

**Approved By:** Board of Trustees

**Date Approved:** March 29, 2018

**Effective Date:** March 29, 2018

- 1. Summary:** This policy establishes the rights of the College and employees regarding hiring, discipline, and termination and establishes categories of termination.
- 2. Rationale:** This policy is necessary to ensure consistent, equitable, and legally acceptable practices of employee discipline and termination.
- 3. Entities Affected:** employees
- 4. Definitions:**  
*staff member:* an employee of the College who is not also a faculty member requiring approval by the Board of Trustees. See employment status policy for definitions of different classifications of employees.
- 5. Policy:**

#### **Affirmation of Belief**

All candidates for staff positions at the college will be required to indicate general agreement with the College's Articles of Faith as a condition of their employment.

#### **Compensation Administration**

The President and/or Chief Financial Officer of the College will be responsible for assessing wage ranges and placing particular jobs within pay ranges for all positions except that of the President, whose wages are determined by the Board of Trustees.

#### **Employment at Will**

It is expected that all employees will have a long and mutually satisfying relationship with Criswell College. Under Texas law, however, all employees are "employees at will," unless terms of employment are expressly provided for by written agreement between the employer and the employee. As such, employees are free to resign with or without reason, and with or without advance notice. Criswell College may terminate the employment of any employee at any time with or without reason, and with or without advance notice.

Written employment policies, notices, or bulletins are provided to employees only so that they may be informed of the College's current policies with respect to terms and conditions of employment. No written policy is a contract or other legal guarantee that Criswell College will continue any practices described in the written policy.

No officer, supervisor, or employee of Criswell College other than the President may (i) promise, agree to, or enter into any contract of employment with, or make a contractual commitment or guarantee of permanent or continuing employment to, any employee; or (ii) terminate employment at any time with or without reason, and with or without advance notice. If an employee believes for whatever reason that (i) he or she cannot freely resign from employment with Criswell College, or (ii) Criswell College may not, because of some written or oral statement, representation, or promise made to the employee, terminate employment without reason or advance notice, the Chief Financial Officer should be immediately informed. Failure to provide such notice constitutes an employee's acknowledgement of and agreement to employment on terms and conditions stated in this policy and any other employment policies of Criswell College.

### **Termination of Employment**

Ordinarily, the termination of an employment relationship with Criswell College will fall within one of the following categories with indicated policies applicable to each: resignation, unsatisfactory performance, misconduct, reduction-in-force, or death. Just as employees have the right to terminate their employment at will, Criswell College reserves the right to sever the relationship at will.

- **Voluntary Resignation**

Notice by the employee should be in writing, and the resignation should be forwarded to the supervisor. The supervisor should forward copies of the resignation to the responsible Vice President and the Director of Human Resources. The College requests a two-week notice when at all possible. Once an employee has entered a notice of resignation, its retraction should be permitted only by the mutual agreement of the employee and the supervisor.

An employee who resigns will be paid earned salary and earned but unused vacation pay. An employee who resigns is not entitled to severance pay.

- **Unsatisfactory Performance**

Unsatisfactory performance, such as failure of an employee to meet performance standards, complete tasks in a timely manner, or maintain an adequate attendance record, can result in termination. An employee discharged for unsatisfactory performance will be paid earned salary and earned but unused vacation.

- **Misconduct**

Misconduct involving misbehavior, insubordination, dishonesty, harassment, or conviction of a felony are examples of grounds for termination. An employee discharged for misconduct will be paid earned salary and earned but unused vacation.

- **Reduction-in-Force**

Termination of employment resulting from job elimination due to reorganization or financial considerations determined by Criswell College management will be paid earned salary and earned but unused vacation pay. Employees terminated under these conditions may be eligible for severance pay.

If the need to lay off or reduce the staff is caused by an emergency or by factors that could not be reasonably anticipated, Criswell College will not be bound to give notice or pay in lieu of notice.

- **Severance Pay**

At the discretion of Criswell College, severance pay may be provided for an individual whose employment is terminated due to reduction-in-force or in lieu of notice. To receive severance pay, the individual must have more than one (1) year of continuous service with Criswell College.

- **Retirement**

A retiring employee will be paid earned salary and earned but unused vacation. Criswell College will assist in processing pension plan payments to the extent required by law. See the Director of Human Resources for details.

- **Death**

In the event of an employee's death, the following will be paid to the estate of the deceased: earned salary and earned but unused vacation. Criswell College will assist the family of the deceased, executor, or designated beneficiary to expedite the processing of provided life insurance benefits or pension plan payments, if any.

**6. Procedure:**

- a. **Implementation:** The Chief Financial Officer is responsible for developing and maintaining any procedures necessary for the implementation of this policy.
- b. **Responsibility for Compliance:** Chief Financial Officer
- c. **Notification:** This policy will be published on the College's website and will be published in its entirety or in summary in the College's *Employee Handbook*.
- d. **Policy Review:** This policy will be regularly reviewed according to the College's policy review procedure.

For the Office of the President only:

Policy version: 1.0	Policy number: 2.062
Related policies:	

**Policy History**

Version 1.0	March 29, 2018
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