

TERMINATIONS

The processing of employee terminations should be done in a timely manner.

Voluntary Terminations

- A. The following are considered voluntary terminations:
- a. Employee chooses to leave a position and initiates the separation process (employee resigns)
 - b. Employee accepts a position to perform a specific task for a fixed duration (specific period of time) as stated in his/her offer letter (includes temporary positions). Termination reason: End or Expiration of Contract or Grant.
 - c. Transfer to a Non-TAMUS state agency or institution of higher education, with no break in service: the termination date and hire date will be consecutive dates. Please note that leave balances should transfer to the new agency or institution. A transaction entry to transfer the balance will need to be completed in Workday.
 - d. End or Expiration of Contract or Grant: Students: appointment or funding has ended (must NOT be related to performance); offer letter should indicate a specific appointment end date. All others: see b above or **Involuntary Termination** section
- B. Voluntary Terminations include the following Termination Reasons:
- a. End or Expiration of Contract or Grant
 - b. Resignation/ Reasons known or unknown
 - c. Transfer to a **Non-TAMUS** state agency or institution of higher education, with no break in service
- C. Voluntary terminations do NOT require HR review
- D. Processing of Voluntary Terminations
- a. The employee's supervisor is responsible for notifying the department business office that an employee is no longer employed and the reason for the termination. The supervisor should request that the employee submit his/her decision in writing, indicating a final day of employment.
 - b. The Workday Termination Business Process should indicate the termination type and termination reason.
 - I. The Primary Reason selected will be **Voluntary Termination**. The Termination Reason selected should be appropriately chosen from one of the reasons listed in item B above, as applicable.
 - II. The Termination Date, Last Day of Work, and Pay Through Date should all match with the last day of work as the determining factor.

If the Termination Date cannot match the Last Day of Work, use the date allowed in Workday as the Termination Date but keep the Last Day of Work and Pay Through Dates with the same dates.
 - III. Eligibility for Rehire should be submitted as Yes. In rare instances, such as death would the response be No.
 - IV. Close Position
Select No when terminating an employee
 - V. The comments should include a statement regarding the basis for termination and the last working day of an employee. If applicable, indicate if lump sum payment for leave remaining will be processed, if employee has exhausted leave, or if no leave balance remains.
 - VI. The lump sum payment paperwork should be submitted to Engineering Payroll via email at engrsupplements@tamu.edu.

E. Foreign National Employees

- a. Termination of a foreign national employee may require an additional step:
 - I. **Foreign National Staff/Researcher**— FYI -- A **Departure Notification Form** will need to be submitted to Immigration Services for Faculty & Scholars (ISFS) in a timely manner as ISFS is required to inform USCIS and the Department of Labor that the foreign national has departed the College/TEES. This form will be submitted by Engineering Human Resources. Therefore, it is vital that the termination is processed in a timely manner.

F. Employee Out Processing

- a. An Employee Out-Processing Checklist is available on the Engineering Human Resources website <https://tees.tamu.edu/personnel/forms/> and should be completed by the department as part of the termination process.
- b. The Employee Out-Processing Checklist serves as a guide when an employee terminates, retires, or transfers to another A&M System part. The form should be filed in the employee's personnel file.

Retirement

System Regulation 31.07 Retirement

System Regulation 31.07.01 Retirement and Employment after Retirement

- A. Retirement is initiated by the employee and must meet the requirements for retirement from state employment under TRS or ORP.
- B. Use the following reason for the Workday Termination Business Process:

Voluntary > Retirement
- C. Employee must meet with Engineering Human Resources regarding benefits during retirement, if current position is benefit eligible. Please have the employee contact Stacey Havel at 458-7699 or email engrbenefits@tamu.edu
- D. Processing of Retirement in Workday
 - a. The employee is responsible for notifying the department business office that he/she wishes to retire or notification is received by the supervisor. The decision should be received in writing, indicating a final day of employment.
 - b. The Workday Termination Business Process should indicate the termination type and termination reason. The Primary Reason selected will be **Voluntary Termination**. The Termination Reason selected Retirement following:
 - I. The Primary Reason selected will be **Voluntary Termination** and the Termination Reason **Retirement**.
 - II. The Termination Date, Last Day of Work, and Pay Through Date should all match with the last day of work as the determining factor.
 - III. Eligibility for Rehire should be submitted as Yes. In rare instances, such as death would the response be No.
 - IV. The comments should include a statement to indicate if lump sum payment for leave remaining will be processed, if employee has exhausted leave, or if no leave balance remains.
 - V. The lump sum payment paperwork should be submitted to Engineering Payroll via email at engrsupplements@tamu.edu .

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- b. The Employee Out-Processing Checklist serves as a guide when an employee terminates, retires, or transfers to another A&M System part. The form should be filed in the employee's personnel file.

Involuntary Terminations

System Policy 32.02 Discipline and Dismissal of Employees

System Regulation 32.02.02 Discipline and Dismissal Procedures for Nonfaculty Employees

System Regulation 33.99.15 Reduction in Force for Nonfaculty Employees

A. The following are considered involuntary terminations:

- a. Employee is separated from the System through a process he/she did not initiate or an employee's death.
- b. Dismissal: involuntary termination may include, but is not limited to, acts related to inadequate job performance, inadequate job knowledge, misconduct, excessive absenteeism or unauthorized leave of absences. Since employment is considered "at will", any nonfaculty employees of the College of Engineering/TEES, including student employees and non tenure-track faculty, may be dismissed with or without cause. However, dismissal must be in compliance with federal and state law.
 - I. **Exception:** expiration of a wage position, for reasons other than disciplinary action, is not a dismissal for purposes of System Regulation 32.02.02. A wage position is defined as:
 - a. a student wage position which requires student status as a condition of employment or
 - b. a wage position created to accommodate temporary labor needs
- c. Termination of student employees due to disciplinary action(s) must be reviewed by Engineering Human Resources **PRIOR** to any notification to the employee of dismissal.
- d. End or Expiration of Contract or Grant: Funding from a contract or grant is not renewed—applicable to positions whose offer letter did not include an ending date or funding has ended or unavailable

B. Involuntary Terminations include the following Termination Reasons:

- a. Death
- b. End or Expiration of Contract or Grant
- c. Reduction in Force
- d. Termination At Will

C. Involuntary terminations require Engineering Human Resources review **PRIOR** to any notification to the employee of dismissal, except in the event of death. Engineering Human Resources must be involved in this process to ensure documentation is complete and that applicable steps in the process are followed.

D. Required Approvals

- a. **The System Office of General Counsel (OGC) must review and approve in advance any dismissal, absent exceptional circumstances.**

- b. Approval routed to current delegated authority is acceptable under the following situation:

I. Graduate Assistants

- a) Termination of graduate assistants that have failed to meet documented scholastic standard. This is considered an **At Will** involuntary termination.

Delegation of Authority: route through Division Head (or designee) through Associate Dean for Graduate Programs to Director of Engineering Human Resources

Processing of Involuntary Termination based on At Will (continuation of Graduate Assistants)

- i. Workday Termination Business Process should indicate the termination type and termination reason. The Primary Reason selected will be **Involuntary Termination** and the Termination Reason selected should be **At Will**.
- ii. In the comments include a statement that approval is on file with Engineering Human Resources.

E. Processing of Involuntary Terminations other than exception listed above

- a. The employee's supervisor is responsible for notifying the department business office that an employee should no longer be employed and the reason for the termination. **Approval** for involuntary terminations should be obtained **PRIOR** to processing the Workday Termination Business Process.
- b. The Workday Termination Business Process should indicate the termination type and termination reason.
- c. The Primary Reason selected will be **Involuntary Termination**. The Termination Reason selected should be appropriately chosen from one of these reasons: At Will; Reduction in Force; or End or Expiration of Contract or Grant.
- d. In the Comments include a statement that approval is on file with Engineering Human Resources. If applicable, indicate in the comments if lump sum payment for leave remaining will be processed, if employee has exhausted leave, or if no leave balance remains.
- e. The lump sum payment paperwork should be submitted to Engineering Payroll via email at engrsupplements@tamu.edu.

F. Foreign National Employees

Termination of a foreign national employee may require an additional step, as applicable:

- a. **Foreign National Staff/Researcher**— FYI -- A **Departure Notification Form** will need to be submitted to Immigration Services for Faculty & Scholars (ISFS) in a timely manner as ISFS is required to inform USCIS and the Department of Labor that the foreign national has departed the College/TEES. This form will be submitted by Engineering Human Resources. Therefore, it is vital that the termination is processed in a timely manner.

G. Employee Out Processing

- a. An Employee Out-Processing Checklist is available on the Engineering Human Resources website <https://tees.tamu.edu/personnel/forms/> and should be completed by the department as part of the termination process.
- b. The Employee Out-Processing Checklist serves as a guide when an employee terminates, retires, or transfers to another TAMU System part. The form should be filed in the employee's personnel file.

Retro Active Terminations

If a termination is not completed in a timely manner, and is prior to the current pay period, this is considered a retro termination. Please let Stacey Havel, engrbenefits@tamu.edu know to ensure benefits pay correctly.

Termination Type	Voluntary Employee initiates the separation process	Involuntary Employee does not initiate the separation process
Resignation/ Reasons known or unknown	X	
Transfer to a Non-A&M System agency or institution of higher education with no break in service	X	
End or Expiration of Contract or Grant As accepted by the employee and detailed in the offer letter, (re) appointment letter, or position description	X	
69 Death		X

The following situations will require review and approval by Engineering Human Resources and System Office of General Counsel

Termination At Will	X
Reduction in Force	X
End or Expiration of contract or grant Applicable when circumstances arise from non-renewal of a contract or grant or an offer letter does not include appropriate contingency language. Will require TPS and System Office of General Counsel Review and approval in advance of any dismissal	X

The above information regarding Terminations is intended to serve as a reference tool and to provide general information and is not to be considered official policy. If any conflicts arise between the information in this guide and the applicable official policy, the official policy shall prevail.