BWH RESEARCH FELLOW /NIH TRAINEE TERMINATIONS
INSTRUCTIONS FOR PI'S AND DEPARTMENT ADMINISTRATORS

DESCRIPTION
Although Fellow appointments are time limited and should be for a term of no longer than 5 years, Fellows are "At Will" employees of BWH and their employment may therefore end at any time for any reason not in violation of Federal and State Laws and hospital policy. Fellows may also resign at any time and for any reason. *In all cases, before a decision is made to terminate a Fellow, the Faculty Advisor must contact the BWH HR Consultant supporting professional research staff for guidance on the process and to ensure action is appropriate and consistent with hospital policies and procedures, as well as federal and state laws.*

PROCESS	
PI/ Dept Administrator requests termination HR confirms the decision to terminate is appropriate HR notifies PI/Department Administrator termination request is approved/not approved	HR will review the relevant information from the department and confirm the decision to terminate is appropriate for the purposes of, but not limited to: A. Organizational Change due to but not limited to: lack of funding, lab closing, or lab relocation. HR reviews and conducts an impact analysis from the information provided: • Number and Names of Lab member(s) affected • Affected Fellow(s) offer letter and Visa status • Anticipated termination/closing/relocation date • Any relocation employment offers extended and accepted B. Expiration of Fellow Appointment Term. HR reviews: • Names of Lab member(s) affected • Affected Fellow(s) offer letter and Visa status • Anticipated termination date C. Performance Deficiencies due to but not limited to: poor productivity, failure to collaborate or work effectively, failure to fulfill the duties of the position, attendance issues. HR reviews: • Nature, severity or pattern of performance deficiency • Work History including documented evidence of prior discussions and attempts to provide the employee with advice regarding improving performance (including any Performance Improvement Plans) • Impact of performance • Visa status D. Violation of BWH/Partners' policy, procedures and standards: including but not limited to breach of confidentiality, research misconduct. HR reviews: • Nature, severity or pattern of misconduct • Work history including documented evidence of prior discussions and attempts to provide the employee with advice regarding improving behavior • Impact of misconduct; breach of policy; inappropriate behavior • Result of the internal investigation • Visa status
HR determines	When the decision to terminate has been made, in accordance with the

termination effective date and writes terminating notice letter	recommended policy of Harvard Medical School, a Fellow "should be notified, in writing at least three months in advance" (or receive pay in lieu of notice), so the Fellow has sufficient time to arrange for departure from BWH and/or transition to another employment opportunity. HR prepares this letter for the PI/Department Administrator's signature

Limited exceptions must be approved in advance by HR and SVP Research for reasons of, but not limited to: Lab closings (no less than 45 days notice/pay is permitted) or violation of hospital or Partners policies, procedures and standards or conduct that is detrimental or disruptive to operations. |
| HR determines PeopleSoft termination reason code | HR notifies Department Administrator of the appropriate PeopleSoft termination code. Department enters terminations in PeopleSoft (except HR enters terminations due to RIF's). |
| PI notifies Fellow/ Trainee | The PI should engage in a conversation with the Fellow(s) regarding the termination and the plan for leaving BWH. HR will be available to provide support regarding these conversations and to attend termination meetings.

The PI/ Dept Administrator provides the Fellow (HR prepared) written termination notification which includes resources and information regarding his/her departure, including Departure Checklist and Exit Survey found on ORC Internet webpage. Postdoc Leaving BWH

For Expiration of Fellow Appointment term, the PI/Department Administrator should indicate the non-renewal status on the annual Reappointment and Salary Review Form – completed at the Annual Career Conference. |
| Partner's International Office (PIO) notification | For lab relocations, Fellows who received and accept employment offers in the PI's relocated lab will be considered to have voluntarily resigned from BWH and will be requested to submit a resignation letter to BWH.

The PI/Department Administrator should notify the PIO regarding the pending termination of Foreign National Fellows as well as any subsequent updates regarding their employment situation.

In addition, the Foreign National Fellow should be advised to contact the Department Administrator and PIO for information regarding visa status and departure from the US. |
| Hiring Department/ Dept Admin provides resources to H-1B visa holder | If the Fellow holds an H-1B visa and the employer terminates the Fellow's job before the current expiration date listed on the I-797 approval notice, at the time the employment ends, the hiring department will be required to offer the reasonable cost of return transportation (usually an airplane ticket) to return to the last place of residence abroad. This obligation extends only to the employee, not to his or her spouse, children, or physical possessions.

PIO H-1B FAQ |

Note: Please see the BWH Policies and Guidelines for Postdoctoral Fellows for additional details regarding the process and guidelines of this policy.