**Human Resources Division:**

**Protocol Governing the Exit of Staff**

1. **Purpose**

The purpose of this document is firstly, to provide information to the relevant parties regarding the process governing staff leaving the institution; secondly, to ensure consistency in this process; thirdly, to manage potential risk; and lastly, to ensure the collection of information from the exit interview process. (A separate protocol governing the exit interview process is available.) This document applies to staff appointed against Council controlled funds as well as those in outside funded posts.

1. **Types of exit**

There are three types of exit processes, namely that initiated by the staff member (voluntary termination of the employment contract), that initiated by the employer (involuntary termination of the employment contract) and contracts which expire due to the effluxion of time.

Voluntary terminations include resignations and early retirement. Involuntary terminations include dismissal for misconduct, incapacity, ill-health or operational reasons, retirement by virtue of the retirement age being reached, and death.

These different types of exit are managed differently.

In addition, the exit process for a member of the Wardening staff i.e., Hall or House Warden is also managed differently. Please see section 13 for more detail on this.

**3. Resignation**

* 1. *Terms of the resignation*

This is where a staff member decides to terminate the employment contract as per the terms of the contract. The terms of the contract must be honoured, unless otherwise negotiated, failing which the University may sue for breach of contract. Where a staff member wishes to withdraw a resignation, the employer is under no obligation to agree to this, as a resignation is a unilateral act.

Resignation periods are stipulated in the individual’s employment contract and will differ depending on whether or not the person is still on probation, whether they are academic or support staff and, if support staff, the grade of the job. As the employer, Rhodes University has the right to require the person to serve the full resignation period. In practice, a line manager can agree to an earlier resignation if the work of the department/division supports this. The HR Division will then act on this agreement between the line manager and the staff member concerned.

No academic leave may be granted to an academic member of staff in the resignation period. A support staff member usually may not take any annual, long leave or accumulated leave during their last month of employment.

The Head of Department/Division will determine whether or not a farewell party will be held. Should this be the case, the reasonable cost[[1]](#footnote-1) thereof will come from the departmental/divisional budget. The purchase of a farewell gift must be funded by contributions from colleagues.

Access to ICT facilities will cease on the last day of the contract while access to e-mail will continue for approximately a further three months. The departing staff member will be required to configure their own message in order to have both personal and official email redirected.

In addition, access to the University’s Library facilities will also cease. All materials on loan must be returned by the last day of the employment contract.

Any benefits that the staff member was entitled to by virtue of being an employee, including membership of internal and external committees, will also cease.

*3.2 Procedure*

The staff member will submit a letter of resignation in writing to the immediate supervisor. A signed copy will be forwarded to the Human Resources Generalist II assigned to the area where the staff member is employed. The Generalist II will compare the notice period in the letter and the notice period as per the contract. If these do not align, HR will inform both the staff member concerned and the supervisor. When the matter has been agreed on and the supervisor has agreed with the employee on a resignation period, a written confirmation will be forwarded to the HR Generalist who will issue a letter to the staff member confirming the various arrangements.

A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary nor any monies that may be due to the staff member will be made without completion of the clearance certificate.

The staff member will be requested to participate in an exit interview process with the purpose of providing an opportunity to give input on their working experiences at Rhodes University and for the University to identify both positive and negative aspects of working here.

**4. Contracts that expire due the effluxion of time**

*4.1 Terms of employment*

Members of staff are appointed on fixed term contracts as a result of particular project work, against vacant posts, academic leave monies, temporary teaching monies or usually against outside funds.

Resignation periods are stipulated in contracts and the conditions outlined in 3.1 apply.

The Head of Department/Division/Institute will determine whether or not a farewell party will be held. Should this be the case, the reasonable cost thereof will come from the departmental/divisional/institute budget. The purchase of a farewell gift must be funded from contributions from colleagues.

Access to ICT facilities will cease on the last day of the contract while access to e-mail will continue for

approximately a further three months. The departing staff member will be required to configure their own message in order to have both personal and official email redirected.

In addition, access to the institution’s Library facilities will also cease. All materials on loan must be returned by the last day of the employment contract.

Any benefits that the staff member was entitled to by virtue of being an employee, including membership of internal and external committees, will also cease.

*4.2 Procedure*

Neither the staff member nor the employer is legally required to notify the other party of the end of the contract.

In the case of longer-term contracts and particularly where the staff member has made contributions to pension or provident funds, the HR Generalist II will send a letter to the individual concerned. A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary and any monies that may be due to the staff member will made without completion of the clearance certificate.

In the case of staff employed for at least three years, the staff member will be requested to participate in an exit interview process with the purpose of giving them an opportunity to give input on their working experiences at Rhodes University and for the institution to identify both positive and negative aspects of working at the institution.

**5. Retirement including early retirement**

*5.1 Terms of retirement*

A retirement will take place when a staff member reaches the retirement age as specified by the relevant pension or provident fund.

Academic and senior management retirees, have the opportunity for continued use of the University ICT network and email.

Academic staff may not take academic leave during their last six months of employment and support staff may not usually take any annual, accumulated or long leave during the last month of employment.

Academic staff who are at the Associate Professor and Professor levels will automatically be considered for the title of Emeritus Associate Professor and Professor respectively. This process is managed by the Honorary Degrees Committee in about May of each year.

**Staff members who usually have close to 15 years[[2]](#footnote-2) and more of unbroken service[[3]](#footnote-3) at Rhodes University will receive the following:**

* A farewell function organised by the Events Management Section of the Communications and Marketing Division, usually held in the Senior Common Room. All members of the University community are invited to attend. The staff member will have the opportunity to invite 10 external guests to the function. The staff member may elect not to have any form of farewell function or to instead, have a departmental function.
* A farewell cheque of a fixed value of R4 000;
* An invitation to plant a tree on Arbour Day; and
* Continued access to the University library, i.e. up to 12 items on loan for four weeks, provided resident in Grahamstown.

**Staff with service with less than 14 ½ years of service shall be entitled to the following:**

* A farewell function organised by their Department/Division, the reasonable cost thereof to be borne by the department/division. The staff member will have the opportunity to invite 10 internal and external guests to the function.
* A gift is also paid for by the Department/Division. Please consult with the Director: Finance as to what is a reasonable value of gift.
* Continued access to the University library, i.e. up to 12 items on loan for four weeks, provided resident in Grahamstown.

*5.2 Procedure*

The Human Resources Division will, through the HR Generalist, inform the department/division and the staff member concerned about the forthcoming retirement date. The letter is sent to the staff member informing them about the actual retirement date and a copy will be sent to the IT Division and the Events Manager (where the person has more than 14 ½ years of service).

The letter will contain all the necessary arrangements to be made. If relevant, the Events Manager or his/her designate will contact the staff member to discuss arrangements for the farewell function and for the planting of a tree.

The IT Division will make contact with the staff member electronically regarding ICT services after retirement.

The HR Generalist will invite the staff member to participate in an exit interview process.

A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary nor any monies that may be due to the staff member will be made without completion of the clearance certificate.

**6. Dismissals for misconduct**

*6.1 Terms of the dismissal*

This is in the event of a disciplinary hearing where the sanction handed down by the chairperson is a recommendation to dismiss. In this instance, the dismissal may be with or without notice.

A staff member whose contract is terminated due to misconduct will not be given any form of farewell function or any farewell gift.

Access to ICT facilities, e-mail facilities, library facilities and any privileges granted to the person by virtue of their being a staff member will cease with immediate effect from the date of the letter advising them of the dismissal.

*6.2 Procedure*

The HR Division will issue a letter to the employee indicating that the sanction is with immediate effect. The individual will be advised if dismissal is immediate or with notice. The staff member will be instructed to consult the HR Generalist regarding any entitlements. The completion of a clearance certificate will be managed by the HR Generalist, and, once signed off, final payment of the staff member will take place.

**7. Dismissal for due to ill-health or injury**

*7.1 Terms of the dismissal*

Incapacity due to ill health applies to a staff member who is disabled or no longer able to work in a certain job due to health problems. *The Code of Good Practice: Dismissal* sets out what factors need to be taken into account in such a dismissal.

**Staff members who have close to 15 years[[4]](#footnote-4) and more of unbroken service[[5]](#footnote-5) at Rhodes University will receive the following:**

* A farewell function organised by the Events Management Section of the Communications and Marketing Division, usually held in the Senior Common Room. All members of the University community are invited to attend. The staff member will have the opportunity to invite 10 external guests to the function. The staff member may elect not to have any form of farewell function or to have a departmental function instead
* A farewell cheque of a fixed value of R4 000

**Staff with service with less than 14 ½ years of service shall be entitled to the following:**

* A farewell function organised by their Department/Division, the reasonable cost thereof to be borne by the department/division. The staff member will have the opportunity to invite 10 internal and external guests to the function.
* A gift is also paid for by the Department/Division. Please consult with the Director: Finance as to what is a reasonable value of gift.
* Continued access to the University library, i.e. up to 12 items on loan for four weeks, provided resident in Grahamstown.

*7.2 Procedure*

The Human Resources Division will, through the HR Generalist, inform the department/division and the staff member concerned about the forthcoming termination date. The letter must be sent to the staff member informing them about the actual retirement date and a copy will be sent to the IT Division and the Events Manager (where the person has more than 14 ½ years of service).

The letter will contain all the necessary arrangements to be made. If relevant, the Events Manager or his/her designate will contact the staff member to discuss arrangements for the farewell function and for the planting of a tree.

The IT Division will make contact with the staff member electronically regarding ICT services after retirement.

The HR Generalist will invite the staff member to participate in an exit interview process.

A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary nor any monies that may be due to the staff member will be made without completion of the clearance certificate.

**8. Dismissal due to Disability**

8.1 *Terms of dismissal*

A specific process is followed to determine the disability of the staff member. In cases where the staff member is permanently disabled, the termination process will be followed and group life will pay out the disability benefit. In this instance, the HR Generalist will ensure that the clearance document is completed.

The same benefits as for those for retirement apply here with consideration to whether service has been close to or more than 15 years or whether less than 14.5 years.

8.2 *Procedure*

The Human Resources Division will, through the HR Generalist, inform the department/division and the staff member concerned about the forthcoming termination date. The letter is sent to the staff member informing them about the actual retirement date and a copy will be sent to the IT Division and the Events Manager (where the person has more than 14 ½ years of service).

The letter will contain all the necessary arrangements to be made. If relevant, the Events Manager or his/her designate will contact the staff member to discuss arrangements for the farewell function and for the planting of a tree.

The IT Division will make contact with the staff member electronically regarding ICT services after retirement.

The HR Generalist will invite the staff member to participate in an exit interview process.

A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary nor any monies that may be due to the staff member will be made without completion of the clearance certificate.

*9.* **Dismissal for operational requirements**

9.1 *Terms of dismissal*

Dismissal for operational reasons is usually referred to as retrenchment. This form of termination is usually done on a large scale but can also take place on a smaller scale, e.g. the retrenchment of one staff member only.

**Staff members who have close to 15 years[[6]](#footnote-6) and more of unbroken service[[7]](#footnote-7) at Rhodes University will receive the following:**

* A farewell function organised by the Events Management Section of the Communications and Marketing Division, usually held in the Senior Common Room. All members of the University community are invited to attend. The staff member will have the opportunity to invite 10 external guests to the function. The staff member may elect not to have any form of farewell function or to have a departmental function instead
* A farewell cheque to a fixed value of R4 000

**Staff with service with less than 14 ½ years of service shall be entitled to the following:**

* A farewell function organised by their Department/Division, the reasonable cost thereof to be borne by the department/division. The staff member will have the opportunity to invite 10 internal and external guests to the function.
* A gift is also paid for by the Department/Division. Please consult with the Director: Finance as to what is a reasonable value of gift.

9.2 *Procedure*

A retrenchment is required to follow very specific legal processes, regulated by Section 189 and Section 189A of the Labour Relations Act 66 of 1995 (as amended). This will not be outlined in this document. Once an outcome has been determined, the HR Division will provide the staff member with a formal letter indicating the terms of the agreement. A clearance certificate (see Appendix 1) will be attached to the letter. No final payment of salary nor any monies that may be due to the staff member will be paid out without completion of the clearance certificate.

**10. Dismissal for poor work performance or incapacity**

*10.1 Terms of dismissal*

The staff member’s contract of employment may come to an end due to an inability to execute the requirements of the job. This is termed incapacity. This may occur during a probationary period, at the end of a probationary period or for tenured employees. This dismissal may be the outcome of a poor performance / incapacity hearing as per the *Code of Good Practice: Dismissal* or an agreement between the staff member and the University.

Access to ICT facilities, e-mail facilities, library facilities and any privileges granted to the person by virtue of their being a staff member will cease with immediate effect from the last date of employment.

*10.2 Procedure*

The HR Division will issue a letter to the employee indicating that s/he has been dismissed for poor work performance and the terms thereof. The completion of a clearance certificate will be managed by the HR Generalist, and, once signed off, final payment of the staff member will take place.

**11. Terminations by mutual agreement**

*11.1 Terms of termination*

Terminations by mutual agreement are as a result of a negotiated settlement between the University and the staff member. Terms of the agreement are specified.

*11.2 Procedure*

Once the agreement is signed, this will be implemented.

**12. Death of a staff member**

In the event that a staff member passes away whilst in the service of the University, the following will apply:

12.1 The office of the Director: HR should be notified as soon as possible of the death;

12.2 The Director’s office will inform the University community including the Campus Protection Unit (CPU);

12.3. The Registrar will be notified of the death and his/her designate will request the Campus Protection Unit to fly the University flag at half-mast on the day of death (or first feasible day thereafter) and on the day of the memorial service.

12.4 The Director of the Division or the Dean of the Faculty will arrange for a letter of condolence to be sent to the family on behalf of the University;

12.5 A memorial service will be arranged by the relevant department or directorate or by request of another party. This will include inviting an appropriate person to officiate at the service and developing an order of service. A finger lunch in the Department or Division for family members and those who officiated at the service will also be offered to the family. The budget for this will come from the department/division.

12.6 At the service and with the agreement of the family, the union to which the deceased belonged will be invited to pay tribute to the deceased. The union representative will be a University staff member and will be required to follow the protocol for these events as per the agreement between the union and the University.

12.7 A 15-seater vehicle to fetch and return the family of the deceased will be offered to the family, provided they live within the radius of 200 km of the University.

12.8 A Director or one of the relevant management team will represent the University at the memorial service.

12.9 HR will provide the relevant department/division with the deceased’s personal file so that an obituary may be developed for inclusion in the order of service. This should include items such as academic work, publications, awards, etc.

12.10 Where the staff member had 15 years or more of service, a tree will be planted in their memory at the next Arbour Day. The family will be invited to attend at their own cost.

*Please note: Where a past staff member has passed away, the department/division to which the staff member had been attached will take responsibility for the communication of the message to the University community.*

13. **Wardening staff**

There are certain processes followed in the vacating of the wardens’ accommodation. These processes are managed by the management of the Residential Operations Section of the Infrastructure and Operations Division and are not detailed here. This protocol deals with the processes associated with farewell parties and gifts.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Up to five years’ service | Five years to up to 10 years’ service | 10 years up to 15 years’ service | 15 and more years of service |
| Farewell gift | R250,  | R250+R35 x each year of service above 5 years | R390 + R35 x each year of service above 9 years | A farewell cheque to the value of R530+ R35 x each year of service above 15 years |
| Bought from Hall funds, expenditure approved by Director, Student Affairs |
| Function |  | Farewell function, one of the Hall’s formal events with an additional 30 guests covered by the Res Ops budget or a separate function for 30 guests including any staff and students from the Hall (meals to be covered from meal booking) | Separate farewell function (in addition to the normal 4 events held) to which the Wardening staff (Hall, House, sub-wardens), Hall Fellows, and House Committee are invited. This should be no more than 60 people including selected guests. The value of the students and Hall Staff meals will be covered by meal bookings. The ResOps budget will fund the other costs. Alternatively, one of the 4 formal events can be used with the value of the funds for the farewell (if this was run as a 5th event) contributing towards these costs. |
|  | The Hall funds can fund any additional decor, gifts, drinks etc.  |  |
| Planting of tree on Arbor Day |  | If the person is not employed elsewhere in the institution and has been employed at Rhodes for at least 15 years |

Appendix 1: Staff Clearance document (see below)

**Human ResourceS Division**

 **STAFF CLEARANCE CERTIFICATE**

*In the interests of good governance & protecting the assets of the University, all staff need to complete this clearance document before leaving Rhodes University. Your last salary &/ or any other money due will not be released to you until this document is completed & returned to HR.*

|  |
| --- |
| **Staff member’s Details:**  |
| **Title** |  | **Surname** |  | **First names** |  |
| **Staff number** |  | **Identity number** |  |
| **Department/****Division** |  | **Job Title:** |  | **Current e-mail** |  |
| **Work telephone no** |  | **Cellphone no** |  |
| **Last day of work** |  |
| **Do you want a certificate of service from the University?** | **Yes** | **No** |
| ***\*Staff member must provide either a postal or email address*****Address to which mail can be forwarded after last day of work**  |  |
| **E-mail to which documentation can be forwarded after last day of work** |  |
| **Housekeeping Division (if you are in University accommodation)** |
| **Item**  | **Amount owed** | **Notes related to any of the items** | **Sign off** |
| Rent of transit housing | R |  | Name of person: |
| Water  | R | Signature: |
| Electricity | R |
| Cost for any damages | R | Date:  |
| **TOTAL** | R |  |  |
| **Library** |
| **Item** **Items NOT returned** | **Amount owed for items not returned** | **Notes related to any of the items not returned** | **Sign off** |
| Library material (Books, DVDs etc.) not returned:  | R |  | Name of person: |
| Signature: |
| Date: |
| **IT Division (Switchboard and Service Desk)** |
| **Item** | **Actioned/ returned** | **Amount owed** | **Related notes** | **Sign off** |
| Phone directory entry updated – person removed from departmental list?  | Yes | No |  | Switchboard notes: | Name of person: |
| Telephone account/ private calls settled | Yes | No | R | Signature |
| *Final telephone account only available 24 hours after last working day* | Date: |
| Loan equipment outstanding | Yes | No | R | Service Desk notes: | Name of person: |
| **TOTAL** | R | Signature |
| *\*(Staff Member)* I have removed all University owned or licensed software as well as software that I have purchased in terms of the Microsoft Home Use Program for University staff from my personal computer(s).*\*Signature of staff member:* | Date: |
| **Staff member’s department (HoD / Line Manager)** |
| **Item** | **Actioned/ returned** | **Amount owed where applicable** | **Sign off** |
| Staff card recovered and destroyed | YES | NO |  | Name of person: |
| Keys (office and or any other keys) in the staff member’s possession | Yes | No | R  | Signature: |
| Uniforms and protective clothing which the University has paid for. |  |  | R | Date:  |
| Any other assets entrusted to the staff member  | Yes  | No | R |  |
| Other (specify) | Yes | No | R |
| **TOTAL** | R |
| **Research Finance Office** |
| **Item** | **Actioned/ returned** | **Amount owed** | **Sign off** |
| Equipment bought for research including computers and IPADS, bought with research funds and which belong to RU | Yes | No | R | Name of person: |
| Funds linked to current post-graduate students: clarification of use of funds | Yes | No |  | Signature: |
| External funds: completion of required paper work | Yes | No |  | Date:  |
| Advance of funds from research account | Yes | No | R |
| Other | Yes | No | R |
| **TOTAL** | R |  |
| **Finance Division** |
| **Item** | **Amount owed where applicable** | **Notes related to any of the items** | **Sign off** |
| Housing/Car Scheme  | R |  | Name of person: |
| Acknowledgement of debt e.g. cell phone | R |
| Student Fees | R | Signature: |
| Other | R |
| Date: |
| **TOTAL** | R |

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| **To be completed by the HR Division**  |
| **Item** | **Amount owed** | **Notes related to any items** | **Signed off by the HR Generalist** |
| Relocation expenses | R | Name of generalist: |
| Work Permit expenses  | R |  |
| Skills Development (Student fees, CE funding, MBA, Kresge/RU scholarship) | R |
| Acknowledgement of debt | R |
| Permanent Residence application expenses | R | Signature: |
| Maternity loan | R |
| Other | R | Date: |
| **TOTAL** |  |
|  |  |

|  |
| --- |
| **Total amount owed** |
| **Area** | **Amount owed** | **Area** | **Amount owed** |
| Finance |  | Department |  |
| IT |  | Research Office |  |
| Housekeeping |  | Human Resources |  |
| Library  |  | TOTAL |  |
|  |

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| --- |
| **Payment arrangements** |
| Last salary: Other arrangements, specify:  | R |
| Service bonus (This only applies to retirements and those medically boarded) | R |
| Long service award (This only applies if the staff member is due a long-service award within the next 6 months following retirement date. The full award is made). | R |
| Value of Leave | *Type of Leave* | *No. Days Leave* | *Rate p/day* | n/a |
| BCEA Leave: Max. 15 days (VIP Lines 1+2) |  | R | R |
| Contractual Leave: This leave plus BCEA leave may not be more than 30 days (VIP Lines 3+4) |  | R | R |
| Long Leave: (Current Year): Attach Long Leave Pay-out Calculation as this calculation is linked to current CTC. (VIP Line 6) |  | R | R |
| Long Leave Accrued: (Previous Year): Attach Long Leave Pay-out Calculation. Linked to previous year CTC. (VIP Line 7) |  | R | R |
| Long Leave Historical: Only for retirees up to 12/ 2014. Max 2x long leave cycle. Pay @ contractual leave rate. (VIP Line 8) |  | R  | R |
| Academic Leave: 3/8ths monthly salary x **completed** academic leave years. (Protea/Putty) |  | R **pm** | R |
| **TOTAL** | R |
| **Certificate of Service** |
| Where the staff member has requested a certificate of service, this has been provided. | Not applicable | YES | NO |
| **Authorisation for release of balance of money to staff member** |
| Deputy Director: HR or Director: HR in his/her absence |  |
| Notes, comments: |
| Date |  |

1. If guidance is required as regards what constitutes a reasonable cost, please liaise with the Director: Finance [↑](#footnote-ref-1)
2. Those with 14 ½ years’ service will be considered to have 15 years’ service. [↑](#footnote-ref-2)
3. This is defined as per the Basic Conditions of Employment Act which states: “For the purposes of determining the length of an employee’s employment with an employer for any provision of this Act, previous employment with the same employer must be taken into account if the break between the periods of employment is less than one year.” [↑](#footnote-ref-3)
4. Those with 14 ½ years’ service will be considered to have 15 years’ service. [↑](#footnote-ref-4)
5. This is defined as per the Basic Conditions of Employment Act which states: “For the purposes of determining the length of an employee’s employment with an employer for any provision of this Act, previous employment with the same employer must be taken into account if the break between the periods of employment is less than one year.” [↑](#footnote-ref-5)
6. Those with 14 ½ years’ service will be considered to have 15 years’ service. [↑](#footnote-ref-6)
7. This is defined as per the Basic Conditions of Employment Act which states: “For the purposes of determining the length of an employee’s employment with an employer for any provision of this Act, previous employment with the same employer must be taken into account if the break between the periods of employment is less than one year.” [↑](#footnote-ref-7)