Termination of Employment - HR Policy 605

Abstract: This policy describes the circumstances and procedures that relate to termination of employment at UAB.

Effective Date: 7/1/2009

This policy describes the circumstances and procedures that relate to termination of employment at UAB.

As soon as it is known that an employee's services will be terminated, for whatever reason, an ACT document should be initiated. The document must indicate the last day of work, the reason for termination (voluntary, involuntary, or retirement) and recommendation for re-employment. Supporting documentation should include enough detail to assist in processing unemployment compensation claims.

A re-employment recommendation may be qualified by using such terms as “after consideration,” “in another type of position,” or similar wording. For monthly paid employees, a copy of the vacation accrual record must be forwarded with the ACT document. For biweekly paid employees, the vacation accrual will be paid automatically.

Involuntary terminations may allow for the Severance Pay Policy to be used. This policy is included below.

SEVERANCE PAY AND BENEFITS POLICY FOR NONFACULTY EMPLOYEES (Policy revised 01/09)

Policy Statement

Severance Pay and Benefits Policy for Nonfaculty Employees

POLICY 605.A - Immediate Discharge

The University of Alabama at Birmingham, in its own best interests, necessarily reserves the right to determine the duration of employment of any individual and hence to discharge any employee with or without cause. In instances of discharge not related to misconduct, an employee will be given appropriate notice or pay in lieu of notice.

UAB may initiate prosecution of employees or former employees when discharge is a result of a violation of law.

In the interest of providing notice of the expectations of the administration, UAB has compiled an illustrative list of misconduct which may result in immediate dismissal. The following acts are cause for immediate dismissal without notice or without pay in lieu of notice. Since a complete list of specific offenses is impossible, discharge is not limited to the situations described below.

1. Absence without notification or reasonable cause for failure to notify. Such absences for three consecutive work days or shifts require no further follow-up prior to termination.
2. Any act of fighting on UAB property or leased space.
3. Conviction of a felony.
4. Falsifying personnel or pay records, including application for employment, application for transfer, or health records; badging/clocking the time record or signing the time sheet for another employee (See also separate policy.).
5. Falsifying official UAB records and documents (See also separate policy.).
6. Forging e-mail, such as sending an e-mail communication in someone else's name.
7. Immoral or indecent conduct on UAB property or leased space or conduct which brings discredit to UAB
8. Incompetence or inefficiency in patient care.
9. Inexcusable neglect of duties, insubordination, or disobedience.
10. Stealing from fellow employees, patients, UAB, or others on UAB property or leased space
11. Theft, misappropriation of funds, and/or unauthorized use or removal of UAB property
12. Possession of firearms, knives, or other weapons and ammunition (See also separate policy.)
Although this is not an all-inclusive list, the following are examples of deficiencies or offenses for which progressive disciplinary actions may be appropriate and which may result in discharge.

1. Absenteeism.
2. Failure to record work time accurately.
3. Failure to report an accident or injury to a patient, student, visitor, or self.
4. Failure to report to work on time.
5. Leaving UAB premises or work area without permission during work hours; unexcused absences.
7. Misuse of sick leave privileges and benefits.
8. Neglect of duty or inattention to duty.
9. Negligence in the performance of duty or productivity not up to standards.
10. Sleeping during work hours.
11. Violation of, or disregard for, safety practices.
12. Wasting time, loitering, or loafing at work.
13. Failure to cooperate in an investigation.
14. Failure to disclose a conflict of interest or failure to eliminate a conflict of interest when so directed (See also separate policy.)
15. Failure to maintain satisfactory interpersonal relationships with co-workers and supervisors.
17. Inappropriate behavior in the workplace, including, but not limited to, horseplay and threatening, intimidating, coercing, or interfering with fellow employees on UAB property or leased space.
18. Inappropriate behavior toward, or discourteous treatment of, patients, students, visitors, or co-workers including the use of profanity and other harassing statements.
19. Negligence or abuse in the use of UAB property or equipment.
20. Poor management practices and/or inattention to duty.
21. Reporting to work when suffering from alcoholic or drug-related hangover.
22. Misconduct in the workplace.
23. Abuse of e-mail, electronic communications, and/or computer networks.
24. Sexual harassment. (See also separate policy.)
25. Violation of UAB policies or procedures.

**POLICY 605.B - Resignation**

Biweekly paid employees are expected to give at least fourteen calendar days' written notice of resignation. Employees in administrative, supervisory, professional, or patient-care positions are expected to give at least thirty calendar days' written notice of resignation. Patient-care personnel, although paid biweekly, are expected to give 30 calendar days’ written notice. Failure to provide appropriate written notice may result in the employee being considered ineligible for future employment at UAB. If UAB must terminate an employee's employment for reasons other than for cause, the employee will be given the same amount of notice that is expected of that employee for resignation.

Employees who resign will be paid through the last day worked and will receive their checks on the first payday following resignation. If the employee has completed the initial six months probationary period, he or she will be eligible for payment of all vacation time earned but not taken at the time of resignation, up to the maximum accrual allowed. Accrued sick time and personal holiday time will not be paid upon resignation or discharge. Vacation and holiday time may not be taken during required period of notification. Any requests for exceptions should be addressed to the Office of Human Resources.

Prior to leaving UAB, an employee should complete an online exit survey at www.uab.edu/exitsurvey. At this time, the employee should also contact the Benefits Office to arrange for the conversion or transfer of certain benefits.

**POLICY 605.C Death**

In the event of the death of an employee, an ACT document should be processed immediately indicating last day worked. If monthly paid, a copy of the vacation accrual record should be attached.

The HR Benefits staff should be notified immediately by telephone of the death of an employee so that they may begin to process insurance and other benefits claims.