2.1.9 SEPARATION FROM EMPLOYMENT

Last updated on: 09/01/2011

Formerly Known As Policy Number: 22.8

This Guide Memo outlines Stanford University's policies and procedures for carrying out the separation of employment for regular employees and academic staff.

Authority: Approved by the Vice President for Human Resources.

Applicability: Applies to all regular employees and academic staff as defined in Guide Memo 2.2.1 [1]: Definitions. For policies that apply to employees covered by collective bargaining agreements, refer to the agreements at Labor Relations & Collective Bargaining [2]. For additional provisions that may apply to certain members of the academic staff, consult with the appropriate local human resources office. While policy statements apply to the entire University including SLAC, some specific procedures given here do not apply at SLAC. Employees should contact the SLAC Human Resources Department for information on separation procedures at SLAC.

1. Policy Statement

It is the goal of the University to separate regular employees and academic staff from University employment as appropriate and necessary and in conformance with all laws and regulations. To that end, the policies and procedures in this Guide Memo will be followed.

2. Resignation

a. Definition
A resignation is a voluntary termination of employment initiated by the employee. Resignations should be confirmed in writing (see Guide to Supervisors below). A confirmed resignation may be withdrawn at the sole discretion and written approval of the supervisor and the local Human Resources office.

b. Guide to Supervisors
For planning purposes the University requests that employees notify their supervisors as soon as possible of any intention to resign. At least two weeks' prior notice of resignation is expected from non-exempt employees. At least four weeks' prior notice is expected from exempt employees. Supervisors should request that the employee submit a written statement of resignation that includes the date of, and reasons for the
resignation. If the employee does not provide a written statement, the supervisor should confirm the oral resignation in writing.

At the supervisor’s discretion, along with approval from the local Human Resources Manager, the employee’s resignation date may be advanced to an earlier date and pay in lieu of notice given for the remainder of the expected notice period (two weeks for non-exempt employees; four weeks for exempt employees). Pay in lieu of notice may not exceed four weeks.

3. Retirement

a. Definition
Retirement occurs when an employee who meets the eligibility requirements for an Official University Retiree voluntarily terminates from employment. See Guide Memo 2.1.10 [3]: Staff Retirement.

b. Guide to Supervisors
Upon notification of an employee’s intended retirement, supervisors should counsel employee to attend a Retirement Workshop presented by the Benefits Department at least 2-3 months before retirement. Find a list of dates and times at the Benefits [4] website in the Events Calendar section.

4. Death

In the event of an employee’s death, the supervisor should notify Stanford Benefits and the local Human Resources office as soon as possible. All employees in benefits-eligible positions (working at least 50% time) are covered by no less than basic life insurance of one times pay up to a $50,000 maximum. See Guide Memo 2.3.1 [5]: Survivor Benefit Plans, and corresponding plan summaries.

5. Conclusion of a Fixed-Term Appointment

a. Definition
A fixed-term appointment is an appointment for which a planned termination date is established and recorded at the time the employee is hired or appointed.

b. Policy
An employee hired or appointed for a fixed-term is terminated by the department at the end of the appointment unless an extension or reappointment has been approved.

(1) Notice
At the time of appointment, the department is to notify a fixed-term employee in writing of the planned termination date. Most Academic Staff appointments have additional requirements regarding notice of either non-renewal or renewal. Consult with the policies specific to those appointments for further guidance.

(2) Grievance Procedure not Applicable
A termination occurring because of the expiration of a fixed-term appointment is not considered a discharge
for cause and not subject to any grievance procedure.

(3) Separation Prior to Planned Termination Date
A fixed-term employee may be involuntarily terminated for cause or laid off before the planned termination date of his/her fixed-term appointment. See Guide Memo 2.1.17 [6]: Layoffs and Guide Memo 2.1.16 [7]: Addressing Conduct & Performance Issues.

6. Discharge

a. Definition
A discharge is an involuntary termination of employment from the University. See these resources for additional information:

- For trial period discharges, see Guide Memo 2.1.15 [8]: Trial Period.
- For information about the separation of employment of senior staff, see Guide Memo 2.1.14 [9]: Senior Staff.
- For a layoff, see Guide Memo 2.1.17 [6]: Layoffs.

b. Policy
With the exception of Trial Period and Senior Staff, employees cannot be terminated without some form of cause as defined in Guide Memo 2.1.16 [7]. A supervisor must consult with the local HR Office before the decision to discharge an employee, and cannot finalize the discharge decision without the concurrence of their next level manager and review and approval by the Office of the Vice President of Human Resources or his/her designee.

(1) Notice
Discharged employees receive two weeks' notice, pay in lieu of notice, or a combination of pay and notice, except in any of these circumstances:

- Misconduct, e.g., theft, assault, actions that are detrimental to or disrupt the reputation or operations of the University.
- Facts that lead the University to conclude the employee has abandoned the job.
- Failure or inability of the employee to return to work at the end of an authorized absence, e.g., temporary layoff, leave of absence or vacation.
- Other unauthorized absence from work.

(2) Grievance Policy Applies
A termination resulting from conduct and/or performance issue is considered a discharge for cause and subject to Guide Memo 2.1.11 [10]: Grievance Policy.


Links