

Higher Education Managers and Confidential Non-Aligned Staff Separation without Cause Policy

I. Purpose

William Paterson University of New Jersey may need to lay off employees when economic conditions lead to revenue shortfalls. The University may also lay employees off as part of restructuring to improve effectiveness and/or reduce costs to serve as good stewards of taxpayer and tuition dollars.

This policy provides procedures and enhanced benefits when Higher Education Managers (HEM) and Confidential Non-Aligned full-time employees are involuntarily separated from the University for fiscal or operational reasons, unrelated to performance. This University Policy applies to employees in Higher Education Manager and Confidential Non-Aligned titles whose salaries are financially supported by state, non-state and grant funded sources and are considered employed "at will." Furthermore, such employees are not subject to policies under New Jersey Civil Service laws (N.J.A.C.4A) or collective bargaining agreements.

II. Accountability

The Office of Human Resources is responsible for the administration of this policy. The policy is administered in compliance with State and Federal laws as well as University Policies prohibiting discrimination in employment including but not limited to recruitment, selection, hiring, compensation, training, promotion, transfer, work environment, layoff, return from layoff, and fringe benefits.

III. Philosophy

William Paterson University understands that layoffs affect the livelihood of employees and the welfare of dependents. Consequently, William Paterson University is determined, as far as possible, to limit the hardship to William Paterson University employees affected by unavoidable layoff situations. This policy outlines the process and the range of benefits after separation for non-aligned employees impacted by layoff for fiscal or operational reasons.

IV. Policy and Procedure

- a. Notification and Benefits
 - i. Employees identified for layoff/separation without cause will receive two-weeks' notice or two-weeks "pay in lieu of notice."
 - ii. William Paterson University will offer employees their salary as if they remained employed for 12 weeks. This 12-week period is designated as "severance period."
 - iii. In order to participate in the severance period, employees identified for layoff/separation without cause will be required to sign a Separation Agreement and a "general release" in exchange for the 12 weeks salary outlined in ii. above.
- b. Benefits. The employee shall receive all benefits earned in accordance with the terms of any applicable benefits plans and programs of the University, through the date of termination. Employee's health benefits shall not continue through the severance period, but employees will be eligible for COBRA Benefits after separation apply thereafter.
 - i. Employees shall receive payment for earned, unused vacation balance following separation in final paycheck.

- ii. Unused accumulated sick leave balances are not payable upon resignation or involuntary separation. Unused accumulated compensatory time is not payable upon resignation or involuntary separation.
 - iii. Employees who are eligible for, and elect retirement in lieu of layoff, may be paid for up to one half of unused accumulated sick time up to \$15,000, payable upon retirement.
 - iv. Employees who elect to retire may receive life insurance at 50% of the employee's salary if the employee has 10 years or more accrued service and is 60 years of age or older.
 - v. William Paterson University shall extend EAP (Employee Assistance Program) services, which include counseling and coaching resources, for 6 months post-separation.
- c. Tuition Waiver. An employee and/or dependent who is receiving a tuition waiver during the severance period, will receive the tuition waiver until the conclusion of the session or semester as if the employee were still actively employed.
- d. Unemployment. For purposes of unemployment, the University will provide information that this is a layoff due to downsizing or a separation without cause and therefore will not contest unemployment.