UTDBP3047 - Termination Section

Policy Statement

General Policy

Any non-teaching employee may terminate or be terminated from employment with UTD in one of the following ways:

1. resignation,
2. transfer to another State agency,
3. retirement,
4. layoff, or
5. discharge.

Discharge is covered under the subject "Discipline", this Section, and should be referred to regarding specific information. Retirement is covered under the subject "Retirement Plans", this Section, and should be referred to regarding specific information.

Regardless of the method or reasons for termination, the "Employee Separation" form should be completed by the terminating employee and his/her supervisor prior to the date of termination. These forms are available in each administrative unit and provided by the Human Resources Office. Instructions for completing this form are included on its reverse side. The supervisor should distribute copies as indicated on the form.

Reduction in Force - Classified Employees

Policy

It is the policy of the University to provide administrators with flexibility for organizational staffing changes when needed. Dismissals resulting from reductions in force described below are subject to appeal and review under UTDBP3056, Grievance Policy and Procedures. Dismissals resulting from reductions in force are not subject to review under UTDBP3056, Policies and Procedures for Discipline and Dismissal of Employees.

Procedures

Basic Procedures:

1. Reorganization or Reduction in Staff: Recommendations for reorganizations or reductions in staff within the offices, departments, divisions, and schools of the University may be transmitted through the appropriate administrative channels for final approval by the President, or the President’s delegate. If approved, positions may be deleted as described in Section II in order to achieve maximum efficiency and cost effectiveness.

2. Funding Source Not Realized: Classified appointments are made for a period of time not to exceed one fiscal year. Subject to the availability of funds, classified employees may be considered for reappointment for the succeeding fiscal year. In the event the funding source for the full term of the appointment to that position is not realized, continuation of an appointment is not an obligation of the University. A person employed in a position for which funding is not realized shall be terminated as of the date current funding for that position is exhausted, in accordance with Section II. Temporary funding of a position from an alternate source in anticipation of the renewal of a funding source shall not constitute a continuing obligation of employment in the event that such renewal does not materialize. Recommendations for
dismissals due to funding sources not realized shall be transmitted through appropriate administrative channels for final approval by the President or the President’s delegate.

3. **Fiscal Exigency:** In the event that a fiscal exigency is declared by the State, U.T. System, or the University, the requirements of this policy will be amended as needed to comply with the terms of any guidance related to the declaration.

4. **Recommendation to the President:** The written recommendation to the President described in Sections I A and B must document the need for the reorganization or reduction in force and list the positions to be deleted and the employees to be dismissed. The recommendation must explain why the deletions and dismissals are necessary, and why specific positions were selected for deletion. If any positions are to be retained, an explanation of the nondiscriminatory process used to make that determination must be included in the recommendation. A copy of the approved recommendation shall be provided to Human Resources Management.

**Special Procedures for Dismissals Under this Policy:**

1. **Advance Notice to Employees:** When possible, advance notice should be given to employees to be dismissed under provisions of this policy. To the extent possible, notice shall be at least sixty (60) days in advance of the proposed termination.

2. **Reemployment:** Any employee dismissed under this policy shall be offered reemployment by the Dean or Department Head if his or her position is reinstated within the next 360 calendar days. The offer of reemployment from the Dean or Department Head shall be by first class mail to the employee’s last known address, with a copy to Human Resources Management. The former employee’s reply must be received by the Dean or Department Head within 10 working days of the date the offer was mailed, or the offer will be considered to have been declined.

**Special Assistance by Human Resources Management (HRM)**

Employees affected by a reduction in force may apply for other suitable vacant positions within the University. HRM will notify any departments that have posted vacant positions of the availability of the affected employees. Such employees may be appointed to available vacant positions without the necessity of satisfying normal job posting time limits or job pool size. This special consideration will continue for 360 days from the effective date of the reduction in force, or until regular University employment is secured, whichever comes first.

**Nondiscrimination**

All termination and reemployment decisions pursuant to this policy shall be made without regard to race, color, national origin, religion, sex, age, veteran status, handicap, disability, or sexual preference of the affected employee.

**Checkout Procedure**

All University employees, including student employees, are required to complete a systematic checkout procedure when:

1. Terminated, regardless of the method or reasons.
2. Commencing an approved Leave of Absence With/Without Pay for thirty (30) days or longer.
3. Appointment is for less than twelve (12) consecutive months, even if scheduled for reappointment. **NOTE:** In the case of Faculty appointment, those with the rank of Instructor and above will not be required to go through the checkout procedure if, by May, they are reappointed for the subsequent Fall Semester.
The purpose of this procedure is to ensure the return of credit cards, keys, books, etc., belonging to the University. This procedure also affords Human Resources with the opportunity to explain privileges in connection with insurance benefits, conversions, and employee retirement plan refunds.

At the time of termination, the forms listed below are to be completed in the prescribed manner outlined below. Those forms are:

1. Termination/Retirement Form (NOTE: Unused vacation payment is requested on this form.)
2. Checkout Procedure form

Both forms are available in electronic format at http://www.utdallas.edu/forms/ under the Human Resources Management Forms section. Questions regarding pay should be directed to Payroll.

**Resignation**

Any non-teaching employee may resign in good standing by advising his/her administrative unit officer of the intent to resign at least ten (10) working days prior to the effective date of resignation.

The administrative unit officer then must immediately prepare and forward the terminating HRS forms, the form to pay any remaining vacation hours, and the "Employee Separation" form (see Exhibit D8) to Human Resources. Additionally, that administrative officer must initiate and complete the employee checkout procedure as outlined in "Checkout Procedure", this Section, before the employee may receive his/her final paycheck.

**Transfer to Another State Agency**

An employee who is transferring from UTD to another state agency must comply with all policies applying to termination including the check-out procedure and completion of the "Employee Separation Form". Appropriate administrative officers must comply with the procedures outlined in "Checkout Procedure", this Section.

The Human Resources Office will insure all appropriate employee records are forwarded to the gaining state agency, including accrued benefits of the transferring employee.

**Accrued Vacation (Pay)**

Lump sum Vacation Pay is based on the most recent rate of pay received prior to termination. See "Leaves of Absence", Section D6, this Manual.

**Policy History**

- Issued: 1998-06-01
- Revised: 2006-08-02
- Revised: 2008-06-18
- Editorial Amendments: 2016-11-11

**Policy Links**

- Permalink for this policy: http://policy.utdallas.edu/utdbp3047
- Link to PDF version: http://policy.utdallas.edu/pdf/utdbp3047
- Link to printable version: http://policy.utdallas.edu/print/utdbp3047