

TERMINATION OF EMPLOYMENT	The Metropolitan Community College (MCC) Board authorizes the Chancellor to develop, implement, and maintain uniform and consistent processes for employee terminations. Further, the Board authorizes the Chancellor to take appropriate action concerning dismissal of employees in accordance with established progressive discipline procedures.
APPLICABILITY	This policy applies to all full time employees not subject to provisions of a negotiated bargaining agreement.
DEFINITIONS	<p><u>Voluntary Termination</u>: The decision of an employee to end his/her employment with MCC.</p> <p><u>Involuntary Termination</u>: The decision of MCC to end an individual's employment.</p> <p><u>At-Will</u>: MCC employees who do not hold written employment contracts authorized by the Chancellor and the Board of Trustees are employed at-will and have no entitlement to or expectation of continued employment.</p> <p><u>Employees with Contracts</u>: Employees who hold a written employment contract detailing the employment relationship between the employee and MCC.</p>
VOLUNTARY TERMINATION RESIGNATION	<p>To resign in good standing, an employee must provide two weeks written notice or the notice required in an employment contract. The employee shall provide written notice to her/his supervisor and a copy to the office of Human Resources. Employees who resign in good standing are entitled to receive pay for any accrued vacation time unless otherwise required by law.</p> <p>A resignation cannot be revoked by the employee without the consent of the Chancellor or designee. All salary due the employee, including accrued vacation time (if applicable), shall be payable at the end of the notice period.</p>
RETIREMENT	An employee must provide sixty (60) days written notice of retirement or as soon as reasonably possible or the retirement notice required in an employment contract. The employee shall provide written notice to her/his supervisor, with copies to the office of Human Resources and the Director of Total Rewards or designee.
EMPLOYMENT EXTENSION	Upon retirement or resignation notice, employees are not allowed to extend employment with MCC using accrued vacation past a maximum of ten (10) days.
ADMINISTRATIVE LEAVE	The Chief Human Resources Officer or designee may place an employee on administrative leave with pay pending an impartial and equitable investigation when the Chief Human Resources Officer or designee determines such placement to be in the best interest of MCC.

PROGRESSIVE
DISCIPLINE

MCC shall utilize progressive discipline procedures when MCC believes it is appropriate. However, MCC may move forward with involuntary termination at any time without utilizing the progressive discipline procedures if it is determined in MCC's sole discretion that findings warrant immediate disciplinary action.

INVOLUNTARY
TERMINATION

MCC may initiate a termination at its sole discretion in accordance with applicable policy or procedures. The parameters for termination are set out below:

AT-WILL

Employment of an at-will employee may be terminated for any reason not prohibited by law.

EMPLOYEES
WITH
CONTRACTS

MCC employees who hold a written employment contract may be terminated as outlined in the contract. Where the contract is silent as to termination, employment may be terminated for "Good Cause" or "Cause." Those terms shall be defined to include (but are not limited to) the following circumstances:

- Failure to perform duties in a satisfactory manner
- Job abandonment or excessive, unapproved, absenteeism
- Fraud, misappropriation, theft, embezzlement or acts of dishonesty
- Violations of any policy or procedure of MCC, including but not limited to MCC's drug and alcohol free workplace policies or MCC's policies prohibiting discrimination, harassment and retaliation in the workplace
- Unauthorized possession of ammunition, firearms, explosive weapons or other weapons as defined in Missouri Revised statutes 571.010 on MCC's property or property under MCC's control
- Violations of federal, state or local laws or regulations in the course and scope of employment
- Intentional or willful misconduct
- Falsification of any MCC record, including but not limited to time records, information on a resume, employment application, MCC forms or any other company record
- Breach of a material term of the employment contract
- Refusal to follow reasonable directives/insubordination
- Improper disclosure of confidential student information
- Behavior that is harmful to the reputation or standing of MCC, in the sole discretion of MCC

INVOLUNTARY
TERMINATION

A supervisor recommending termination of an employee shall consult with the Director of Employee Relations and Engagement or designee prior to taking any action against the employee. The Director of Employee Relations and Engagement or designee will ensure that the dismissal is in accordance with the policies and procedures of MCC.

At-Will: Involuntary Termination requires the approval of 1) the employee's supervisor, 2) appropriate Campus President, Vice Chancellor or adminis-

trative equivalent, 3) the Chief Human Resources Officer and 4) the Chancellor. The Chancellor holds final authority and decision making concerning dismissal of at-will employees. The termination decision is final.

Employees with Contracts: Involuntary Termination requires the approval of 1) the employee's supervisor, 2) appropriate Campus President, Vice Chancellor or administrative equivalent, 3) the Chief Human Resources Officer and 4) the Chancellor. The Chancellor shall submit a recommendation for termination to the Board of Trustees for approval in accordance with applicable Board bylaws. The termination decision is final.

The supervisor, in conjunction with Director of Employee Relations and Engagement or his/her designee, will coordinate the termination meeting with the affected employee. This notification shall be done by the supervisor or other designated individual in the presence of the Director of Employee Relations or designee. No notification should take place without both the supervisor and the Director of Employee Relations and Engagement or his/her designee present.

At the termination meeting, the supervisor will notify the employee and provide a written notice of termination that cites the reasons for the termination. In the event the affected employee is not available for a meeting, the notice of termination must be sent by certified or registered mail to the employee's last known address.

OFFBOARDING
PROCESS

All employees ending employment with MCC must complete check out procedures with the Office of Human Resources:

- Return all MCC property, including but not limited to ID, keys, uniforms, tools, electronic equipment and electronically stored data.
- Continuation of Benefits: Specific voluntary, employee paid benefits may be continued at the terminating employee's request. Terminated employees shall be notified in writing regarding which benefits may be continued and of the terms, conditions, and limitations of such continuance.
- Director of Employee Relations and Engagement or designee will notify appropriate departments in a timely manner to remove access.
- Exit Interview: Upon voluntary termination, when leaving employment at MCC, employees will be given the option to participate in a personal exit interview with the Director of Employee Relations and Engagement or designee.
- Final Paycheck – Employees will receive any pay they have earned up to the date of termination and will be paid for any accrued but unused vacation on their final check.

Termination of Employment

3.40060 BP
Board Policy

RE-EMPLOYMENT

Terminated employees seeking re-employment shall be subject to the hiring practices in effect at the time of reapplying. Employees who are terminated for cause may be ineligible for reemployment at MCC.

NON DISCRIMINATION
STATEMENT

No employee will be dismissed or receive any other loss of benefits solely or collectively because of sex/gender, race, color, age, creed, national or ethnic origin, physical or mental ability, veteran status, pregnancy status, religion, genetic information, gender identity, or sexual orientation or any other protected category under applicable local, state or federal law, including protection for those opposing discrimination or participating in any grievance process on campus or an administrative agency.

ORDER OF
PRECEDENCE

Should this policy conflict with an existing policy, procedure, or guideline, the provisions of this policy shall control.

POLICY REVOCATION

This policy may be modified or revoked at any time at the sole discretion of MCC's Board of Trustees. Nothing in this policy is intended to create a contract of employment or to otherwise alter an employee's at-will employment relationship. No representative of MCC has the authority to enter into an employment contract or to make any agreement inconsistent with an employee's "at will" status without authorization of MCC's Board of Trustees. Any such agreement must be in writing and signed by the employee and the Chancellor.