

## Policy: 5.58

### Separation from Employment

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#### Purpose

To address the separation of employment for employees from Kansas City Kansas Community College (KCKCC).

#### Policy Statement

KCKCC will separate employment because of an employee's resignation, termination, or retirement; the expiration of an employment contract; the expiration of grant funding for which an individual is primarily employed; or a permanent reduction in the workforce. Termination can be for any reason not prohibited by law.

The only exception to this policy occurs if there is a signed written contract that expressly overrides the employment-at-will relationship. If this policy conflicts with the terms of an applicable collective bargaining agreement for an employee subject to that agreement, the conflicting terms of that agreement supersede this policy to the extent they are inconsistent.

Reasons for separation may fall into one of the following categories:

A. Resignation - voluntary employment separation initiated by an employee. If the employee wishes to resign, they are encouraged to give two weeks' notice in writing to their supervisor so there is sufficient time to seek a qualified replacement. The letter of resignation must be forwarded immediately to the Human Resources Department.

B. Termination - involuntary separation of employment due to reasons other than a reduction in force. Supervisors must obtain approval by the Human Resources Department prior to termination. Prior to termination, an employee may be given a notice of intent to terminate by their supervisor. This notice, if given, will state the reason for the termination. Upon receipt of the notice of intent to terminate, the employee shall receive the due process review required under applicable law and administrative procedure. Please refer to Policy 5.41 Employee Conduct and Work Rules regarding examples of infractions of rules of conduct for which an employee may be terminated.

C. Reduction In Force - involuntary employment separation initiated by the College for non-disciplinary reasons. The Board of Trustees, as part of its responsibility and accountability to Kansas City Kansas Community College, has the sole statutory duty and authority to determine the financial needs and resources of the College as well as the personnel requirements and curricula of the College. It is therefore, the stated policy of the Board of Trustees that an employee's job may be eliminated by the Board of Trustees because of the necessity to reduce the workforce brought about by any or all of the following reasons:

1. Change in size or nature of the College student population;
2. Budgetary limitations which affect the overall population of the College;
3. Restructuring of the College curricula; or

4. The consolidation or elimination of certain job functions.

Such a reduction in force shall be done in a fair and equitable manner and shall generally be based on factors relating to performance ratings and length of service. The Board of Trustees shall reserve the right to retain any employee whose skills are determined by the Board of Trustees to be essential to efficient operation of the College and/or each department/division/office of the College.

D. Retirement – voluntary employment separation initiated by the employee meeting age, length of service, and any other criteria for retirement from the College. Employee benefits will be affected by retirement in the following manner. All accrued, vested benefits that are due and payable at retirement will be paid.

E. Job Abandonment - An employee who fails to report to work for three consecutive business days without notifying the College of the absence will be considered as having voluntarily resigned as a result of job abandonment.

Reference: Policy 5.41 Employee Conduct and Work Rules

Board Approved: 09/17/2024