

Separation - Termination of PSS Employees

UCSC Local Procedures

(A.21) Rev. 6/19/2008

I. Policy Summary

Regular status professional and support staff may be terminated from employment because of misconduct or failure to maintain appropriate work performance standards.

Normally, termination is preceded by corrective action (see [Policy 62, Corrective Action](#)) unless unsatisfactory performance or misconduct warrants immediate dismissal.

II. Related Policies, Contract Articles and References

A. Personnel Policies for Staff Members (PPSM) - employees not covered by a collective bargaining agreement

- [PPSM 65 - Termination of Career Employees - PSS](#)

III. Authority

A supervisor may terminate an employee after consultation with the department head and Labor Relations. A supervisor at the level of department head may terminate an employee after consultation with Labor Relations.

IV. Criteria

When termination is for failure to maintain appropriate work performance standards, at least one written warning shall precede the termination.

Termination for misconduct does not require a written warning. Examples of misconduct include, but are not limited to, dishonesty, theft, or misappropriation of University property, fighting, and insubordination, acts endangering others, job abandonment, and other serious misconduct.

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
 - 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. If an employee is to be terminated, **the supervisor/department head** may choose to grant **pay in lieu of advanced written notice of termination**.

- E. **The employee** shall receive at least fifteen (15) calendar days notice of termination or pay in lieu of advanced notice of termination. The fifteen (15) calendar days notice shall be counted from the date of the issuance of the Notice of Intent to Terminate.
- F. 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 Intent* or after consideration of the employee's timely response to the *Notice of Intent*, whichever comes first.
- G. **Labor Relations** notifies HRSTR of proposed termination and will discuss the timeline for final paycheck and separation paperwork.
- H. **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.
- I. **The HRSTR** processes separation paperwork and final paycheck.
- J. **The HRSTR** meets with the employee on their last day to deliver final paycheck and Termination of Employment Benefits Checklist.