



<b>UT Health Science Center: HR0160-H Termination</b>	
<b>Version 2</b>	<b>Publication Date: 08/12/2024</b>

<b>No./Title:</b> 160 – TERMINATION	<b>Resp. Office:</b> HUMAN RESOURCES	<b>Effective Date:</b>
<b>Category:</b> Employee Relations	<b>Last Review:</b> 06/28/2024	<b>Next Review:</b> 12/31/2027
<b>Contact:</b> Employee Relations Counselor	 901.448.5600	 <a href="mailto:hr@uthsc.edu">hr@uthsc.edu</a>
<b>Related Policies:</b> <a href="#">HR0160 – Termination of Employment</a> <a href="#">HR0125 – Exit Interviews</a>		

## OBJECTIVE

To assure the University meets its responsibilities and complies with internal guidelines in making termination decisions and to establish a procedure for the separation from employment of regular exempt and non-exempt University employees, whether employee or employer-initiated. Nothing contained in either HR Policy or Procedure 0160 is intended to create legally enforceable contractual rights.

## WHO IS AFFECTED?

Any regular exempt and non-exempt employee who has a separation from regular employment from the University.

## PROCEDURE

### 1. Employment Status

- a. Students: Procedures for the termination of a student employee are set forth in The Center Scope: Student Handbook.
- b. Tenured and tenure-track faculty: Procedures for the termination of tenured and tenure-track faculty are described in the University of Tennessee Health Science Center Faculty Handbook.
- c. Exempt and non-exempt staff and non-tenure-track faculty: Individuals in these employment categories should follow the procedures outlined below.

### 2. Types of Termination:

- a. Resignation- The staff member indicates an intention to resign from his/her position, and submits a resignation letter. A sample resignation letter follows this procedure. Supervisors should acknowledge the resignation by signing the resignation letter.
- b. Discharge – When a non-probationary regular staff member is to be discharged, HR Policy 0525 (Disciplinary Actions) must be followed. **The department must**

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**contact Human Resources Employee Relations prior to discharging an employee. Involuntary termination requires the approval of the Associate Vice Chancellor of HR or his/her designee.**

- c. Reduction in Force – When there is a reduction in force in accordance with HR Policy 0145, Human Resources-Employment will give assistance to affected employees for placement in other positions for which they qualify.
- d. Death – When an employee dies, the supervisor or department head will refer to HR Policy 0307.
- e. Quit without Notice – A staff member who fails to give proper notice of resignation or leaves the job indicating an intention not to return to work is deemed to have quit without notice. A staff member who is absent for three consecutive work days without notice is deemed to have quit. This action constitutes a resignation by the employee.
- f. Retirement – Employees planning to retire should contact the Office of Benefits and Retirement Services as early as possible for information and assistance in completing the necessary forms.

### **3. Required Forms for Separation from Employment**

The employing department initiates the official documentation for terminations by completing the appropriate e-form on the accounting system. A list of termination codes is given in this procedure’s corresponding policy, HR 0160. The department must also take reasonable steps to inventory and remove (or request removal of) the terminating employee’s access privileges to University, departmental, school, and other information systems containing personal or proprietary data.

Departments should complete the exit clearance process in ilogin. The employee must follow the procedure set out in HR Procedure 0125, Exit Interviews. This process will ensure that the employee’s identification card, keys, library books, debts owed, and other University property is returned to the University.

### **4. Benefit Continuation**

The State of Tennessee complies with the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) by extending to eligible staff and their eligible dependents the right to continue benefit coverage under the medical plans if coverage would be lost by reason

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of a qualifying event. Coverage is available for the period prescribed by law (18 or 36 months) at the individual's expense including an administrative charge. Eligible staff includes those eligible to enroll in one or more of these plans when a qualifying event occurs. Eligible dependents are spouses and dependent children, i.e., children up to 19 years of age, or 23 years of age if a full time student. Qualifying events include voluntary or involuntary termination, other than for reasons of gross misconduct; voluntary or involuntary reduction of hours of work; death; divorce; a dependent child's loss of dependent status; and an employee's election of Medicare benefits as his or her primary coverage.

#### 5. Appeal Process

The appeal process for employees disciplined or discharged for unsatisfactory work performance or work-related behavior is as follows:

***Staff Non-exempt:***

A non-exempt employee may request an administrative review, which shall be in writing through the appropriate chancellor or vice president to the president. The written request should be submitted to the employee's HR officer. Alternatively, a non-exempt employee may choose to go through the grievance procedure described in **POLICY HR0640, GRIEVANCES**. If terminated or suspended without pay, the employee may choose to go directly to the hearing step and request, at the employee's option, either an informal hearing by a panel of unbiased university employees or a formal hearing under the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated sections 4-5-301-319 (TUAPA).

***Staff Exempt:***

An exempt employee may request an administrative review, which shall be in writing through the appropriate chancellor or vice president to the president. The written request should be submitted to the employee's HR officer.