

## SECTION 4 FACULTY HIRING AND TERMINATION

### 4.1 REQUIREMENTS FOR CONDUCTING FORMAL FACULTY SEARCHES

#### **Governing Policies:**

Section 4.7, Faculty Handbook – Faculty Appointment Process

#### **Procedure:**

The following policy defines the process through which faculty must be employed by the School of Mines. If a formal search process is required, this process is conducted as defined in Section 4.2 of this Procedures Manual.

- *Tenure, Tenure Track Faculty:* All Tenure and Tenure-Track Faculty positions must be filled through a formal search process.
- *Teaching Faculty:* All Teaching Faculty positions must be filled through a formal search process.
- *Chaired Visiting Professorships:* All chaired visiting professorships must be filled through a formal search process.
- *Professor of Practice:* All Professors of Practice positions must be filled through a formal search process.
- *Exempt Positions:* All exempt positions expected to last for more than one year must be filled through a formal search process, except in those cases where the position holder brings the full funding. In these cases there can be no commitment, expressed or implied, from the institution.
- *Adjunct Positions:* Adjuncts can only be hired on a part-time basis (Note: definition of “part-time” is available through the Office of Human Resources) and a formal search is not required, although it may be conducted at the discretion of the Department Head.
- *Research Faculty, Postdoctoral Appointments and Non-Chaired Visiting Faculty:* Formal searches for research faculty positions and non-chaired visiting positions, whether for teaching or research, are required whenever the appointment is expected to last for more than one year. As initial postdoctoral appointments are normally made for one year, a formal search process for filling a postdoctoral appointment is not required. In cases where the timing of a contract requires expeditious appointment and when an individual has been identified, appointment can be made with an abbreviated search that includes formal consideration by the supervisor, the Department Head, the Dean, and at least two members of the department. Formal review at the end of one year is required for reappointment.

Renewal of all research, non-chaired visiting faculty, and postdoctoral appointments after the first period is subject to satisfactory performance as determined by the department head/division director.

- *Department Heads, Division Directors, and Deans:* The decision on whether or not to conduct external searches for Department Heads, Division Directors, Deans and other administrative positions, when filling from within the department, will be made by the Provost on a case-by-case basis.

**Last Revision:**

June 16, 2016

## 4.2 HIRING PROCESS FOR ACADEMIC FACULTY

### Governing Policies:

Section 4.2, 4.3, 4.4, and 4.5, Faculty Handbook – Minimum Qualifications

### Procedure:

#### *Search Request:*

To seek and receive approval for a new hire, faculty or otherwise, the following procedure should be adhered to:

- a. As part of the annual budget process, during the Spring semester, the Provost shall consult with the Deans to construct a hiring budget request for the upcoming year. The Provost and Deans, based on input received from academic and administrative Department Heads, and Program Directors, will develop this plan. For new hire requests Department Heads should provide, as requested by their Deans: 1) an overall rationale/need for the position, 2) fit of the request into the academic/strategic plan for the unit, 3) fit of the request into the strategic plan for the institution, 4) estimated starting salary, 5) estimated startup needs, and 6) estimates space requirements.
- b. In late spring and summer, at the conclusion of the budget process, the Provost will work with the Deans to augment or amend the hiring plan as required by approved budget or recently developing staffing needs.
- c. The Deans will inform their academic Department Heads and Program Directors with an approved hiring list for the academic year by August. At this point, the Department or Program may formally start the search process.
- d. To start the search process, the Department Head or Program Director should,
  - i. Following consultation with departmental or program faculty, the Department Head or Program Director shall appoint and charge a search committee and chairperson. The committee composition should reflect institutional values of diversity and inclusion. The search committee shall not include the Department Head or Program Director. The search committee shall be comprised of at least five faculty members, more than half of who are from the hiring department. In the case of interdisciplinary hires, the search committee must have an academic faculty member from each home department participating in the program and may not include Department Heads from any of these departments.
  - ii. For hires of library faculty, following consultation with appropriate constituency groups, the Library Director shall appoint a faculty search committee, including a committee chairperson. The search committee shall be comprised of not less than five faculty members, more than half of who are library faculty. At least one committee member must be from outside of the library.
  - iii. In consultation with departmental or program faculty, and the Department Head or Program Director, the search committee shall prepare the advertisement and search selection criteria. Prior to placing any job announcements, the advertisement and selection criteria must be reviewed by Human Resources for EEO and Affirmative Action compliance. The vacancy shall then be advertised in appropriate publications or venues.
  - iv. Complete the Faculty Recruitment Authorization Form (RAF). The “Search Budget” listed on the RAF should be set to the index number of the appropriate Dean's search account.
  - v. The search package (i.e., RAF, position advertisement, and selection criteria) is forwarded to the Dean for review and approval. The Dean will approve and forward the

package either to HR for search initiative, or in some cases to the Provost for additional review and approval.

***Search Process:***

Once final approval has been received, the search may proceed as follows:

- a. As soon as possible after HR approval of the advertisement and selection criteria, HR will place the advertisement in the venues recommended by the Committee and approved by the Department Head and Dean.
- b. After the Office of Human Resources approves the selection criteria and places the advertisement, the Committee must be formally charged. The Office of Human Resources will inform the Committee of upcoming opportunities for meeting the formal charge requirement.
- c. The Committee is encouraged to proactively reach out to appropriate colleagues at other institutions to expand the pool of candidates who apply for the position. Special attention should be paid to producing as much ethnic and gender diversity as possible in the search pool.
- d. The following process shall govern the selection of finalists. The faculty search committee shall perform the applicant screening process and identify qualified candidates. The search committee will work with the Department Head/Program Director to develop a recommendation as to which candidates, if any, shall be invited to campus for interviews as finalists. Normally, the search committee will identify a minimum of three finalists. If fewer than three finalists are identified, the faculty of the hiring department(s) should be consulted as to whether the search should proceed.
- e. Once the committee has narrowed the search to a selection of finalists, the committee must formalize its recommendation in memo format to the Department Head (if the committee reports directly to a Dean, the memo should go to the Dean). One aspect of this memo is a summary of the scores, based on the selection criteria, to justify the choices of most promising candidates. The Department Head (if appropriate) and Dean must formally concur with the recommendation, doing so memo format to the Search Committee Chair.
- f. The Search Committee Chair completes the Recommendation for Interview Form, with the appropriate signatures and submits this form to HR with a copy to Academic Affairs.

***Interview Guidelines:***

Faculty candidate, both TTT and Teaching, interviews should conform to the following guidelines:

- a. The finalist(s) shall be interviewed by the search committee and members of the department/program and the administration. Following interview(s), the search committee and Department Head/Program Director shall work with the department(s) to develop the hiring recommendation as defined below. Minimum guidelines for administrative interviews are listed below:
- b. During the interview process, the Search Committee Chair must ask the candidate: “who may we not contact regarding your candidacy for a position here at the Colorado School of Mines.” This allows a candidate to set boundaries on reference checks regarding their professional track record.
- c. During the interview process, the Dean and/or Department Head must ask the candidate what their salary expectations are and also ascertain some level of startup expectations from the candidate.

Interviewer	Type of Candidate				
	Dean	DHDD	Chaired Position	Tenured Faculty	All Ranks Tenure-track & Teaching Faculty
President	30 minutes				
Provost*	60 minutes and a meal	60 minutes	30 minutes	30 minutes	
Associate Provost or Dean of Grad Studies* (DGS)	30 minutes	30 minutes			
VP for Research & Tech Transfer (VPRTT)	30 minutes	30 minutes	30 minutes	30 minutes	
College Dean		60 minutes	60 minutes	30 minutes	30 minutes

\*The above listed members of the senior administration may choose to have additional meeting(s) with the candidate. Typically, a candidate will only interview with the VPRTT if he or she is available. Deans may choose to interview the candidate for a longer time period or to be present in multiple interview venues. At his/her election, the Provost may delegate the interview to another individual.

***Decision and Hiring Processes:***

- a. The faculty of the Department(s) shall develop the hiring recommendations of the department(s). In developing their recommendations, the Search Committee and Department Head must seek faculty input and are encouraged to use the Faculty Candidate Assessment Process (FCAP) that may include solicitation of information concerning how actively each faculty member participated in the interview process. All tenure-line and teaching faculty in the department/program, including the Department Head/Program Director, faculty on sabbatical, and those faculty members serving on the faculty search committee, are eligible to provide input. Regardless of specific approach, faculty outside of the search committee and the Department Head/Program Director will be canvassed concerning the hiring recommendation. Best practice for obtaining faculty input is for the process to be anonymous. In the case of interdepartmental hires, the faculty of each department should develop hiring recommendation(s) in this manner.
- b. After sharing recommendations from the Search Committee, the results of the faculty input, and his or her recommendations with the entire faculty, the Department Head/Program Director, or Department Heads in the case of joint appointments, shall fully and accurately convey the hiring recommendation of the faculty, the recommendation of the search committee, and the Department Head's views to the Dean or Provost, as applicable. The Department Head shall also submit all required materials and forms. If an offer of tenure is being considered for a new faculty member, the departmental promotion and tenure committee, or committees in the case of joint appointments, shall be involved in the decision as set forth in section 8.1.7 B of the Faculty Handbook.
- c. The Dean or Provost, as applicable, shall make the final hiring decision after consultation with the Office of Human Resources to assure that the search has met EEO and Affirmative Action requirements. If this decision differs from that of the hiring department(s), the Dean or Provost shall discuss this matter with the faculty of the hiring department(s) before extending a formal offer.

- d. If the search is for an opportunity hire, the process above may be modified by the Dean or Provost, as applicable, in consultation with the hiring department, or departments in the case of joint appointments, except that no modification to the process may be made with respect to the EEO and Affirmative Action reviews conducted by Human Resources. However, the hiring department, or departments in case of joint appointments, shall develop the recommendation of the faculty of the department(s) using the FCAP described above.
- e. The Dean (or his or her delegate) must provide approval on the hiring action before any offer, verbal or written, is made. As a part of the approval, the Dean will provide, in writing, an approval for salary. At the discretion of the Dean, the Dean or Department Head will contact the candidate and start the hiring conversation that will proceed by setting an acceptable academic salary and then determining the startup needs for the candidate. Academic Affairs will provide a worksheet to help determine startup packages for the candidates to be used by the negotiator to help determine the startup needs for the candidate. The Dean and Department Head will work together to set an appropriate startup package for the candidate. Once the hiring package is set, the negotiator will convey this to the candidate.
- f. Moving expenses – AA typically provides \$5k for new faculty hires. Expenses allowable are covered by the “Moving Policy.” Exceptions and supplements to this by departments are considered by require Dean approval.
- g. Once a verbal agreement is made, the Department Head or Dean should request from Academic Affairs, an offer letter and contract, which will include offers for salary, startup funding, and moving costs. In the case of candidates that need to be immediately considered for tenure, this offer letter should request what materials, if any beyond the application package, are required for consideration of the tenure decision. Formal letters of offer should include all commitments made to the candidate (e.g., those from AA, the Department, VPRTT, etc.). In order to move forward with an offer that is tied to tenure, the candidate must sign a contractual agreement that accepts our offer if we do in fact award tenure. The Department Head or Dean may elect to include an additional letter to be sent with the formal offer letter from Academic Affairs that provides information about departmental resources applied to the startup needs for the individual such as, office space, teaching relief, etc. Any space allocation commitments must be formally made by the appropriate Dean.
- h. If the candidate accepts the offer, he/she will sign the contract. Copies will be provided to the Department and the Office of Human Resources.
- i. Once an offer has been accepted, the Department should complete an HRS form for Human Resources and instruct the new faculty member to contact Human Resources to sign up for New Employee Registration.

**Last Revision:**

June 16, 2016

### **4.3 VISA AND IMMIGRATION PROTOCOL FOR APPOINTING FOREIGN TENURED OR TENURE TRACK FACULTY**

Acquisition of United States entry and initial employment visas for new tenured, tenure-track, and other teaching and research faculty members hired from foreign countries will be facilitated through the Offices of Legal Services and Academic Affairs. The Colorado School of Mines will file the appropriate supporting documents with the United States Citizenship and Immigration Services (USCIS), and the CSM hiring department will pay the required USCIS filing fees for the initial visas and renewal of visas for these faculty members. The visa application process will commence upon issuance of a formal request from the Department Head and/or Dean to Legal Services, and the application for the initial employment-based visa will normally be done in conjunction with the acceptance of an employment offer to the faculty member. CSM will work with local immigration counsel to obtain both the initial employment-based visa and subsequent visa extensions for these hires. Typically, the hiring department, with the assistance of Academic Affairs, will be expected to fund the expenses and fees incurred by CSM for these legal services. Any expenses and fees associated with the faculty member's dependents' visas must be funded by the faculty member personally, utilizing personal resources.

Most of our foreign faculty hires will utilize one of two visa categories: the H-1B visa for "Specialty Occupations" or the O-1 visa for foreign nationals of extraordinary ability in the sciences, arts, etc. In the case of the H-1B, legal counsel will need detailed information from the applicant and the hiring department regarding the applicant's anticipated position at Mines and the applicant's visa/immigration history. Department Heads, Division Directors or Deans will be asked to assist in acquiring the necessary information from the applicant. Applications for O-1 visas will be done on a case-by-case basis. The information needed is comparable to that of the H-1B, except for the additional requirement of peer reviews and evidence of unusual distinction.

Initial employment visas will typically expire after a period of three years. CSM will expect immigrant tenured, tenure-track and other approved faculty who are on such visas to take personal responsibility for initiating the process for visa renewal or application for permanent residency, and to do so within a timeframe that is consonant with visa expiration dates and the expected petition review and approval periods required by the USCIS. CSM will assist with visa extensions or renewals, but will not provide legal representation or fund USCIS filing fees for immigrant faculty who are seeking permanent residency status (also known as the "Green Card"), except to the extent federal law or regulations require the School, as an employer, to subsidize or assist the employee with legal representation or USCIS fees for any aspect of the permanent residency application process. CSM will also assist with labor certifications (as needed for visa renewal or permanent residency applications) by confirming the employment status of immigrant faculty at the Colorado School of Mines and providing required supporting documentation.

On a case-by-case basis, CSM may assist with H-1B applications for foreign research professors or post-doctoral fellows who intend to reside in the United States and expect to have long-term appointments at the Colorado School of Mines. Requests for such assistance should be channeled through the Office of Academic Affairs, where they will be reviewed in the context of the expected long-term value that the School will acquire through the professional services of the individual. The application materials will normally be forwarded to immigration counsel for all legal services leading up to issuance of the visa. Filing and legal services costs will be borne by the hiring department utilizing project accounts or departmental discretionary funds, as appropriate and pursuant to the School's fiscal policies and procedures.

In cases where temporary foreign faculty hires (visiting professors for terms less than three years) are best suited to the J visa, the application will be processed through the International Student Office. This Office has appropriate authority and expertise in processing J visas, and will be asked to provide assistance on an as-needed basis for temporary foreign faculty positions. It is illegal for the Colorado School of Mines to

employ any foreign employee who does not have a valid employment visa or permanent residency, or lacks appropriate documentation evidencing his or her eligibility for employment in the United States. If a faculty member is unable to procure the required work authorization or visa status to ensure such authorization, or the visa status ensuring such authorization expires, federal law may require the School to take immediate steps to terminate the faculty member's employment.

**Last Revision:**

September 12, 2016

#### **4.4 REQUIRED DOCUMENTATION FOR NEW CSM FACULTY**

Upon hiring, the following documentation should be submitted to Academic Affairs for all new faculty, including academic, adjunct, research, no remuneration, etc.:

- 1) CV or resume
- 2) Original, official transcript for the highest degree (required only for faculty with teaching duties).

These documents are required by CSM's accreditation agencies.

**Last Revision:**

February 11, 2008

## **4.5 FACULTY APPOINTMENTS FOR GRADUATE STUDENTS**

### **Governing Policies:**

Section 4.3, Faculty Handbook – Minimum Qualifications for Non-Tenure Track Instructional Faculty Titles

Section 4.4, Faculty Handbook – Minimum Qualifications for Research Faculty Titles

Section 5.3.1, Faculty Handbook – Degree Candidates

### **Procedure:**

On occasion, there are good reasons to want to employ well-qualified graduate students in faculty appointments (Research Associate, or Teaching Faculty), or conversely allow existing faculty to pursue additional degrees. Appointees, who are graduate students currently enrolled in good academic standing, must go through the full appointment process and meet all requirements specified in the Faculty Handbook. In the case of appointing graduate students to a faculty position, however, the requirement for advertising the position can be waived by the Provost.

Section 5.3.1 of the Faculty Handbook prohibits persons from holding any faculty appointment in the same department in which they are pursuing their degree. It allows, however, the Dean of Graduate Studies to waive this requirement in special cases. Following are the minimum guidelines that must be fulfilled in order for such a waiver to be considered:

- a. The graduate student must have completed the basic course work and minimum number of credit hours required for the degree and have an approved Admission to Candidacy form on file in the Graduate Office.
- b. The department head or division director must certify that the graduate student has the appropriate knowledge and/or experience that make her or him well suited to the position.
- c. The graduate student's faculty responsibilities must be limited to the specific purpose of the assignment (e.g. work on a research project, teaching a course, etc.). The graduate student may not vote on matters of departmental policies and operations or otherwise participate in decisions that normally are the purview of the full-time, permanent faculty.
- d. The full-time, permanent faculty in the department must support the appointment and certify that it will not cause a conflict of interest when they give the graduate student grades in their own courses or vote on the student's performance on the comprehensive exam or thesis defense.
- e. The rate of compensation must be at least what the student would have received as a Graduate Research Assistant or Graduate Teaching Assistant for substantially the same time commitment.

Graduate students who are given faculty appointments under these conditions will have dual status as both faculty and students. Their responsibilities and privileges as faculty will be limited as indicated above. They will continue to have the same responsibilities and privileges as other students in their category, and their work assignment must allow them to continue to make significant progress toward their degree.

### **Last Revision:**

June 5, 2014

## **4.6 GUIDELINES FOR APPOINTING FACULTY TO A POSITION WITH NO REMUNERATION**

### **Governing Policies:**

Section 4.1.2, Faculty Handbook – Non-Tenure-Track Faculty Appointments

Section 4.1.8, Faculty Handbook – Non-remuneration Appointments

### **Procedure:**

Nominations for non-remunerative (i.e., volunteer) faculty appointments are made upon the recommendation of the appropriately constituted Departmental Promotion and Tenure Committee, the Department Head, and the College Dean. Non-remunerative appointments that do not involve faculty rank (e.g., research assistant, research associate, etc.) do not require a recommendation from the Dean.

As per the Faculty Handbook, non-remunerative appointments are available for the following faculty titles: Adjunct, Visiting, Visiting Scholar, Research Associate, Research Professor (at any rank), and Affiliate Faculty. Please see section 4.1.2 of the Faculty Handbook for descriptions of the roles of each of these faculty titles.

Recommendations along with the appropriate Human Resources action form ([http://inside.mines.edu/HR\\_Forms](http://inside.mines.edu/HR_Forms)) should be forwarded to the Associate Provost for final approval.

When the office of the Associate Provost receives the request, it will send a letter to the faculty member (sample letter follows). When the signed letter is received, the Associate Provost will send copies to Human Resources and the Department/Division, as well as place the original in the faculty member's file.

A background check is required for all no-remuneration faculty or staff that work directly with students, (just as it is required for all paid faculty and staff).

Once a non-remuneration faculty member's appointment ends, a separation form must be submitted to Human Resources, as with all other faculty.

As per Section 4.1.8 of the Faculty Handbook, all non-remuneration appointments are at most, one-year appointments. Renewal of the appointment is available, but only done upon the recommendation of the appropriate Departmental Promotion and Tenure Committee, the Department Head, and the College Dean.

### **Last Revision:**

June 18, 2014

## SAMPLE NON-REMUNERATION FACULTY APPOINTMENT LETTER

«Full\_Name»

«Address\_1»

«Address\_2»

«Address\_3»

Dear «Name»:

I am pleased to offer you an/extend your appointment as «Title» in the «DepartmentDivision» at the Colorado School of Mines (“Mines”) for the period «Start\_Date» through «End\_Date» with no remuneration.

Although your volunteer appointment is not considered employment and does not confer the employment rights and privileges listed in the Mines Faculty Handbook (“Handbook”), you will be expected as a Mines appointee to abide by the restrictions on the unauthorized use of Mines’ name contained in Section 6.2.3.B of the Handbook, which can be found at [http://inside.mines.edu/UserFiles/File/policies/FAC/FH\\_Sec6.pdf](http://inside.mines.edu/UserFiles/File/policies/FAC/FH_Sec6.pdf). You will also be required to comply with all other pertinent Mines policies and procedures, including, but not limited to, those set forth in the Faculty Handbook, the Academic Affairs Procedures Manual and on the Institutional Policy website. Please be advised that non-remuneration volunteers are not eligible for Mines benefits, except for liability insurance provided through the State Office of Risk Management, which Mines is required by law to provide.

This offer is contingent upon the Mines’ receipt **on the first day of your appointment period** of acceptable documents that demonstrate you are legally permitted to work in the United States. This is mandated by federal law, specifically the Immigration Reform and Control Act of 1986 (IRCA). A list of acceptable documents can be found at [http://inside.mines.edu/New\\_Employee\\_Information](http://inside.mines.edu/New_Employee_Information) by following the “I-9 Immigration” link. You are solely responsible for obtaining all necessary documents prior to your first day at Mines. **If you do not provide these documents by the first date of your appointment, this offer of appointment will be rescinded and withdrawn.**

This offer is also contingent upon Mines’ verification of your credentials and other information required by Mines policies, including the successful completion of a criminal history background check, **prior to your start date**. The Background Investigation Disclosure and Authorization form and a Summary of Your Rights document that we are required to provide you as part of our background screening process can be found at [http://inside.mines.edu/HR\\_Forms](http://inside.mines.edu/HR_Forms) and is also attached to this letter for your convenience. Please submit this form to Human Resources at [dstrujil@mines.edu](mailto:dstrujil@mines.edu).

Please provide Academic Affairs with an *official* transcript of your highest degree. We recognize that obtaining official transcripts may take some additional time. Please assure that we receive your official transcripts by **, XXXX**.

This appointment contains the entire agreement between Mines and the Volunteer on the subject of the volunteer’s appointment by Mines and shall supersede any and all prior written or oral agreements or representations between the parties on this subject. Please indicate your acceptance of this appointment under the terms stated above by signing this letter and returning it to Academic Affairs no later than **«RETURN\_DATE»**.

Thank you for your participation and contribution to the educational program of Mines. I am sure our association will prove to be mutually beneficial and worthwhile.

Sincerely,

Terry Parker  
Provost

**AGREED TO AND ACCEPTED BY:**

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Volunteer Signature

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Date

cc: «Department\_Head»  
Mines Office of Human Resources  
File

1/13/12

## 4.7 GUIDELINES FOR HIRING ADJUNCT FACULTY

### Governing Policies:

Section 4.1.2, Faculty Handbook – Non-Tenure-Track Faculty Appointments

Section 5.2, Faculty Handbook – Eligibility for Benefits

Section 6.1.2, Faculty Handbook – Teaching Assignment Guidelines

### Procedure:

As defined in Section 4.1.2 of the Faculty Handbook, Adjunct Faculty are temporary faculty members who are appointed on a semester-by-semester basis. Adjunct Faculty are typically hired for specific, short-term, instructional assignments. They may, however, also be assigned supplemental administrative duties.

As Adjunct Faculty members are usually hired to fill specific, short term needs, they have generally been considered ineligible for benefits. As such, to remain in compliance with Patient Protection and Affordable Care Act the following guidelines shall be used to limit Adjunct Faculty effort levels:

1. Total effort across all activities, instructional and administrative, shall be less than 75% of full-time effort without the expressed, written approval of the College Dean and the Provost.
2. For Adjunct Faculty who have teaching-only assignments, whether in the same department or not, effort is calculated based on the full-time load defined in Section 6.1.2 of the Faculty Handbook of 12 credit hours per semester. As such, to be less than 75% full-time, normal adjunct assignments must have **TOTAL** teaching loads of **LESS THAN 9** credit hours per semester.
3. For adjunct assignments that include both teaching and administrative responsibilities, total percent effort is calculated as the sum of 1) the percent effort directly assigned to administrative responsibilities, and 2)  $8\frac{1}{3}\%$  effort per course credit hour taught. The sum of these two efforts must be less than 75%.

The Provost may allow a small number of adjunct appointments to be above 75% of full-time effort in cases where it can be documented that there is a compelling institutional need/interest in retaining an adjunct appointment at a higher level of effort. Adjunct Faculty appointed at effort levels of 75% and above shall be deemed eligible for benefits as defined in Section 5.2 of the Faculty Handbook.

### Last Revision:

June 18, 2014

## 4.8 TERMINATING SALARY CONTRACTS AND SEPARATION OF EMPLOYEES FROM CSM

### Governing Policies:

Section 9, Faculty Handbook – Termination of Employment

### Procedure:

Termination of faculty is governed by policies defined in Section 9 of the Faculty Handbook. Within these policies, however, when an employee leaves CSM for any reason, it is required that the Department/Division complete a Separation Form. This form is available at [http://inside.mines.edu/HR\\_Forms](http://inside.mines.edu/HR_Forms)

Please note that *the Separation Form is required for all employees, including temporary and adjunct faculty, whether they receive benefits or not.*

The “end-date” specified on the Separation Form used for personnel payroll actions specifies the date upon which salary payroll actions against the account number(s) are terminated for an employee. The “end-date” *does not* signify termination of employment or resignation by the employee from the Colorado School of Mines. On the contrary, for many employees, especially those working on research accounts, departments activate a new HRS form for a period immediately beyond the previously expired “end-date” and keep the employee in continuous employment of the School.

Any assumption that the Separation Form “end-date” automatically invokes a full employer-employee separation is incorrect. While salary actions will cease, continuing payment of health premiums by CSM for an eligible faculty member do not. This is advantageous for employees who serve continuously, but whose salary payments must be renewed periodically as funding changes, and as implemented through successive filings of HRS forms with sequential start-end periods.

However, for employees who are truly terminating employment, if we do not inform them of their rights to continuing benefits through COBRA within 14 days of separation, the School could face significant liabilities and penalties. There are also PERA complications: failure to get timely termination information to PERA has an impact on service dates and final payout of any balances, which in turn can negatively affect (for the individual) the calculation of highest average salary.

It is therefore essential, and required, that when an individual is not only ending his or her salary contract period (per the HRS form) but is also leaving the Colorado School of Mines, that Departments and Divisions complete the Office of Human Resources Separation Notice.

This form alerts the HR Office to the fact that we have an intentional termination of an individual, and triggers the appropriate health, COBRA and PERA separation actions.

### Last Revision:

June 3, 2014