

Separation

Separations generally may be divided into the following categories: (1) resignation, (2) retirement, (3) end of term appointment, (4) discontinuation of appointment, (5) termination due to financial exigency, (6) termination for cause, (7) disability separation, and (8) termination due to reorganization, reconfiguration, deletion of programs, or end of grant funding.

Administrative Professional employees who previously held permanent status in a WSU Civil Service staff position may have a right of reversion in accordance with the state civil service laws at the conclusion of the exempt appointment unless there are terms and conditions of a WSU Collective Bargaining Agreement, which apply. For additional information contact Human Resource Services at 509-335-4521.

Employees separating from the University will receive Consolidated Omnibus Budget Reconciliation Act (COBRA) paperwork from the Health Care Authority, which will provide information about their rights to continue their employer-paid medical and dental coverage on a self-pay basis. For additional information please contact HRS at 509-335-4521.

Resignation

An employee is requested to submit notice of his or her resignation at least thirty (30) days prior to the intended date of separation.

Presumption of Resignation

An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of three (3) consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee. The employee has seven (7) calendar days after receipt of notice to petition to the Provost or appropriate Vice President in writing for reinstatement upon proof that the absence was involuntary or unavoidable.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost or appropriate Vice President, oral statements are allowed. The Provost or appropriate Vice President shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University.

Retirement

Employees should notify the employing department and Human Resource Services in writing of their intention to retire. Eligibility for retirement is dependent upon the retirement plan in which the Administrative Professional employee is participating. A Personnel Action Form is prepared by Human Resource Services and routed to the employing department. The employing department forwards the form and the employee's leave reports to Human Resource Services for processing.

Reappointment of Retired Employees

Retired employees may be re-employed at the discretion of WSU. Retirement plans set limits on reappointment, and Human Resource Services must be consulted prior to re-employing a retired WSU employee. Retirees are required to comply with all applicable retirement rules

and regulations. Retired employees who participated in retirement plans managed by the Department of Retirement Systems (DRS) should contact DRS at 800-547-6657 for specific rules regarding the effects of re-employment on retirement benefits. For WSURP participants, and for more information, call Human Resource Services at 509-335-4521.

End of Term Appointment

Administrative Professional appointments with a pre-established appointment end date automatically terminate on the date indicated on the most recent Personnel Action Form.

Notwithstanding the end date stated on the Personnel Action Form, term appointments supported by extramural grants or contracts may be terminated if the supporting grant or contract is terminated prior to that end date.

Administrative Professional employees with a pre-established appointment end date or supported by a extramural grant or contract, may be terminated prior to the end date with a thirty (30) day written Discontinuation of Appointment Notice.

Discontinuation of Appointment: Notice Requirements

Discontinuation of an appointment pursuant to the notice requirements is not “Termination for Cause” and does not reflect poor performance, misconduct, or other cause for termination.

Administrative Professional employees hired on or before June 30, 2004, on appointments without end dates shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

Years of WSU Employment	Minimum Advance Notice in Calendar Days
< 1 Year	30 Days
1– 2 Years	60 Days
> 2 Years	180 Days

Administrative Professional employees hired on or after July 1, 2004, on appointments without end dates shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

Years of WSU Employment	Minimum Advance Notice in Calendar Days
< 1 Year	30 Days
1– 2 Years	60 Days
> 2 Years	90 Days

Former Administrative Faculty – Discontinuation of Appointment: Notice Requirements

Administrative Professional employees, whose current positions were originally covered under the Faculty Manual and who were on appointments without end dates AND who were notified in writing by Human Resources Services of the change of employment type from Administrative Faculty to Administrative Professional, shall be entitled to minimum advance notice of discontinuation of appointment in accordance with the following:

<i>Years of WSU Employment</i>	<i>Minimum Advance Notice In Calendar Months</i>
<i>1 Year</i>	<i>3 Months</i>
<i>2 Years</i>	<i>6 Months</i>
<i>3 or more</i>	<i>12 Months</i>

Termination for Cause: Notice Requirements

An Administrative Professional employee may be terminated for cause without receiving the required period of notice. Discontinuation of Appointment is not applicable when terminated for cause. Cause for termination may include, but is not limited to, inadequate performance of duties, misconduct, or unethical or illegal activity.

When considering termination for cause, the University shall provide the employee written notice of the charges against him or her, together with the factual basis for those charges, and an opportunity for the employee to present reasons, in writing, why he or she should not be terminated. Except for gross misconduct or conduct that poses an immediate threat to the safety of persons or property, the employee will be given ten (10) working days to respond to the notice of charges.

When the University determines that the employee shall be terminated for gross misconduct or conduct that poses an immediate threat to the safety of persons or property, termination may be imposed immediately. However, the employee shall be provided written notice of the basis for termination and thereafter will be provided an opportunity to appeal the termination as provided below.

Disability Separation

An Administrative Professional employee who is unable to adequately perform the essential functions of his/her position due to mental, sensory, or physical disability will be separated from service after the institution has attempted reasonable accommodation of the employee's disability in accordance with law and policy.

The employee shall be provided a written notice of separation with the effective date. The notice shall state that the employee is being separated from service due to disability and shall be provided at least thirty (30) calendar days prior to the effective date.

Administrative Professional employees who held permanent status within the civil service may have a right of reversion under State civil service laws unless there are terms and conditions of a WSU Collective Bargaining Agreement, which apply. The employee has thirty (30) calendar days after the separation effective date to request the reversion rights. For former permanent civil service employees WAC 357-19-475 Reasonable Accommodation – Re-

employment may apply.

Appeal of Termination for Cause and Disability Separation

Any Administrative Professional employee who is terminated for cause or for a Disability Separation may appeal the termination to the Provost, appropriate Vice President, or their designee. The appeal must be in writing and must be received by the Provost, appropriate Vice President, or their designee within ten (10) working days after the date of the notice of termination or disability separation letter. In no case will such request affect the notice of termination, separation, or extend the period of the employee's appointment. Both the employee and the employer may submit written material to be considered in the appeal.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost, appropriate Vice President, or their designee oral statements are allowed. The Provost, appropriate Vice President, or their designee shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University.

Unemployment Insurance

Administrative Professional employees who separate or are terminated from employment may be eligible to receive unemployment insurance. Employees who have cyclic, non-annual appointments are not eligible to receive unemployment insurance during the cyclic non-work period, provided there is an expectation of renewed or continued employment.