



HR Related Policies & Procedures

Eff. Date: October 22, 2004

Revised:



FSU-HRPP 04:08

Termination of Employment

COVERED EMPLOYEES

- All employees.

Note: Bargaining unit employees are covered by the terms and agreements of the [collective bargaining unit agreement \(CBA\)](#). Please refer to the CBA for details.

BOT POLICY

Sec. 6-109. Authority to Terminate Employment. The Board delegates to the President the authority to terminate the employment of all employees, to give notices required by this part, and to make determinations with respect to payment in lieu of notice and/or reassignment, all in accordance with this part. Any delegation of this authority by the President must be in writing. The President may not delegate the authority to terminate an administrative employee. The President must notify the Board, in advance of any action he/she intends to take under this section with respect to a vice president.

(1) For purposes of this part, the following definitions apply:

- a. "At will" means that an employee may terminate his/her employment at any time with or without notice, and with or without reason. Similarly, the University has the same right to end an employee's employment with the University with or without notice and with or without reason.
- b. "Just cause" means termination for a substantial reason, such as but not limited to, incompetence, malfeasance, nonfeasance, misfeasance, moral turpitude, theft, dishonesty, conviction of a crime, violation of a University rule or policy, failure or inability to correct unsatisfactory performance or conduct promptly, excessive absenteeism, or any conduct which the President determines does or may materially adversely affect the University's programs, activities or operations.
- c. "Business and economic reasons" means termination for reasons including but not limited to, poor economic conditions, technological developments, operational changes, reorganization, elimination or transfer of operations, elimination or transfer of jobs, reductions in hours or changes in job qualifications. In all such cases, the University

will determine within its sole judgment and discretion what work is available and how many employees in each classification and department are needed to do that work. Decisions concerning these matters are not subject to challenge or review through the Termination Appeal Procedure or otherwise, except as provided in [Sec. 6-110\(6\)](#)

HR PROCEDURES/DESCRIPTION/DEFINITIONS

The President may delegate the authority to terminate employment to the appropriate vice presidents, in consultation with the Director of Human Resources (HR) and/or the Associate Vice President of Human Resources. The only exception to this delegation is the authority to terminate the employment of administrative employees. Administrative employee termination of employment may only be authorized by the President.

Terminations for “just cause” must follow the due process procedures outlined in the [Employee Corrective Action FSU-HRPP 04:07](#).

“At will” terminations and terminations for “business or economic reasons” must follow the provisions outlined in [Board Policy Section 6-110](#), Policy in Regard to Non-Continuance of Employment.

Termination of the employment of bargaining unit employees is subject to the provisions of the respective [collective bargaining agreement](#).

RESPONSIBILITY

Supervisor:

Termination procedures checklist:

- _____ Follow guidelines for [Employee Corrective Action](#) and/or [Termination](#) if relevant.
- _____ Obtain Vice Presidential/Presidential approval of termination.
- _____ Copy of documentation re: employee notice and/or corrective action to HR
- _____ Contact HR to arrange exit interview
- _____ Contact payroll for final check and employee account balances
- _____ Contact IS&T to end computer system and voice mail access
- _____ Collect from the employee and inventory University equipment and property, i.e., keys, security and time clock cards, cell phone, palm pilot, computer(s), software, uniforms, etc.