

MANUAL OF PROCEDURE

PROCEDURE NUMBER: 2132

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PROCEDURE TITLE: Separation of Employment (Resignation/Termination)

STATUTORY REFERENCE: FLORIDA STATUTE 1001.64

BASED ON POLICY: II-2 All Personnel: Personnel Actions and Levels of Appeals
II-14 Full-Time Professional Exempt Non-Contractual and Support
Non-Exempt Personnel: Probation and Dismissal
II-16 All Personnel: Dismissal Covers All Positions

EFFECTIVE DATE: December 11, 1978

LAST REVISION DATE: November 8, 2005, June 9, 2016

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I. PURPOSE

To provide information to employees and supervisors concerning resignation and termination practices and procedures.

II. PROCEDURE

To process a separation of employment (resignation, termination or retirement), the supervisor must complete (1) Request for Personnel Action (RPA) form and (2) Supervisor Checklist for Separating Employees form. These forms are found on the Human Resources Web Site.

A. Full-time professional exempt contractual and instructional personnel are expected to serve through the ending date of their contract period.

1. A written resignation by a faculty member shall be submitted to the appropriate chairperson a minimum of thirty (30) calendar days prior to the effective date of the resignation. The effective date of the resignation should coincide with a given term ending date so as not to disrupt student endeavors.

A written resignation for professional exempt contractual personnel shall be submitted to the supervisor a minimum of two (2) weeks prior to the effective date of the resignation.

2. The College President submits recommendations for renewal of contracts to the District Board of Trustees in June for professional exempt contractual and instructional personnel. Employees whose contracts are not renewed will be notified in writing by the area head no later than May 31st or thirty (30) calendar days prior to the expiration of the contract.

B. Full-time Personnel

Full-time professional exempt non-contractual and support non-exempt personnel may be terminated during their initial ninety (90) calendar day probation period or during an extension of the probation period without being furnished cause or afforded benefit of grievance procedures. Employees may be given two (2) weeks prior notice of dismissal except in those cases where, in the judgment of the College President, or designee, circumstances warrant immediate dismissal.

Thereafter, should an employee commit an act or develop a trait that is disruptive to the department or the College, the supervisor shall contact the Division of Human Resources Employee Relations for consultation and appropriate action. Prior to advising the employee, any recommendation for termination must be coordinated with the Vice Provost of Human Resources or designee. Normally a two (2) week notice will be given to the employee prior to termination.

1. Professional exempt non-contractual and support non-exempt personnel may be summarily terminated from employment, subject to the provisions of College Procedure 2410 and applicable State law.
2. A written resignation may be submitted to the immediate supervisor and forwarded to the Vice Provost of Human Resources or designee. Resignations should provide a minimum of two weeks written notification prior to the date of separation. However, due to extenuating circumstances or for personal reasons, an alternate resignation date may be established.
3. When an employee separates from the College, the supervisor must complete the Supervisor Checklist for Separating Employees form and collect College property. https://www.mdc.edu/hr/OnlineForms/Supervisor_Checklist_Separating_Employees.asp

C. Part-time Personnel

1. Should such an employee commit an act or develop a trait that is disruptive to the Department or the College, the employee's immediate supervisor may recommend disciplinary measures up to and including termination in accordance with the Procedure 2160: Part-Time Employee Performance Standards, which is located at <https://www.mdc.edu/procedures/Chapter2/2160.pdf>.
2. When an employee separates from the College, the supervisor must complete the Supervisor Checklist for Separating Employees form, and collect College property.

https://www.mdc.edu/hr/OnlineForms/Supervisor_Checklist_Separating_Employees.asp.

D. Any employee who fails to report to work for three (3) consecutive days without notice to the College shall be considered to have voluntarily resigned.


E. Retirement Contributions

Employees separating from the College may leave retirement contributions on deposit with the Florida Retirement System (FRS), or request payment and their retirement benefit by:

1. Contacting FRS at www.frs.state.fl.us or (888) 738-2252, to obtain additional information about their distribution options.

F. Terminal Leave Pay

Employees separating from the College will receive their terminal leave payment as outlined in College Policy II-84A and Procedure 2657: Terminal Leave Payment Program.

	
PRESIDENT	6/09/2016
	DATE