

Policy: 5.58

Separation from Employment

It is the policy of the Kansas City Kansas Community College to terminate employment because of an employee's resignation, discharge, 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. Discharge can be for any reason not prohibited by law.

- A. Resignation - voluntary employment separation initiated by an employee. If the employee wishes to resign, he/she shall give two weeks notice in writing to his/her supervisor so there is sufficient time to seek a qualified replacement. The letter of resignation must be forwarded immediately to the Dean of Human Resources/Affirmative Action.
- B. Termination - Upon approval of the Provost, an employee may be terminated for inadequate or unsatisfactory work performance. Prior to termination an employee may be given a notice of intent to terminate by his/her supervisor. This notice, if given, will state the reason for the pending termination. Upon receipt of the notice of intent to terminate, the employee shall receive the due process review required under applicable law. Conduct for which an employee may be terminated includes, but is not limited to:
1. Conviction of a felony by a court of law;
 2. Inefficiency or incompetence, in the performance of duties;
 3. Inattention or neglect of duty;
 4. Habitual or flagrantly improper use of leave privileges;
 5. A habitual pattern of failure to report for duty at the assigned time and place or to remain on duty;
 6. Insubordination;
 7. Gross misconduct or conduct grossly unbecoming a state officer or employee;
 8. Engaging in political activities during assigned working hours;
 9. Use of fraud, deception, or misrepresentation of facts used in the application for employment or any official College documents, including requests for leaves of absence;
 10. Discourteous treatment of the public, students, vendors, or fellow employees;
 11. Consistent display of negative behavior, which might undermine positive morale among employees or the public;

12. Excessive unwarranted absences or tardies; especially when such causes inefficiency and/or ineffectiveness in individual, department or team performances;
13. Absence from work without reporting the absence in a timely manner to the supervisor. (An initial counseling by the supervisor may be provided upon that initial infraction.) Two or more consecutive occurrences may be considered job abandonment resulting in termination;
14. Sleeping during assigned work hours;
15. Theft or willful destruction of College property including virtual property. Such action involving College property valued in excess of \$500.00 may result in immediate termination;
16. Making a false statement of material fact in the employee's application for employment;
17. Participation in any action that would in any way seriously disrupt or disturb the normal operation of the College, a department or any other segment of KCKCC activities;
18. Trespassing on the property of any College official or employee for the purpose of harassing or forcing dialogue or discussion from the occupants or owners of such property;
19. Willful endangerment of the lives or property of others, or both;
20. Possession of unauthorized firearms or other lethal weapons while on the campus or while engaged in performance of duties;
21. Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination);
22. Being under the influence of alcohol or drugs while on the job;
23. Knowingly releasing confidential information from official records;
24. Exhibiting other personal conduct detrimental to the interest of the College which could cause undue disruption of work or endanger the safety of persons or property of others, as may be determined by the President of the College; and
25. Engaging in sexual, racial, age, national origin, or religious harassment arising out of or in connection with employment.

This list is not meant to be complete and the College reserves the right to recommend termination for actions that are not listed.

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 work force 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; **or**
3. Restructuring of the College curricula.

Such 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. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued including the terms, conditions, and limitations of such continuance (see also the Early Retirement Policy)

The Board of Trustees of KCKCC encourages employees to use their vacation and personal business hours during their employment for time away from their duties. However, upon retirement, eligible employees shall be paid a lump sum payment for accrued but unused vacation and personal business hours up to the maximum amount allowed under college policy.