



BROWN

## Involuntary Employment Termination Policy

POL 08.30.02

Effective Date: February 20, 2020

### 1.0 Policy Purpose

This policy governs situations regarding **Employee Notice** (notice) or separation pay to a staff employee whose employment has been terminated. It also provides a schedule regarding separation pay to a staff employee whose employment with the University has been terminated (except for layoff or reduction in force).

### 2.0 To Whom the Policy Applies

All staff employees of the University, including faculty and students who are employed in a staff position, unless the appointment, hire letter, or a collective bargaining agreement addresses separation pay eligibility.

### 3.0 Policy Statement

All employees shall be treated with respect throughout and after their employment with the University.

This policy applies when an employee and the University have terminated the **At-Will Employment** relationship involuntarily for any reason or no reason at all. Exclusions to this policy are voluntary employment separations (e.g., resignation or retirement) and involuntary employment terminations due to a layoff or a reduction in force.

In addition, employment terminations for cause or for any of the following reason(s) are not eligible for notice or separation pay at the sole discretion of the University:

- Misconduct arising from misrepresentation, inappropriate, unethical, or criminal behavior;
- Actions or behaviors that have a demonstrated and severe negative reputational risk or impact to the department's or the University's integrity;
- Insubordination and other inability or unwillingness to adhere to work rules or conditions of employment; and
- Material violation of University policy.

Employees whose employment has been terminated from the University in accordance with this policy shall be informed in writing no less than the notice period outlined in this policy. Employees should be notified in accordance with the time period as stated in the separation pay schedule. Failure to provide notice will be cured by providing the requisite time or pay as stated in this policy. **Separation Pay In Lieu of Notice** may be issued instead of the minimum notice period at the sole discretion of the University. An agreement providing a general release of claims may be required to be eligible for separation pay.

<b>Years of Completed Service (in current position):</b>	<b>Minimum Notice Period (business days):</b>	<b>Separation Pay (business days):</b>
End of probationary period through end of 1st year	No less than 10 days	10 days
2 years	No less than 20 days	20 days
3 years	No less than 30 days	30 days
4 years	No less than 40 days	40 days
5 years and over	No less than 50 days	50 days

Completed years of service are based upon the employee's most recent position at the University. This policy will not adversely impact retirement benefits eligibility for total years of service with the University.

#### 4.0 Definitions

For the purpose of this policy, the terms below have the following definitions:

**At-Will Employment:** A staff member employed "at will" is subject to employment termination at any time at the discretion of the President or the President's designee.

**Employee Notice:** Period of time after an employee has been informed in writing by a supervisor that employment from the University will be terminated by a specific future date.

**Separation Pay In Lieu of Notice:** Pay issued to an employee when employment has been terminated from the University for a reason other than a for-cause employment termination, resignation, retirement or position elimination. Pay will be issued to an employee for a specific period of time as stated in this policy.

#### 5.0 Responsibilities

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy. University supervisors are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure compliance with it. Additional responsibilities include:

**Supervisor:** Upon receiving approval to involuntarily end employment, the supervisor will meet with the employee to notify the employee in accordance with this policy.

**Employee:** Upon receiving notice, the employee may discuss next steps with human resources in the department or University Human Resources.

## 6.0 Consequences for Violating this Policy

Failure to comply with this and related policies is subject to disciplinary action, up to and including suspension without pay, or termination of employment or association with the University, in accordance with applicable (e.g., staff, faculty, student) disciplinary procedures.

Employees who fail to comply with this policy will be subject to disciplinary action and may result in receiving no pay from the University following notice.

## 7.0 Related Information

This policy is not a legal document. This policy does not confer a term of employment, nor is the language intended to establish a contract of employment, express or implied, between any employee and Brown University. The University reserves the right to change, amend or terminate any of its human resources policies at any time for any reason.

Brown University is a community in which employees are encouraged to share workplace concerns with University leadership. Additionally, [Brown's Anonymous Reporting Hotline](#) allows anonymous and confidential reporting on matters of concern online or by phone (877-318-9184).

The following information complements and supplements this document. The information is intended to help explain this policy and is not an all-inclusive list of policies, procedures, laws and requirements.

### 7.1 Related Policies:

- [Position Elimination, Layoff and Severance Policy](#)
- [Voluntary Employment Termination Policy](#)

### 7.2 Related Procedures:

- [University Offboarding SOP](#)

### 7.3 Related Forms: N/A

### 7.4 Frequently Asked Questions (FAQs): N/A

### 7.5 Other Related Information: N/A

## 8.0 Policy Owner and Contact

**8.1 Policy Owner:** Vice President for University Human Resources

**8.2 Policy Approved by:** Executive Vice President for Finance & Administration

**8.3 Contact Information:** Senior Director of Employee and Labor Relations, University Human Resources

- Telephone: 401-863-3175
- Email: [laborandemployeerelations@brown.edu](mailto:laborandemployeerelations@brown.edu)

## 9.0 Policy History

9.1 **Policy Effective Date:** February 20, 2020

9.2 **Policy Last Reviewed:** May 8, 2020

9.3 **Policy Update/Review Summary:** Updated policy to comply with employment best practices and the University's operations governing involuntary employment termination. Policy disclaimer notice added in section 7.0 on May 8, 2020. Policy footer removed on June 19, 2020. Previous policy version superseded by this policy:

- Involuntary Termination (20.082), Revision Date: January 30, 2019