

TERMINATION OF EMPLOYMENT

EFFECTIVE DATE: July 1, 2009

POLICY STATEMENT

This policy is designed to ensure that Columbia University complies with its internal requirements when making termination decisions. The employment of a staff member may not be terminated for any reason without prior review by Human Resources.

Columbia University has three types of terminations: voluntary, involuntary, and job elimination, each with its own set of unique procedures as outlined below.

REASON FOR THIS POLICY

This policy serves as a comprehensive guide for departments to manage terminations equitably and fairly. The guidelines set forth in this policy outline and define the processes involved when an Officer of Administration, Officer of the Libraries or a Non-Union Support Staff member is terminated voluntarily or involuntarily.

RESPONSIBLE OFFICE: Employment & HR Client Services, (212) 851-7008
CUMC Human Resources and Harlem Hospital – Chief Human Resources Officer,
(212) 305-3819

WHO IS GOVERNED BY THIS POLICY

This policy affects all Officers of Administration, Officers of the Libraries, and Non-Union Support Staff employed by Columbia University.

WHO SHOULD KNOW THIS POLICY

All Columbia University Officers of Administration, Officers of the Libraries, and Non-Union Support Staff should review and understand this policy.

Departmental Administrators and Human Resource managers should review and understand this policy as well as refer to the Manager Toolkit located on the Columbia University Human Resources website at <http://managers.hr.columbia.edu>.

EXCLUSIONS AND SPECIAL SITUATIONS

All cases of involuntary terminations of employment involving staff covered by a collective bargaining unit must be reviewed and approved by the Office of Labor Relations. Staff rights and obligations under applicable collective bargaining agreements are not affected by this policy. Contact information for Labor Relations and collective bargaining agreements may be found on the HR website under [Union Contracts](#).

Officers of Instruction and Officers of Research are governed by the Faculty Handbook [[link http://www.columbia.edu/cu/vpaa/fhb/](http://www.columbia.edu/cu/vpaa/fhb/)].

POLICY TEXT

Termination of employment may be voluntary, involuntary or as a result of job elimination

(reengineering, reorganization or staff reduction), and is governed by the following definitions and guidelines.

Voluntary Termination

Resignation

A resignation is a voluntary termination initiated by the employee.

Non-Union Support Staff are expected to give two weeks' notice and provide written notification of a resignation.

Officers of Administration and Officers of the Libraries are expected to give a minimum of four weeks' notice and provide written notification of a resignation.

Upon completing the specified notice period, employees who resign receive vacation pay for earned, unused vacation days and personal days. Employees who do not provide such notice may forfeit this pay.

Under extenuating circumstances, exceptions may be made, but require the approval of the department head following consultation with Columbia University Human Resources. At a manager's discretion, the employee may be asked to cease actively reporting to work on a daily basis once notice has been given. However, the employee will be paid for the minimum notice period of two or four weeks, respectively, if the employee has provided written notice as required.

An employee's use of vacation time during the notice period is at the discretion of the department and based on operational needs.

Involuntary Termination

All involuntary terminations must be discussed with Columbia University Human Resources prior to a department's notification to the employee.

In the case of any involuntary terminations for staff covered by a collective bargaining agreement, departments must consult with the Office of Labor Relations [link to contact] prior to communicating with the employee.

Eligibility for rehire is determined in consultation with Columbia University Human Resources based on the facts and circumstances of the termination.

Officers of Administration, Officers of the Libraries and NonUnion Support Staff who are involuntarily terminated will be paid for earned and unused vacation and personal days.

Officers of Administration, Officers of the Libraries, and Non-Union Support Staff are expected to comply with the University's policies and procedures, and the directions of their supervisor(s).

The following are examples of the types of conduct which are not acceptable and may cause the University to impose discipline, up to and including termination of employment. Of course, it is not possible to list every type of unacceptable conduct and the following list provides examples only and is not exhaustive. As stated elsewhere, employment is at-will.

Examples of reasons for involuntary terminations, other than job elimination, include but not

limited to:

- Unsatisfactory job performance, failure to adequately perform assigned duties and/or work performance is below required standards
- Engaging in conduct in the workplace that violates any federal, state or local law, ordinance or regulation
- Violation of Columbia University policies
- Conflict of interest
- Excessive absenteeism or tardiness

Job Eliminations

Job elimination is a termination initiated by the University because the job or position is discontinued due to a lack of work, significant change of work/responsibilities, or a lack of funds. In the case where a department must select a position for elimination with multiple incumbents, consideration should be given to, but not limited to: relevant skills, ability, job performance, and experience, when determining which position or incumbent will be eliminated.

All job eliminations must be discussed in advance with Columbia University Human Resources to ensure compliance with University policy. In the case of any job eliminations covered by a collective bargaining agreement, departments must consult with the Office of Labor Relations [link]. Columbia University Human Resources and the General Counsel's Office must also review plans and approve severance agreements.

A retirement-eligible Officer of Administration, Officer of the Libraries, or Non-Union Support Staff whose position is eliminated, may retire and receive severance if the employee signs the severance agreement and release.

Severance Allowance

Severance allowance is intended to provide transitional support for Officers of Administration, Officers of the Libraries, and Non-Union Support Staff whose jobs have been eliminated. An employee's amount of severance is based on the severance allowance schedule included in this policy.

Severance allowance is contingent upon signing a full release of all claims against the University that relate to the employee's employment. Severance payments are in the form of a lump sum payment, less applicable taxes and other appropriate withholdings.

Temporary positions (full-time or part-time) and part-time positions with schedules less than 20 hours per week are not entitled to severance allowance.

Departments must consult with Columbia University Human Resources to determine and finalize any severance agreement.

For issues about re-employment and its effect on University seniority, please consult the policy

text in the CUHR website under Policies and Union Contracts:
<http://hr.columbia.edu/policies/hr-manual/employment#re-employ>

Employment Status Changes that Affect Severance Allowance

If an Officer of Administration, Officer of the Libraries, or Non-Union Support Staff member, whose regular full-time or part-time job is eliminated, accepts a benefits-eligible temporary full-time position with a specified end date (not to exceed 12 months), then the employee's severance allowance will be suspended until the conclusion of assignment. The employee is entitled to receive the severance allowance agreed to in their former position's separation agreement.

If an Officer of Administration, Officer of the Libraries, or Non-Union Support Staff member whose regular full-time or benefits-eligible part-time job is eliminated, accepts a regular part-time position that is not benefits-eligible, the employee is not required to pay back the severance allowance received as a result of the former position's severance agreement.

If an Officer of Administration, Officer of the Libraries, or Non-Union Support Staff member, whose regular full-time or benefits-eligible part-time job is eliminated, accepts another regular full-time position within the university without a break in service, the employee is not entitled to severance. However, if the employee as described in this paragraph experiences a break in service, he or she will be required to pay back a proportional amount of the severance allowance received.

If an Officer of Administration, Officer of the Libraries, or Non-Union Support Staff member, whose regular full-time or part-time job is eliminated, accepts a benefits-eligible part-time position within the University without a break in service, the employee is not entitled to severance.

Officer of Administration, Officer of the Libraries, or Non-Union Support Staff member, whose regular full-time job is eliminated, accepts a regular full-time position at a lower salary, the employee is required to pay back a proportional amount of the severance allowance received based on the lower salary.

In all cases, the University retains the right to determine if the second position is comparable or similar and to determine whether the employee is required to pay back all or portion of the severance allowance.

Severance Allowance Schedule

Non-Union Support Staff

A Non-Union Support Staff employee with a regular full-time or part-time (20 - 35 hours worked per week) schedule will receive a severance allowance contingent upon signing a full release of all claims relative to the employee's employment against the University, as follows:

- Less than one year of service: The employee will receive two weeks of base pay.
- One or more years of service: The employee will receive one week of base pay for each completed year of continuous full-time or regular part-time (20 – 35 hours worked per week) service, up to a maximum of a total of 26 weeks.

- An employee will receive a severance allowance of no less than two weeks of base pay.
- Severance shall be in the form of a lump sum payment, less applicable taxes.

Officers of Administration and Officers of the Libraries

A regular full-time or part-time (20 – 35 hours worked per week) Officer of Administration or Officer of the Libraries will receive a severance allowance contingent upon signing a full release of all claims against the University that relate to the Officer’s employment, as follows:

- Up to two years: The employee will receive one month of base salary.
- Two or more completed years of service: The employee will receive a severance allowance of one month of base salary per year of service, up to a maximum of six months.
- Severance shall be in the form of a lump sum payment, less applicable taxes.
- Part-time Officers of Administration will receive a severance allowance based on their current part-time salary rate. For further information, please refer to “**Employment Status Changes that Affect Severance Allowance**” in this policy.

Officer of Administration Severance Allowance Schedule:

Length of continuous service	Severance Allowance
Less than 2 years	1 month
2 completed years	2 months
3 completed years	3 months
4 completed years	4 months
5 completed years	5 months
6 completed years +	6 months

Note: This policy is not intended to create any contractual or other legal rights. The University reserves the right to vary from the provisions of this policy when, at its sole discretion, it is necessary to do so. Unless otherwise expressly agreed in a written employment contract between an employee and the University and signed by an authorized member of the University’s Human Resources or legal staffs, or authorized signatories of the University, or in a collective bargaining agreement covering the employee’s position, employment with the University is at-will. The University reserves discretion to add, modify or delete provisions of this policy, or the other policies and procedures on which it may be based, at any time without advance notice.

CONTACTS

Columbia University Human Resources Morningside – Associate Vice President

(212) 851-7008

Columbia University Medical Center Human Resources and Harlem Hospital – Chief Human Resources Officer

(212) 305-3819

APPENDIX

For a complete description of this policy, please refer to “Policies” on the Columbia University Human Resources website at: <http://hr.columbia.edu/policies>

For a complete description of managerial procedures related to employment, including terminations and job eliminations, please refer to the Columbia University HR Manager Toolkit at: <http://managers.hr.columbia.edu>.

For information about employment status changes during a leave of absence, please refer to the Leaves of Absence policy on the HR website:

<http://hr.columbia.edu/policies/hr-manual/time-away-work#406>

For issues about re-employment and its effect on University seniority, please consult the policy on Re-Employment and Its Effect on University Seniority on the HR website:

<http://hr.columbia.edu/policies/hr-manual/employment#re-employ>

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