accrued but unused vacation leave upon separation. In addition, the employee will be advised of and extended all options available under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

Reduction in Work Force.

The Board of Trustees may, at its total discretion, **reduce** the scheduled working hours, **assign** to another position at the College, **lay off** temporarily, or **abolish** the position of any support staff employee as the result of a lack of funds or the curtailment of work activities. The support staff employee shall be given written notice a minimum of two weeks prior to such actions.

Persons in good standing who are laid off temporarily will either be recalled as soon as conditions permit, or given priority based upon qualifications and length of service to be hired for a different position at the College when conditions permit. The decision to recall or rehire a support staff employee who has been laid off temporarily is at the discretion of the President.

A support staff employee who has been laid off temporarily, will be compensated at his/her current hourly rate on the first monthly payroll day following the date of lay off for all unpaid hours worked, all accrued but unused vacation hours, and all accrued but unused compensatory hours. In addition, the employee will be advised of and extended all options available under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

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A support staff employee, whose position has been abolished, will be compensated at his/her current hourly rate on the first monthly payroll day following the date of abolishment for unpaid hours worked, all accrued but unused vacation hours, all accrued but unused compensatory hours, and severance pay in the amount of forty (40) hours. In addition, the employee will be advised of and extended all options available under COBRA.

Granted-Funded Employees. Upon resignation or other reasons for separation of employment, grant-funded employees will not be a paid lump sum of the remaining vacation leave unless the grant provided funding for the vacation leave.

Involuntary Termination.

A support staff employee who is absent from work for five (5) consecutive workdays without approval shall be considered to have abandoned the position and to have resigned. A support staff employee whose employment is terminated by the Board of Trustees for unacceptable behavior as described above in the section on suspension shall be compensated at his/her hourly rate on the first monthly payroll day following the date of termination for all unpaid hours worked, all accrued but unused vacation hours, and all accrued but unused compensatory time. A support staff employee who is terminated involuntarily shall not receive severance pay. The involuntarily terminated employee will be advised of and extended all options available under COBRA.

Involuntary Termination Without Cause.

Since Kansas is an employment-at-will state, the Board of Trustees may terminate the employment of any support staff employee at its total discretion without cause upon written notice two weeks prior to the termination date.

A support staff employee so terminated shall be compensated at his/her hourly rate on the first monthly payroll day following the date of termination for all unpaid hours worked, all accrued but unused vacation hours, all accrued compensatory time, and severance pay in the amount of forty (40) hours. In addition, the employee will be advised of and extended all options available under COBRA.

COBRA.

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) was enacted to ensure, among other things, that employees who experience certain defined "qualifying events" may continue health coverage for themselves and their respective dependents

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for specific periods of time following the qualifying event(s). Since the circumstances of a qualifying event will vary from person to person, support staff employees should contact the Director of Human Resources for an explanation of the continuation rights under COBRA.

Qualifying events include separation from employment, reduction of working hours, divorce, death, loss of dependent status as a result of age, disability, retirement prior to age 65, and any other event determined to be qualifying under COBRA provisions. In those cases in which COBRA and state law requirements and regulations vary, the employee will be extended the benefits most favorable to the employee.

It is the responsibility of a support staff employee to notify the immediate supervisor and the Director of Human Resources of the occurrence of a qualifying event(s).

(Moved to SS5 on 3-27-18)