

SECTION XIV

TERMINATION

1. PURPOSE

The purpose of this section is to explain the various processes of separation from COM-FSM.

2. RESIGNATION

Resignation of an employee from College employment shall be in writing and shall be submitted at least fourteen (14) days in advance of the effective date. An exception may be made only upon the approval of the President.

a. Withdrawal of a Resignation

Withdrawal of a resignation may be permitted provided the employee provides notice in writing, prior to the effective date, and if the President agrees to the proposed withdrawal.

3. TERMINATION FOR MEDICAL REASONS

An employee shall be terminated for medical reasons when evidence of incapacity to perform the duties of the position is substantiated by a duly authorized physician.

4. TERMINATION DURING PROBATION

When the President finds it necessary to terminate an employee during the probationary period there shall be provided to the employee at least fourteen (14) days advance notice in writing, specifying the reasons for termination. Disciplinary procedures do not apply to this termination.

5. TERMINATION OF EMPLOYMENT

The termination of employment under this Section shall reflect no discredit on the employee unless otherwise specified in writing. Some examples are:

- i When the duration of the temporary, limited-term, or emergency employment ends;
- ii The employee does not qualify for continuation of his/her employment;
- iii The employee does not return to duty at the expiration of his/her leave of absence (with or without pay) and fails to notify the appropriate supervisor of the reason for the extended absence within fourteen (14) days;
- iv Efforts must be made to contact the employee by telephone, mail or personal contact before the action is taken; and

- v The employee does not report for work for a period of fourteen (14) days and fails to notify the appropriate supervisor of the employee intentions during the period.

6. LAYOFF

When curtailment of work, shortage of funds, or reorganization as determined by the Board of Regents makes it necessary to abolish positions, the employee affected shall be laid off. **In making the layoff decision, management will first consider the work performance. Secondary consideration will be given to the length of service. Employees who are laid off may apply for vacancies at the College. In the event two candidates have equal qualifications priority will be given to the laid off employee.**

Notification

- a. An employee identified to be laid off will be notified in writing no later than **sixty** days prior to the effective date of the lay off. **The employee may only appeal through the grievance procedures his or her selection for layoff in comparison to other employees who are retained.**