Involuntary Termination (20.082)

**Introduction**

There are circumstances under which it is in the University's best interest to terminate the employment of a staff member with or without notice.

**Policy Statement**

The University reserves the right to terminate a staff member's employment at any time when it is in the University's best interests to do so. In some cases, an employee may be placed on administrative leave status with or without pay while the facts of a situation are being investigated. Those working in positions at grade 13 and above and those who are designated as serving at the pleasure of the President may be terminated at any time.

Circumstances warranting involuntary termination with or without notice may include, but are not limited to:

- Performance below the standard expected of one in the position during the probationary period;
- Grossly inappropriate, unethical and/or criminal behavior;
- Actions or behavior that have a severe negative impact on the department's or the University's credibility;
- Egregious misconduct;
- Insubordination;
- Inability or unwillingness to adhere to conditions of employment (e.g., I-9 verification);
- Misrepresentation of facts (e.g., educational qualifications, prior work history, etc.);
- Severe disregard for University policy (e.g., sexual harassment, failure to comply with safety and environmental regulations, abuse of sick time, etc.).

No severance pay is awarded when employment is involuntarily terminated under circumstances such as those listed above.

**Responsibilities**

**Department head:** The department head is responsible for ensuring that involuntary terminations are properly documented, that the appropriate University Human Resources (UHR) Representative has been contacted, that UHR input and guidance has been followed and that termination protocols have been followed.

**University Human Resources:** The designated University Human Resources Representative provides input and guidance to the involuntary termination process to ensure department heads and supervisors follow Employee Relations protocols for involuntary terminations.

**Supervisor:** The supervisor is responsible for obtaining the Department Head's approval for an involuntary termination and for contacting University Human Resources prior to conducting the termination.

**Procedures**

1. The department head discusses the situation with an UHR Generalist, the Director of HR Services or the Director of Labor & Employee Relations to determine whether the behavior or actions warrant termination without notice.
2. The department head or supervisor ensures that the UHR Generalist knows when the termination meeting will take place. University Human Resources then informs Computing and
Information Services to discontinue access to computer accounts as the conversation is occurring.

3. The department head or supervisor usually informs the employee verbally. Any such conversation should be followed by providing a letter to the employee which indicates the reason for termination and states that employment at Brown will be terminated.

4. The department collects keys and the Brown Card from the employee and ensures that all department property is returned.

5. The department enters the termination into the HR/Payroll system with the termination letter attached and ensures that any accrued unused vacation time is paid out.

6. The final paycheck including any accrued but unused vacation days will be issued at the next regularly scheduled pay period. Any outstanding loans or debts to Brown are deducted from the final paycheck.

7. The employee should complete an online Exit Interview Questionnaire.

References for employees who are terminated are handled in the same manner as references for all other former employees.

Related Policies
- Employee Relations
- Employee Files and Records, Employment Verifications

Policy Owner: Approved by Vice President for Human Resources

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