

Policy: Cessation of employment

Purpose

To outline the policy framework for the termination of employment with the University in accordance with the [ANU Enterprise Agreement](#).

Overview

Policy outlining the conditions relating to termination of employment with the University.

Scope

This policy applies across the University, for staff employed in accordance with the ANU Enterprise Agreement.

Policy statement

Cessation of employment – Staff member initiated

1. Staff members may terminate their employment with the University through:
 - a. Resignation; or
 - b. Election to retire (which may be through an early retirement scheme).
2. Where a staff member resigns from the University, the following notice periods will apply:
 - a. A staff member employed on a **continuing** or **fixed term** contract must give the University the period of resignation notice specified in their contract of employment, or at least two weeks' notice, whichever is greater.
 - b. A staff member employed on a **continuing (contingent funded)** contract must give the University at least four weeks' notice of resignation.
 - c. A staff member employed on a **casual** contract must give the University at least one weeks' notice of resignation.
3. A shorter period of notice will be agreed by the delegate where this can be done without a demonstrable adverse effect on University operations and in particular meeting teaching and research commitments.

4. Where a staff member resigns before completing three years' service or the agreed term of a fixed term appointment of less than three years, a pro-rata refund of the cost of travel and removal expenses made upon appointment may be required.

Cessation of employment – University initiated

5. Termination of a staff member's employment will occur automatically at the end of a fixed term period of employment, unless there is mutual agreement to enter into a new period of employment.

6. The University may, in writing, terminate a staff member's (excluding casual staff members) employment on the basis of:

- a. Unsatisfactory performance or conduct during the probation period;
- b. Ill health of the staff member, where it is demonstrated that the staff member will not be able to return to duty within 12 months;
- c. Redundancy;
- d. Un-remediated unsatisfactory performance;
- e. Serious misconduct;
- f. Serious research misconduct;
- g. Loss of a licence or qualification results in the staff member becoming incapable of performing the duties of their position for an unreasonable period of time;
- h. Cessation of external funding or early completion of a task or project for which the staff member has been employed (for fixed term or continuing contingent funded appointments);
- i. An employee absenting themselves from the workplace (abandonment of employment); or
- j. Key requirement outlined in the employment contract not met.

Notice periods

7. In addition to the notice periods specified in clause 8 and 11 (below), where a staff member (excluding casual staff) is over 45 years of age, and they have completed two or more years of continuous service with the University, an additional one-week notice will be provided.

8. Where a staff member's employment is terminated for any of the following reasons, the corresponding minimum notice period will apply:

Reason for termination of employment	Minimum notice period
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Annulment of probation	4 weeks
Underperformance	4 weeks
Redundancy – continuing academic appointment	6 weeks
Redundancy – continuing professional staff appointment	6 weeks
Ceasing employment on the grounds of ill health	6 months
Serious misconduct	Nil weeks (subject to right of review of decision in accordance with Clause 75 of the ANU Enterprise Agreement)
Serious research misconduct	Nil weeks (subject to right of review of decision in accordance with Clause 75 of the ANU Enterprise Agreement)

9. The termination of a staff member’s employment will be effective from the date at which the notice period expires.

10. Provided that a clear end date is specified in a fixed term contract and the contract period is less than 18 months, the University is not required to provide additional written notice of its intention not to renew employment with the University upon expiry of the contract.

11. Subject to clause 10, the following notice periods will apply for a staff member employed on a fixed term or continuing (contingent funded) appointment:

Period of continuous service	Minimum notice period
Less than 3 years	4 weeks

Greater than 3 years	6 weeks
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12. Where a staff member has been suspended with or without pay, the Chief People Officer may direct that the suspension continue during the notice period.

Cessation of casual employment

13. A casual staff member's employment may be terminated by the University by giving one week's notice, or by the University providing payment for the staff member's rostered shifts within the week in lieu of notice.

14. Where initiated by the University, casual employment will terminate upon confirmation from the supervisor that further casual work is not required and where the casual staff member has been notified as outlined in clause 13.

Payment in lieu of notice

15. Payment in lieu of a notice period, or in lieu of the un-worked portion of a notice period, will be made if:

- a. a staff member has been provided with less notice than the applicable notice period required;
- b. the staff member requests payment in lieu of the notice and the delegate approves the payment in lieu of notice; or
- c. the delegate decides that the staff member is not required to work out the notice period.

16. Where a fixed term or continuing (contingent funded) staff member is to receive payment in lieu of notice in accordance with clause 15(a), the staff member's employment will terminate on the expiry date of the fixed term appointment or expected end date for the continuing (contingent funded) appointment.

17. Where a staff member is to receive payment in lieu of notice in accordance with clause 15(b) or (c), the staff member's employment will terminate no earlier than one week after delegate approval, unless otherwise agreed between the staff member and the supervisor.

18. A staff member who requests payment in lieu of notice in accordance with clause 15(b) may not seek a review of the decision relating to the termination of employment in accordance with clause 75 of the ANU Enterprise Agreement.

Document information

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