



# OLD DOMINION UNIVERSITY

## University Policy

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### Policy #6061

### SCHOOL OF MEDICINE SEPARATION POLICY FOR CLINICAL EMPLOYEES

**Responsible Oversight Executive:** Executive Vice President for Health Sciences

**Date of Current Revision or Creation:** June 30, 2025

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#### A. PURPOSE

Healthcare practitioners have a duty to ensure continuity of care for the patients in their care. This policy ensures that Clinical Employees, as defined below, provide sufficient notice for EVMS Medical Group to plan and execute an appropriate transition of care.

#### B. AUTHORITY

[Virginia Code Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[18VAC85-20-28. Practitioner-patient communication; termination of relationship.](#)

#### C. DEFINITIONS

Administrative and Professional (A/P) Medical Faculty – Employees who have administrative or professional duties directly related to the management or administration of, or patient care services in, a clinical care setting on behalf of EVMS Medical Group.

Classified Medical Staff - A salaried employee whose terms and conditions of employment are subject to the [Virginia Personnel Act, Code of Virginia Section 2.2-2900 et seq., as amended](#), and who is employed in a classified position to perform administrative or patient care services in a clinical setting on behalf of EVMS Medical Group.

Clinical Employee – A/P Medical Faculty, TR Medical Faculty, and Classified Medical Staff.

Teaching and Research (TR) Medical Faculty - Employees who hold academic rank and whose work assignments primarily involve instruction, research, or scholarly activity for trainees in a clinical setting and/or the management or administration of, or patient care services in, a clinical setting and who have a primary faculty appointment to the school of medicine.

Voluntary Resignation. Voluntary resignation is when a Clinical Employee decides, for any reason, to terminate employment with a clinical department at Virginia Health Sciences.

## D. SCOPE

This policy applies to full and part-time Clinical Employees.

## E. POLICY STATEMENT

It is the University's policy to maintain a uniform procedure for Clinical Employees who separate from the clinical enterprise of Virginia Health Sciences.

## F. PROCEDURES

1. Voluntary Resignation. Clinical Employees who resign voluntarily are considered in “good standing” and eligible for rehire, if they give written notice to their immediate supervisor with a copy to the Division of Talent Management and Culture, prior to the last day worked as follows:
  - a. *TR Medical Faculty* – at least six months’ notice. Exceptions may be made regarding eligibility for rehire when clinical faculty provide less than six months’ notice due to circumstances beyond their control. All requests for exceptions will be made on a case-by-case basis and must be approved by the Department Chair and the Senior Advisor and Associate Vice President for Talent Management and Culture or designee.
  - b. *A/P Medical Faculty* – at least six weeks’ notice.
  - c. *Classified Medical Staff* - as required by Division of Talent Management and Culture Management Policy #1.70 Termination/Separation from State Service.

Upon being notified of a Clinical Employee’s intention to resign, the hiring supervisor shall request the written resignation. On the bottom of the document, the hiring supervisor must note the date the resignation was received, sign his/her name acknowledging receipt, and submit the document to the Talent Management and Culture.

2. Involuntary Termination. Involuntary termination occurs when a Clinical Employee is terminated in accordance with the [School of Medicine Disciplinary Action Policy](#). Such employees are normally ineligible for rehire. Clinical Employees who provide notice in accordance with Section F (1) of this policy, but fail to meet performance standards, including completion of patient charts, during the notice period may also be subject to involuntary termination. In such cases, the Clinical Employee will be ineligible for leave payout or rehire.
3. Medical Discharge. Medical discharge occurs when an employee on FMLA has exhausted all his/her leave time but is unable to receive clearance from their physician to return to work. Such employees are normally eligible for rehire once they receive medical clearance to return to work.
4. Leave Payout. The University provides leave payouts to Clinical Employees who are eligible in accordance with University policy. Any Clinical Employee who is otherwise eligible for a leave payout and who is jointly funded from one or more sources where the University is reimbursed a portion of the Clinical Employee's salary may not continue employment with the other funding source. The following individuals are not eligible for leave payout:
  - a. Employees in a Graduate Medical Education residency or fellowship program (A/P Medical Restricted Faculty classifications).
  - b. Clinical Employees who are discharged, involuntarily terminated or otherwise terminated for cause.

- c. Clinical Employees who resign, but do not provide sufficient notice as outlined in Section F (1) above.
- d. Clinical Employees who have provided sufficient notice in accordance with this Policy, but who fail to meet performance standards during the notice period or are terminated involuntarily.
- e. Clinical Employees who have provided sufficient notice under Section F (1), but who have used paid leave, including pre-approved time off, within the last three weeks of the notice period (for any Clinical Employee whose required notice is three weeks or greater) or within the last two weeks (for any Clinical Employee required to provide a two-week notice). Holidays do not count as a part of the resignation period. The notice period will begin at 9:00 a.m. the day after the notice of resignation is submitted.

Only the Division of Talent Management and Culture can determine eligibility for severance pay and any commitment made by a supervisor to an employee who is ineligible for severance pay will not be approved for payment.

- 5. Supplemental Compensation. Certain types of supplemental compensation have a service component. Clinical Employees who have received a service-based supplemental compensation payment and who a) fail to provide sufficient notice under Section F (1) of this policy; or b) who are terminated under Section F (2) of this policy within six months of receiving such payment, shall be required to return the supplemental compensation payment.
- 6. Separation Clearance Process. Supervisors must notify Virginia Health Sciences Talent Management and Culture when an employee provides notice of resignation or is involuntarily terminated for any reason. Supervisors must follow [University Policy 6060 Separation Process for Faculty and Staff](#), which requires immediate notification of employee separation.

If an employee wishes to rescind the separation notice, the employee shall send a written request to withdraw the separation notification to the hiring supervisor and the Division of Talent Management and Culture. The hiring supervisor shall forward the request to withdraw to the Executive Vice President for Health Sciences (EVPHS). The EVPHS shall decide whether to approve the request to withdraw the notice of separation. The EVPHS shall notify the employee, hiring supervisor, and the Division of Talent Management and Culture if the withdrawal request is approved or denied.

## **G. RECORDS RETENTION**

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

## **H. RESPONSIBLE OFFICER**

Senior Advisor and Associate Vice President for Talent Management and Culture

## **I. RELATED INFORMATION**

DHRM Policy 1.45 - [Commonwealth's Probationary Period Policy](#)

[Board of Visitors Policy 1470 - Faculty Grievance Policy](#)

[University Policy 6060- Separation Process for Faculty and Staff](#)

[University Policy 6601- School of Medicine Disciplinary Action Policy](#)

[University Policy 6602- Classified Employees Grievance Policy & Procedure](#)

[University Policy 6604 - School of Medicine Grievance Policy](#)

[Grievance Policy for Administrative and Professional Faculty in the A/P Guidebook](#)

## POLICY HISTORY

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### Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

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|------------------------------|-------------------|
| <u>/s/ Matthew R. Schenk</u> | <u>06/30/2025</u> |
| Responsible Officer          | Date              |

### Policy Review Committee (PRC) Approval to Proceed:

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|--------------------------------------|-------------------|
| <u>/s/ Heidi G. Smith</u>            | <u>06/30/2025</u> |
| Chair, Policy Review Committee (PRC) | Date              |

### Executive Policy Review Committee (EPRC) Approval to Proceed:

|                                 |                   |
|---------------------------------|-------------------|
| <u>/s/ Alfred Z. Abuhamad</u>   | <u>06/30/2025</u> |
| Responsible Oversight Executive | Date              |

### University Counsel Approval to Proceed:

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|----------------------------|-------------------|
| <u>/s/ Allen T. Wilson</u> | <u>06/30/2025</u> |
| University Counsel         | Date              |

### Presidential Approval:

|                              |                   |
|------------------------------|-------------------|
| <u>/s/ Brian O. Hemphill</u> | <u>06/30/2025</u> |
| President                    | Date              |

**Policy Revision Dates:** June 30, 2025

**Scheduled Review Date:** June 30, 2030