

Title	Severance Benefits Procedure	Effective Date:	5/23/1995																																										
Functional Area	Employee Relations	Revised Date:	9/1/2012																																										
Statement	This procedure provides the process in which severance pay will be administered for nonbargained-for employees who are terminated without cause.																																												
Procedure	<p>A. <u>Severance Pay Benefits</u> Nonbargained-for employees who are terminated by the University without cause may be provided severance pay (and/or working notice in lieu of severance pay) subject to the following terms and conditions:</p> <p>1. Except as otherwise provided herein, regular full-time employees will be provided severance pay or working notice of termination, or any combination thereof, in accordance with the following schedule.</p> <table border="1" data-bbox="360 653 1549 1535"> <tr> <td>Years of Continuous Service in AP or CC position</td> <td> <ul style="list-style-type: none"> Professional Coordinator and Advising Level 1 and 2 All CC Administrative Assistant Levels Management Institutional Band Level 1 </td> <td> <ul style="list-style-type: none"> Professional Coordinator and Advising Bands Level 3 Management Institutional Level 2, 3, and 4 All Management Academic Levels (including ADHs) </td> </tr> <tr> <td>Less than 1 year</td> <td>None</td> <td>None</td> </tr> <tr> <td>1</td> <td>1</td> <td>Weeks</td> </tr> <tr> <td>2</td> <td>2</td> <td>Weeks</td> </tr> <tr> <td>3</td> <td>3</td> <td>Weeks</td> </tr> <tr> <td>4</td> <td>4</td> <td>Weeks</td> </tr> <tr> <td>5</td> <td>5</td> <td>Weeks</td> </tr> <tr> <td>6</td> <td>6</td> <td>Weeks</td> </tr> <tr> <td>7</td> <td>7</td> <td>Weeks</td> </tr> <tr> <td>8</td> <td>8</td> <td>Weeks</td> </tr> <tr> <td>9</td> <td>9</td> <td>Weeks</td> </tr> <tr> <td>10</td> <td>10</td> <td>Weeks</td> </tr> <tr> <td>11</td> <td>11</td> <td>Weeks</td> </tr> <tr> <td>12 and over</td> <td>12</td> <td>Weeks</td> </tr> </table> <p>All eligible regular <u>part-time</u> employees may be provided severance pay or working notice of termination, or any combination thereof, on a prorated basis, based upon the average number of hours worked per week during the immediately preceding one-year period.</p> <p>Note: The President may negotiate up to a maximum of one year of severance pay, upon date of hire, for executives who serve on the Cabinet and/or Executive Council.</p> <p>2. Severance benefits will be paid in accordance with the University's regular semimonthly payroll cycle. All amounts refer to base salary only, and shall not include bonuses, shift differentials or any other additional amounts.</p>			Years of Continuous Service in AP or CC position	<ul style="list-style-type: none"> Professional Coordinator and Advising Level 1 and 2 All CC Administrative Assistant Levels Management Institutional Band Level 1 	<ul style="list-style-type: none"> Professional Coordinator and Advising Bands Level 3 Management Institutional Level 2, 3, and 4 All Management Academic Levels (including ADHs) 	Less than 1 year	None	None	1	1	Weeks	2	2	Weeks	3	3	Weeks	4	4	Weeks	5	5	Weeks	6	6	Weeks	7	7	Weeks	8	8	Weeks	9	9	Weeks	10	10	Weeks	11	11	Weeks	12 and over	12	Weeks
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3. Health and dental benefits are maintained through the end of the month of termination. Should the employee be terminated on the end of the month, the benefits will be terminated at the end of the next month.
4. The severance pay benefits provided in this Section A do not apply to bargained-for employees, students or temporary employees, employees who are employed under an individual employment contract with the University, or administrative/professional employees who hold indeterminate tenure.
5. An employee shall not be eligible for severance pay if his/her termination is by reason of one or more of the following actions:
 - Voluntary resignation
 - Retirement
 - Discharge for engaging in any criminal activity, the misappropriation of funds, or other serious misconduct.
 - The employee's refusal to accept work in another position not lower than one band level below the employee's then current position with the University.
 - Unsatisfactory work performance as determined by the University in its sole discretion.

B. Professional Development Leave Benefits - Administrative Rights-Return to Faculty

Administrative faculty who hold tenure in an academic department at the University may return to faculty after relinquishing the administrative position. The following guidelines shall apply during the transition back to faculty.

Dean, University Librarian, Associate Vice Presidents, Assistant Vice Presidents

At the discretion of the provost, those holding positions as collegiate dean, university librarian, associate or assistant vice president within the Division may be granted a professional development leave prior to return to a full-time faculty role. The following principles will be followed in awarding a leave:

- For those serving less than two years in such a position, no leave will be granted
- For those serving at least two years, but less than five years, a leave of one academic semester will be granted.
- For those serving at least five years, a leave of one academic year will be granted.

Time spent as an interim in one of these positions may be counted in calculating leave eligibility. Service at other institutions or in other positions at Eastern Michigan University will not be counted when calculating eligibility for leave.

Those requesting such developmental leave must submit a request to the provost which includes a delineation of the developmental activities to be undertaken during the leave and the anticipated outcomes of the leave.

Associate Deans, Department Heads, Directors, and Other AP Employees

At the discretion of the dean or appropriate associate or assistant vice president, those with faculty rank who also hold positions as associate deans, department heads, directors or other AP assignments may be granted a professional development leave prior to return to a full-time faculty role. The following principles will be followed in awarding a leave:

- For those serving less than two years in such a position, no leave will be granted

- For those serving at least two years, but less than five years, a leave of one month during the spring or summer semester will be granted.
- For those serving at least five years, a leave of one academic semester will be granted.

Time spent as an interim in one of these positions may be counted in calculating leave eligibility. However, service at other institutions or in other positions at Eastern Michigan University will not be counted when calculating eligibility for a professional development leave.

Those requesting such professional development leave must submit a request to the appropriate administrator which includes a delineation of the professional development activities to be undertaken during the leave and the anticipated outcomes of the leave.

An employee shall not be eligible for professional development leave benefits if his/her termination is by reason of one or more of the following actions:

- Voluntary Resignation
- Retirement
- Discharge for engaging in any criminal activity, the misappropriation of University funds or resources or other serious misconduct.
- Unsatisfactory work performance as determined by the University in its sole discretion.

C. Assistant Athletic Coaches

Assistant Athletic Coaches terminated without cause will receive a severance payment equal to two (2) months of their annual BASE salary. The payment shall be made in accordance with the time frame established in the release and severance agreement.

D. Conditions for Receipt of Severance Pay and Professional Development Leave Benefits Under this Procedure

To be eligible for benefits under this procedure, the employee shall execute a release and severance agreement within such timelines and subject to such terms and conditions as are established by EMU, including, but not limited to, a waiver of any and all legal claims or potential legal claims employee has or may have against EMU and any of its related entities, its Regents and Board of Regents, and its officers, employees and agents. Unless the employee executes the release and severance agreement he/she shall not be eligible for any of the benefits provided in this procedure.

Responsibility	Chief Human Resource Officer
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