



# Leaving Deakin procedure

## Section 1 - Preamble

(1) This Procedure is effective from 15 June 2021.

## Section 2 - Purpose

(2) This Procedure outlines the processes for staff leaving their employment with the University.

## Section 3 - Scope

(3) This Procedure applies to all staff (other than casual staff) employed by the University.

## Section 4 - Policy

(4) This Procedure is pursuant to the [Employment of Staff policy](#).

## Section 5 - Procedure

(5) Staff may leave their employment or have their employment terminated by the University in accordance with clause 64 the [Deakin University Enterprise Agreement 2017](#)(EA), an Executive Contract, or a Senior Staff Performance Contract.

### Resignation

(6) All staff who wish to resign from the University must advise their Head of Organisational Unit, either directly or through the staff member's manager, of their intention to resign in accordance with the notice period specified in their contract of employment.

(7) The staff member must then submit their resignation through [DeakinPeople](#) via the Resignation/Retirement tile.

(8) The Head of Organisational Unit may waive or reduce the period of notice. In such cases, the Head of Organisational Unit must advise HRD of the revised notice period.

(9) HRD will confirm the staff member's resignation in writing.

### Retirement

(10) Staff may choose to retire from the University at any time after reaching the age of 55 years.

(11) Eligible staff wishing to retire must:

- a. provide notification of their intention to retire, including the effective date, to their Head of Organisational Unit;

and

- b. submit their retirement notification through [DeakinPeople](#) via the Resignation/Retirement tile.

(12) Minimum notice of an intention to retire is the notice period specified in the staff member's contract of employment. However, staff are encouraged to discuss any intention to retire as part of their regular [DeakinAchieve](#) conversation to support workforce planning and for the University to consider whether circumstances exist where a pre-retirement contract may be offered by the Executive Director, Human Resources.

(13) The Executive Director, Human Resources or nominee may offer eligible staff members one of the following pre-retirement contracts:

- a. For a full-time continuing staff member, the option of converting to part-time hours:
  - i. this will normally be at 0.5 fraction, for a period of up to three years on a non-renewable fixed-term contract
  - ii. for the duration of the fixed-term contract, employer and staff member superannuation contributions will be maintained at the full-time rate, based on the staff member's full time salary, subject to the provisions of the relevant superannuation scheme; or
- b. For a full time or part time continuing staff member the option of moving to a non-renewable fixed term contract, for a period of up to three years, subject to:
  - i. the duties of the fixed-term contract are substantially the same as the duties of the continuing position held by the staff member immediately prior to entering the arrangement;
  - ii. the staff member will receive a salary loading of 10% for the fixed-term period, which will be superannuable in accordance with the relevant superannuation scheme's regulations.

(14) A pre-retirement contract will only be offered to an eligible staff member by the Executive Director, Human Resources or nominee where they consider it to be mutually beneficial for the University and the staff member taking into account:

- a. the criticality of the staff member's position to the University;
- b. whether the staff member's position requires skills and knowledge that are not held by other staff across the University; and
- c. whether there are other current staff who have the same or similar duties and responsibilities as the staff member.

(15) Where a manager is considering a pre-retirement contract as part of managing their workforce they must first discuss this with their HR Partner and together submit a business case addressing clause 14 to the Executive Director, Human Resources or nominee for consideration and determination.

(16) The Executive Director, Human Resources or nominee will determine the duration of any offer of a fixed-term contract based on the University's anticipated length of time it will take to:

- a. recruit a candidate to the position; and
- b. transition the skills and knowledge to a new staff member or other staff members in the University.

(17) Where a staff member accepts an offer of a pre-retirement conversion, the manager and the staff member will determine the work hours and job responsibilities, ensuring that the arrangement meets the operational needs of the area.

(18) Unless otherwise agreed by the Executive Director, Human Resources or nominee this pre-retirement contract will be considered a transition to retirement arrangement and at the end of the fixed-term contract the staff member's

employment with the University will cease.

(19) At the discretion of the relevant member of the Executive, the University may engage the staff member as a casual staff member following cessation of their pre-retirement contract of employment.

(20) HRD will confirm the staff member's retirement in writing.

### **Expiry of a fixed-term contract**

(21) Fixed-term staff leaving the University at the conclusion of their contract are not required to submit their resignation.

(22) Fixed-term staff who wish to resign prior to the end of their fixed-term contract must do so in accordance with clauses 6 and 7 of this Procedure.

### **Abandonment of employment**

(23) Where a staff member fails to attend work without prior notice or approval from their manager, the manager will attempt to contact the staff member at the earliest possible time.

(24) If the manager is unable to make contact with the staff member, the manager should contact HRD who will attempt to contact the staff member.

(25) The Executive Director, Human Resources or nominee will write to the staff member to:

- a. seek an explanation for their absence;
- b. advise the staff member that the University intends to treat their failure to present for work as an abandonment of employment unless they return to work or provide acceptable reasons for their absence;
- c. request a response within five working days.

(26) If no response is received, the Executive Director, Human Resources or nominee will send a final letter to the staff member confirming the end of the employment relationship and the payment of the balance of any entitlements.

(27) While the Executive Director, Human Resources or nominee undertakes the steps outlined in clauses 25 and 26 above, they will determine whether the staff member will be placed on leave without pay.

(28) An unauthorised and unexplained absence from work for a total period of two weeks or more will normally constitute an abandonment of employment.

### **Actions for manager and staff member prior to staff member's departure**

(29) Prior to the staff member's departure:

- a. the manager and the staff member should complete the [Leaving Deakin Checklist](#), and
- b. the staff member may receive an invitation to complete an Online Exit survey which provide the departing staff member with an opportunity to share their experiences to improve the employment experience of the University's current and future staff.

(30) Staff must return all University property in their possession (see [Leaving Deakin Checklist](#)).

(31) Any outstanding debts or overpayments must be cleared prior to departure, in accordance with the [Remuneration procedure](#).

## **Death in service**

(32) The Head of Organisational Unit will contact the Executive Director, Human Resources as soon as possible following the death of a member of staff.

(33) The Executive Director, Human Resources will advise the Vice-Chancellor and relevant member of the Executive and liaise with the organisational unit of the deceased staff member to offer assistance to the family of the deceased as appropriate.

(34) The Executive Director, Human Resources or nominee will also arrange for support and counselling for other staff members as appropriate.

(35) The Executive Director, Human Resources or nominee will liaise with the estate of the deceased staff member and organise for final payments to be made.

## **Section 6 - Definitions**

(36) There are no definitions arising under this Procedure.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	15th June 2021
<b>Review Date</b>	15th June 2024
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	1st June 2021
<b>Expiry Date</b>	25th April 2022
<b>Responsible Executive</b>	Kean Selway Chief Operating Officer evpfutures@deakin.edu.au
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