

Personnel Policies for Staff Members

Disciplinary and Separation Actions

65. Termination of Career Employees—Managers and Senior Professionals, Salary Grades I through VII

November 6, 2009

A. GENERAL

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.

B. NOTICE AND DECISION

When an appointment is to be terminated, the employee shall receive written notice of intent to terminate which shall include a statement of the reason(s) for the intended action, a copy of any materials upon which the termination is based, and a statement that the employee has a right to respond orally or in writing within 8 calendar days. After the employee has responded or after 8 calendar days, whichever comes first, management shall review the response, if any, and inform the employee of the action to be taken.

C. PAY IN LIEU OF NOTICE

An employee terminated for reasons other than misconduct shall receive 60 calendar days' notice of termination or pay in lieu of notice. The 60 calendar days shall be counted from the date of the notice of intent to terminate. An employee who receives a notice of intent to terminate for misconduct may be suspended without pay as of the date of the notice of intent to terminate and may be terminated without further notice on the eighth day after the date of the notice of intent to terminate or after consideration of the employee's timely response to the notice of intent to terminate, whichever is earlier.

D. TERMINATION ASSISTANCE

Managers and senior professional employees may be assisted, at the discretion of the Chancellor, as follows:

Assignment of the employee 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.

Career counseling or outplacement services.

Reasonable time off with pay for interviews for other positions both within and outside the University.

a. A location may grant severance pay in the amount of one month of pay, or less, for each completed year of continuous University service to a maximum of six months of severance pay. Payment of severance is conditioned upon the employee entering into a written separation agreement which is approved by the University in accordance with the *HYPERLINK "http://www.universityofcalifornia.edu/regents/policies/6126.html" Regents' Policy on Settlement of Litigation, Claims, and Separation Agreements.*

b. No severance pay shall be provided when termination has resulted from misconduct, as determined by the Chancellor or his/her designee.

c. An employee who is reemployed at any University location in any capacity during the paid severance period is required to repay to the University an amount equal to the severance pay received for the time period beginning with the date of hire in the new position to the end of the paid severance period.

In the event the monthly salary in the new position is less than the monthly salary used to calculate the severance pay amount, the employee is required to repay to the University an amount based on the monthly salary of the new position for the time period beginning with the date of hire in the new position to the end of the paid severance period.

A written repayment plan is to be agreed upon between the employee and the University before commencement of work.

Applicability: Managers and Senior Professionals holding career appointments in salary grades I through VII. (See *HYPERLINK "http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/personnel_policies/spp61.html" Staff Policy 61*, regarding release during the probationary period or from limited,

casual/restricted and floater appointments, and HYPERLINK "http://
atyourservice.ucop.edu/employees/policies_employee_labor_relations/
personnel_policies/spp67.html" [Staff Policy 67](http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/personnel_policies/spp67.html), regarding termination of
managers and senior professionals holding career appointments in salary
grades VIII and IX.)