

Separation of Employment Policy:

Procedures for Voluntary and Involuntary Terminations (Including Employee Death)

Purpose

It is the policy of St. Andrew Lutheran Church (SALC) to ensure that employee terminations, including voluntary and involuntary terminations and terminations due to the death of an employee, are handled in a professional manner with minimal disruption to the workplace.

At-Will Employment

Employment with SALC is voluntary and subject to termination by the employee or SALC at will, with or without cause, and with or without notice, at any time. Nothing in this policy shall be interpreted to conflict with or to eliminate or modify in any way the employment-at-will status of SALC employees.

Voluntary Terminations

A voluntary termination of employment occurs when an employee submits a written or verbal notice of resignation, including intent to retire, to the appropriate supervisor, or when an employee is absent from work for three consecutive workdays and fails to contact the supervisor (job abandonment).

Procedures

1. Employees are requested to provide a minimum of two weeks' notice of their intention to separate employment. The employee should provide a written resignation notification to the appropriate supervisor.
2. Upon receipt of an employee's resignation, the supervisor will notify the Parish Manager and the SALC Human Resources (HR) Committee by sending a copy of the resignation letter and any other pertinent information (e.g., employee's reason for leaving, last day of work).
3. The Parish Manager and the HR Committee will coordinate the employee's departure from the church. This process will include the employee's returning all church property, a review of the employee's post-termination benefits status, and the employee's completion of an exit interview.

Involuntary Terminations

An involuntary termination of employment, including a layoff of more than 30 days, is a management-initiated dismissal with or without cause.

Discharge for cause refers to immediate termination of employment due to an employee's misconduct. Any kind of disciplinary action or progressive discipline that results in termination may be considered "for cause." Other wrongful behaviors or actions that result in immediate dismissal are also considered "for cause." Examples of such termination of employees include circumstances where an employee:

- Breaches the contract of employment

- Is discovered guilty of fraud, embezzlement, or other kinds of illegal actions against the church
- Is guilty of discriminatory behavior or harassment
- Is guilty of unlawful or immoral behavior on the job
- Is guilty of willful neglect of job responsibilities
- Is discovered to have caused intentional damage to the church's assets
- Continuously disregards church policy

The list is not exhaustive; therefore, discharge for cause remains at the church's discretion. It must, however, always reflect an unacceptable behavior or action that violates legal or church guidelines and may result in financial and non-financial damages for the church, other employees, or society.

Discharge without cause can occur when the church decides that the services of an employee are no longer needed. In general, this does not refer to an employee's conduct. Reasons for discharge without cause may be layoffs, rearrangement of the staff, or redefining of a position. In cases when an employee must be terminated without cause, the church is obliged to give notice a specified amount of time prior to the date of termination depending on time of service, age of employee, or position held. If the employee has to stop working before the date of termination, the church will still provide compensation for the time remaining, specified as "pay in lieu of notice."

Procedures

1. Before any action is taken to involuntarily discharge an employee, a review must be completed by the Council Executive Committee and the HR Committee. This group will be responsible for reviewing the circumstances and determining if discharge is warranted.
 - a) If a called or rostered leader (pastor or deacon) is considered for termination, consultation with the synod is required.
2. If the group recommends discharge, the employee's supervisor and an HR representative will notify the employee.
3. The employee's supervisor will work with the Parish Manager to ensure payroll is processed so that the final paycheck can be delivered on the employee's last day of work.

Death of an Employee

A termination due to the death of an employee will be made effective as of the date of death.

Procedures

1. Upon receiving notification of the death of an employee, the employee's supervisor should immediately notify the Parish Manager and the HR Committee.
2. The Parish Manager will process all appropriate beneficiary payments from the various benefits plans.
3. The employee's supervisor should ensure that the Parish Manager receives the deceased employee's timecard.

Final Pay

An employee who resigns or is discharged will be paid through the last day of work, plus any unused paid time off (PTO), less outstanding loans, advances, or other agreements the employee may have with the church, in compliance with state laws. In cases of an employee's death, the final pay due to that employee will be paid to the deceased employee's estate or as otherwise required under state law.

Health Insurance

Any health insurance coverage terminates on the last day of the month the employee separates employment or is terminated. An employee will be required to pay the employee's share of insurance premiums through the end of the month. Information about COBRA continuation coverage will be provided, if applicable.

Return of Property

Employees must return all church property at the time of separation, including uniforms, cellphones, keys, laptops, and identification cards. Failure to return some items may result in deductions from the employee's final paycheck where state law allows. An employee will be required to sign a wage deduction authorization to deduct the costs of such items from the final paycheck. In some circumstances, SALC may pursue criminal charges for failure to return church property.

Exit Interview

The HR Committee will contact an employee who voluntarily resigns to schedule an exit interview on or before the employee's last day of work.

Eligibility for Rehire

Employees who leave SALC in good standing with proper notice may be considered for rehire. Former employees must follow the normal application and hiring processes and must meet all minimum qualifications and requirements of the position, including any required qualifying exam. Rehired employees will not retain previous tenure when calculating longevity, leave accruals, or any other benefits, unless required by law.

Employees who are involuntarily terminated by SALC for cause or who resign in lieu of termination are ineligible for rehire. In addition, employees who resign without providing adequate notice or who abandon their job will not be considered for rehire.

Based on: https://www.shrm.org/resourcesandtools/tools-and-samples/policies/pages/cms_011005.aspx

Termination Checklist

Employee name: _____

Last Date of Employment: _____

Employee Signature Acknowledging Last Date of Employment: _____

Form Completed by: _____ Date: _____

Type of Termination

Voluntary:

___ Received employee resignation letter. (If verbal resignation, provided employee with a written confirmation of resignation, retained copy).

___ Scheduled exit interview.

___ Completed exit interview.

Involuntary:

___ Provided employee with termination letter (for-cause terminations).

___ Provided employee with severance agreement if layoff and severance eligible.

___ Received signed severance agreement.

___ Provided employee with WARN/OWBPA notices (if applicable).

Benefits

___ Provided employee with termination/continuation of employment insurance benefits information, if applicable (COBRA, life insurance, supplemental insurance, etc.) Employee is still responsible for their portion of medical insurance premiums for coverage through the last day of the calendar month.

___ Checked FSA/HSA participation and informed employee of remaining funds and reimbursement deadlines, if applicable.

___ Checked DCAP participation and informed employee of remaining funds and reimbursement deadlines, if applicable.

___ Checked PTO balance and informed employee of any remaining PTO and how it will be processed at termination of employment.

___ Checked Continuing Education balance and informed employee of any remaining balance and how it will be processed at termination of employment, if applicable.

Informed employee about retirement plan options, if applicable.

Compensation

Provided notice of policy regarding any outstanding balances for money owed to church: educational loans/pay advances.

Notified Parish Manager to process final paycheck.

Informed Parish Manager of any earned but unused PTO amounts due to employee.

Notified Parish Manager to process severance pay.

Contracts/Legal

Provided letter reminding employee of any legal obligations that continue post-employment (such as noncompete/confidentiality agreements/employment contracts).

Immigration

Notified church immigration attorney of termination if employee is on temporary work visa.

Records

Pulled personnel file to be stored with terminated employee files.

Pulled Form I-9 to be stored with terminated employees' I-9s.

Obtained written authorization from employee to respond to employment verification requests.

Information Technology

Disabled email account.

Removed employee's name from email group distribution lists; internal/office phone list; website; and building directories.

Disabled computer access.

Disabled phone extension.

Disabled voicemail.

Collected any usernames and passwords for electronic access to business systems to ensure business continuity.

Facilities/Parish Manager

___ Disabled security codes, if necessary.

___ Changed office mailbox.

___ Cleaned work area and removed personal belongings.

Collected the following items as applicable:

___ Keys (___ office, ___ building, ___ desk, ___ file cabinets, ___ other)

___ ID card

___ Building access card

___ Business cards

___ Nameplate

___ Name badge

___ Church cell phone

___ Laptop

___ Uniforms

___ Tools

___ Other _____

___ Other _____

Based on: https://www.shrm.org/resourcesandtools/tools-and-samples/hr-forms/pages/cms_002039.aspx

Exit Interview Questionnaire

We would appreciate you taking a few minutes to answer the following questions as honestly as possible. Your individual responses are treated as confidential, and will not become part of your personnel file.

We believe that the information is of vital importance and will assist in analyzing our employee retention and turnover. Thank you for your cooperation!

Name	Employment Date (first day of work)
Department	Termination Date (last day of employment)
Position	Supervisor

What prompted you to seek alternative employment?

<input type="checkbox"/> Type of Work	<input type="checkbox"/> Quality of Supervision
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<input type="checkbox"/> Compensation	<input type="checkbox"/> Work Conditions
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<input type="checkbox"/> Lack of Recognition	<input type="checkbox"/> Family Circumstances
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<input type="checkbox"/> Church Culture	<input type="checkbox"/> Career Advancement Opportunity
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<input type="checkbox"/> Church Direction	<input type="checkbox"/> Other: _____
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Before making your decision to leave, did you investigate other options that would enable you to stay? Yes No

If "yes," describe : _____

What did you think of your supervision in regard to the following?

	Almost always	Sometimes	Never	Comments
Demonstrated fair and equal treatment				
Provided recognition on the job				
Developed cooperation and teamwork				
Encouraged/listened to suggestions				
Resolved complaints and problems				
Followed policies and practices				

How would you rate the following in relation to your job?

	Excellent	Good	Fair	Poor	Comments
Cooperation within the staff					
Communications within the staff					
Communications between you and your supervisor					
Staff morale					
Job satisfaction					
Training you received					
Growth potential					

Was your workload usually:

- Too great
- Varied, but all right
- About right
- Too light

How did you feel about your salary and the employee benefits?

	Excellent	Good	Fair	Poor	Comments
Base Salary					
Health Plan					
Retirement Plan					
Life Insurance					
Paid Time Off					
STD/LTD Plan					
Other					

Are there any other benefits you feel should have been offered?

- Yes No

If "Yes," what? _____

Any other comments on benefits? _____

How frequently did you receive performance feedback? _____

What were your feelings about the performance review process? _____

How frequently did you have discussions with your supervisor about your career goals? _____

What did you like most about your job and/or this church? _____

What did you like least about your job and/or this church? _____

What does your new job offer that your job with this church does not? _____

Why is the new job/company a better fit for you? _____

What did/does the church do well? _____

Do you have any suggestions for improving St. Andrew's workplace or employment culture?

Have you raised them in the past? _____

Would you recommend this church to a friend as a place to work?

Yes, without reservations

Yes, with reservations

No

Additional comments about your job or this church:

Based on: https://www.shrm.org/resourcesandtools/tools-and-samples/hr-forms/pages/termination_exitinterviewquestionnaire.aspx

Revision Number	Date	Description of Change
0	10/13/21	Initial publication