

Separation - Termination of MSP Employees UCSC Local Procedures

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I. Policy Summary

Managers and senior professionals holding career appointments in salary grades I through VII may be terminated when, in management's judgment, the needs or resources of a department or the performance or conduct of an employee do not justify the continuation of an employee's appointment.

II. Related Policies, Contract Articles and References

- A. Personnel Policies for Staff Members (PPSM) - employees not covered by representation
 - [PPSM 65 - Termination of Career Employees - MSP, Salary Grades I-VII](#)

III. Authority

A supervisor may terminate an employee after consultation with the unit head and Labor Relations. A unit head may terminate an employee after consultation with Labor Relations.

IV. Criteria

A manager and senior professional may be terminated when it is determined that the needs or resources of the department, or the performance or conduct of the employee does not justify the continuation of the appointment.

V. Process Overview

Termination is considered to be an **Involuntary Separation** from the University.

Process Overview:

- A. **Supervisor/Department Head** consults with Labor Relations to determine if an employee is to be terminated and proceeds with the termination.
- B. **Supervisor/Department Head** issues employee a written Notice of Intent to Terminate that includes:
 - a. A statement of the reason(s) for the termination
 - b. A copy of materials upon which the termination is based
 - c. A statement that the employee has a right to respond orally, or in writing, within eight (8) calendar days from the date of issuance of the notice
 - d. The name of the person to whom the employee should respond. Normally, the person who issues the notice of intent is the person to whom the employee should respond
- C. After consideration of the employee's timely response or after eight (8) calendar days have passed, the **supervisor/department head** notifies the employee of the action to be taken.
 - a. The written Notice of Action that includes:
 - The action to be taken
 - The reason for the action
 - Date on which the action will be taken, and includes a statement that the employee has the right to request a review of the action under the provisions of Personnel Policies for Staff Members Policy 70-Complaint Resolution
- D. **An employee** terminated for reasons other than misconduct shall receive at least sixty (60) calendar days notice. The sixty (60) calendar days notice shall be counted from the date of the issuance of the Notice of Intent to Terminate. **Pay in lieu of advanced written notice of termination** may be granted by a supervisor or department head.

However, if the termination is for misconduct, the employee may be suspended without pay as of the date of the notice of intent to terminate, and the employee may be terminated immediately on the eighth day following the date of the notice of the intent to terminate or after consideration of the employee's timely response to the notice of intent to terminate, whichever is earlier.

- E. **Termination assistance** may be granted via a separation agreement prepared by **Labor Relations**.

In conjunction with Labor Relations, the Supervisor/Unit Head shall consult with the principal officer regarding what assistance, if any, shall be provided to the employee. At the discretion of the principal officer, the manager or senior professional employee may be provided:

- a. Assignment to another position, if a position is available, the employee is qualified to perform the work, and the assignment is in the University's interest
- b. Career counseling or outplacement services
- c. Reasonable time off with pay for interviews for other positions both within and outside the University
- d. Severance pay in the amount of one month of pay for each completed year of continuous University service to a maximum of six months of severance pay. No severance pay shall be provided when termination has resulted from misconduct, as determined by the principal administrative officer

- F. **Labor Relations** notifies HRSTR of proposed termination and will discuss the timeline for final paycheck and separation paperwork.
- G. **Supervisor/Department Head** provides the HSTR with a copy of the Notice of Intent to Terminate, the Notice of Action and the final approved time record.
- H. **The HRSTR** processes separation paperwork and final paycheck.
- I. **The HRSTR** meets with the employee on their last day to deliver final paycheck and Termination of Employment Benefits Checklist.