

Marywood University

Policies and Procedures

Employment At-Will Relationships Policy

Policy Statement:

Employment at Marywood University is entered into voluntarily. Some jobs require a contractual relationship with the University, and they have a fixed term of employment. In the absence of a fixed contractual term, an administrator's or staff member's employment relationship with Marywood University is presumed to be at-will.

Employees are free to resign at any time. Those who are employed at-will are requested to give at least two weeks written notice to their immediate supervisors of intent to resign. In recognition of the responsibilities inherent in each position, however, those who wish to receive payment for unused vacation at the end of their employment must adhere to the following rules:

Exempt employees must give at least twenty work days written notice to their immediate supervisors.

Non-exempt full-time employees must give at least ten work days written notice. Nonexempt part-time employees must give the equivalent of at least two work weeks written notice.

The University reserves the right to shorten the notice period. An exit interview with the Human Resources Department must be scheduled and attended by the resigning employee. Employees may take vacation, personal, or snow days during the time between giving notice and resignation only with the prior approval of their immediate supervisors. However, they are required to be at work on the last day as indicated in the notice of intent to resign. If an employee fails to report for work on that day, the last day actually worked will become the date of resignation.

Employees who become sick or have accidents or other emergencies during the time between giving notice and resignation must provide a statement from a health care provider, regardless of the amount of time taken off.

Employees are covered by applicable benefits through the end of the month in which their last day of work occurs.

Procedures: Questions on procedures should be addressed directly with the Human Resources Department.

Definitions: Employment at-will is a legal term that permits the termination of employees for any or no reason, with or without cause, with or without notice, at any time it seems to be in the interest of the University.

Exempt employees are management, supervisory, professional and administrative employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law and who are exempt from overtime pay requirements. Exempt employees are expected to perform functions of responsibility and supervision that may require them to work beyond the normal work week without additional payment.

Nonexempt employees are those whose positions do not meet FLSA exemption tests and who are paid for all hours worked. Nonexempt employees are paid one-and-one-half times their regular rate for hours worked in excess of 40 in one workweek. Overtime work must be approved in advance by the immediate supervisor.

Policy History: 12-05-2024 - The President of the University approved the revision of the policy as recommended by the Policy Committee of the University at their October 18, 2024 meeting.

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**Mary Theresa Gardier Paterson, Esquire
Secretary of the University and General Counsel**