At-Will Employees

At-will employees may be dismissed at any time for any reason not prohibited by law, including, but not limited to, reasons for disciplinary action set out in Board policy or for no reason, as determined by the needs of the College District. For example, at-will employees may be dismissed at any time for the grounds for disciplinary action specifically listed in DMAA. At-will employees who are dismissed may request review of that decision through DGBA(LOCAL) and will receive pay through the end of the last day worked.

Severance Benefits

The College District must continually assess its operations, evaluate personnel, and allocate staffing wisely to operate efficiently and effectively. When a position(s) or an individual’s employment with the College District is no longer supportable, the College District will take appropriate action.

In the case of an organizational change or position elimination, reasonable effort will be made to reassign displaced employees to available positions. If these efforts are not successful, severance benefits may be provided to ease the transition from employment. Exceptions to this severance benefits policy may be granted by the District President.

Eligibility

Under this policy, regular full-time noncontract staff who have completed their 90-day probationary period are eligible for severance benefits if:

1. The position they hold is eliminated and reassignment to a comparable or available position is not offered;
2. They are part of an early exit incentive program; or
3. Their employment is otherwise involuntarily terminated.

Employees within their 90-day probationary period, temporary employees, adjunct faculty, part-time employees, grant employees (unless allowed under the applicable grant), and contract employees are not eligible for severance benefits under this policy.

In the event of a position elimination or other organizational change, the College District will attempt to provide reasonable advance notice to these employees, when feasible.

Severance Pay

Eligible employees will be provided all benefits and compensation normally due to separating employees and COBRA or other insurance continuation options, if applicable.

Subject to receipt by the College District of a fully executed release of all claims in a form acceptable to the College District, severance-eligible employees may also be provided:
1. Two calendar weeks of pay at the final base salary rate as notice or pay in-lieu-of notice;

2. One week of base pay as severance for each year of full-time service with the College District, generally to a maximum of six calendar weeks, which will be provided at the final base salary rate (excluding any other forms of final or additional pay due to the employee under applicable law); and

3. Outplacement assistance and career counseling services of the Human Resources department, if available.

Severance pay will not exceed the District President’s contracting authority as set by Board policy CF.

**Distribution of Severance Benefits**

If pay-in-lieu of notice is provided, the employee will remain on the payroll on administrative leave until that period is exhausted. Severance pay will be distributed as a lump sum payment that will be issued after the employee signs the release and any required notice period is exhausted.

**Reemployment**

Employees who have received severance pay benefits are not eligible for reemployment with the College District until the notice period and severance pay distribution period have been fully exhausted or an agreement to reimburse severance pay for future weeks has been executed.

**Resignation**

The District President or designee is authorized to accept the resignation of an at-will employee at any time. The District President may delegate to other administrators the authority to accept a resignation of an at-will employee. The College District has the sole discretion to designate a resigning employee’s earlier final day at work, whether or not the intended notice period has been fully satisfied. Once submitted and accepted, the resignation of an at-will employee may not be withdrawn without the consent of the District President or designee. [See DMD]