

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Ryan McBride, Senior HR Generalist
Policy Title & Policy #:	Officer of Administration (OA) Separations
Submitted on Behalf Of:	HR
Responsible Executive Officer:	Nancy Resnick, AVP and CHRO
Current Policy # (if applicable):	n/a

SELECT ONE: **New Policy** **Revision** **Repeal**
Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: **Yes** **No**
If yes, which attorney(s): Missy Matella

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

Officer of Administration (OA) Separations

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

03.05.01 Performance Appraisals: REPEAL

03.05.06 Officer of Administration, Appointment of: REPEAL

580.020.0005-55: Policy is no longer applicable to OAs to the extent policy matters are covered by the new OA policies. The policy remains in place for all other employees previously covered by the policy.

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

This policy and procedure works in tandem with the OA Performance Management Policy and Procedures to establish an employment framework centered on the core principle that OAs should have a reasonable expectation of continuing employment.

AFFECTED PARTIES

Who is impacted by this change, and how?

All OAs and supervisors of OAs.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name	Office	Date
<p>OA Council, the broader OA community, HR, Academic Affairs, Senior Leadership Team, Academic Leadership Team, and HR Council (Vice Presidents and Chiefs of Staff) were all provided with the opportunity to provide input on these policies and procedures. Additionally OA Senators sat on the OA Advisory Team. Notably, the online public comment period of a month ending October 24, 2016, was open to all campus community members to provide feedback. There were instances where non-OAs provided feedback to the policies and procedures.</p>		



REASON FOR POLICY

To establish the university's philosophy regarding employment separation.

ENTITIES AFFECTED BY THIS POLICY

All Officers of Administration (OAs).

WEB SITE ADDRESS FOR THIS POLICY

n/a

RESPONSIBLE OFFICE

For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

ENACTMENT & REVISION HISTORY

New policy

POLICY

It is the expectation of the university that every employee will leave the university through an ethical, consistent and clear process with a full understanding of their rights and benefits, regardless of the nature of their separation.

HR will maintain procedural guidance regarding the separation from employment for OAs.

RELATED RESOURCES

Separation procedures for OAs can be found on the HR website at <https://hr.uoregon.edu/>



I. OVERVIEW

There are two ways in which an Officer of Administration's (OA) employment with the university may end: voluntary or involuntary. This procedure outlines the steps for each type of separation as well as any reemployment and benefit rights to which the OA may be entitled.

II. VOLUNTARY SEPARATION

Voluntary separations include resignation, retirement and completion of a term agreement.

A. RESIGNATION

An OA may elect to leave the university at any time. The OA should submit a written resignation giving a minimum of two weeks' notice to their supervisor.

An OA is deemed to have voluntarily resigned their position if they are absent for five (5) consecutive workdays without authorized leave, except when an emergency precludes giving notice. Workdays are considered consecutive even when broken by normal non-working days such as holidays or weekends. This provision also applies to OAs who fail to return from authorized leave, in which case the five day unexcused absence window starts on the workday immediately following the expiration of the authorized leave.

When an OA has been absent without authorized leave for five (5) consecutive work days, the university will send a letter (certified/return receipt requested) to the OA's address of record, notifying the OA that he/she is deemed to have resigned. The OA will be allowed five (5) workdays from the date of postmark to present extenuating circumstances. Upon review of any extenuating circumstances, the Chief Human Resources Officer (CHRO) or designee, in consultation with the appropriate Vice President or Dean, may retroactively grant leave with or without pay to cover the time missed.

B. RETIREMENT

OAs may elect to retire after meeting the eligibility requirements of their respective retirement program. OAs should give their supervisors as much notice as possible. The Office of Human Resources (HR) will notify retiring employees of their options with respect to health insurance and other benefits.

C. COMPLETION OF TERM APPOINTMENT

OAs can be employed at the university to address a specific need that exists for a set period of time. OAs hired on a temporary or intermittent basis will generally be separated from the university when their appointment period, as detailed in their offer letter, ends. However and

notwithstanding any language to the contrary in these OA policies and procedures, OAs hired on a temporary or intermittent basis can be separated from the university at any time.

III. INVOLUNTARY SEPARATION

Involuntary separations include termination for cause, probationary period termination, and layoff.

A supervisor must consult with HR before an OA is involuntarily separated/terminated for any reason from the university. Vice Presidents and/or Deans may establish additional consultation requirements for involuntary separations in their portfolios.

A. TERMINATION FOR CAUSE

The university may discharge an OA for unsatisfactory performance, misconduct, or for other reasons deemed to constitute proper cause. The process by which terminations for cause are administered is outlined in the OA Corrective Discipline Procedure (#####) and the OA Performance Management Procedure (###).

OAs within the OA compensation bands of OA Executive, OA Coach 3, or OA 11 and above can be separated at any time at the university's discretion with 90 days advance notice.

OAs separated involuntarily for cause are not eligible to participate in the re-employment pool program described below but may apply for positions open to external applicants.

B. PROBATIONARY PERIOD RELEASE

An employee's first 9 months as an OA is considered a probationary period. The probationary period applies to employees who were previously employed by the university in another employee category (e.g. classified staff, faculty, etc.) or who were employed as OA but had a break in service longer than 90 days. The probationary period exists to determine whether the OA has the skills, knowledge, and work performance necessary to be successful in the position. During this period, the supervisor carefully considers whether the OA is able to meet the standards and expectations of the position by appraising the OA's:

- Ability to learn and perform job duties
- Quality of work
- Productivity
- Work habits
- Cooperation
- Attendance
- Punctuality
- Other standards and expectations specific to the OA's work situation

If the supervisor determines, in consultation with HR, that an OA serving in a probationary status is not meeting the expected performance for the job, the OA may be released with a minimum of 30 days advance written notice of separation. Release from probationary status may be triggered at any time during the probationary period. This means that a 30 day advance notice period that extends beyond the probationary period does not cause the employee to convert to a post-probationary employee.

With HR approval, a supervisor may request to extend the probationary period of an OA for an additional 3 months.

C. LAYOFF

There are times when it is necessary for the university, or any unit within the university, to restructure its programs and services in response to changing demands or funding constraints. An OA within the OA compensation bands OA Coach 1, OA Coach 2, and OA 1-11 may be separated, pursuant to the timelines in Section IV, in the following circumstances:

- There is a lack of funding for the position due to budgetary restraints, loss of external funding, or changing financial priorities
- There is no longer a need for the position due to changing organizational needs

Notice of layoff will be in accordance with the advance notice of separation provisions in Section IV. Prior to a layoff, the unit must prepare a layoff justification memorandum which will be forwarded to HR for review and approval.

D. OA RE-EMPLOYMENT POOL

OAs who are laid off and who express interest in reemployment will be placed in a re-employment pool by HR. They will remain in the pool for up to six months following the date of separation. As OA vacancies occur, hiring authorities are encouraged, but are not required, to review qualified applicants from persons in the pool prior to filling positions. Individuals in the re-employment pool may be considered as current employees for purposes of transfer. HR will assist hiring authorities in identifying qualified candidates for transfer from the re-employment pool.

Eligibility for placement in the OA re-employment pool begins on the date the OA receives written notification of separation and ends three months following the date of separation. OAs must request to be placed in the re-employment pool and submit required materials to HR, Talent Acquisition and Development Division (TAD).

OAs in the re-employment pool are also eligible to apply for all university vacancies including internal recruitment vacancies. OAs requesting consideration for internal vacancies should contact HR TAD and indicate the position title and position number for the vacant position in

which they are interested. The OA will be required to provide all required materials outlined in the vacancy announcement.

IV. Advance Notice of Separation

A. ADVANCE NOTICE

The following advance notice provisions apply to layoffs of OAs within the OA compensation bands OA 1-11, with the exception of:

- separations of OAs within the OA compensation bands of OA Executive, OA Coaches, or OA 11 and above;
- OAs whose positions are funding contingent;
- terminations for cause; or
- probationary releases.

Effective July 1, 2017:

The appointment agreement for OAs employed on a "term appointment" (temporary and interim) serves as the OAs advance notice of separation and no further notice is required. OAs who are in the probationary period (employed in an OA role at the university 9 months or less) will receive notice their appointment is ending at least one month prior to the effective date of their separation.

OAs employed in an OA role at the university for at least 9 months and who were first hired into an OA position after July 1st 2011, and who, as of June 30, 2016, were operating under an "H" notice of appointment shall receive notice their appointment is ending at least 3 months prior to the effective date of their separation.

OAs hired prior to July 1, 2011 and who, as of June 30, 2016, were operating under an "A" notice of appointment shall be entitled to receive notice their appointment is ending at least 12 months prior to the effective date of their separation. This provision will expire on June 30, 2018, at which time OAs serving under an "A" notice of appointment will convert to a 3 month advance notice period.

OAs hired after June 30, 2016 shall receive notice their appointment is ending at least 3 months prior to the effective date of their separation.

B. SPECIAL NOTICE PROVISIONS

Athletic coaches will have their notice period defined in their notice of appointment or agreement.

OAs whose appointments are funding contingent will receive no less than a 30 days' notice of involuntary separation due to lack of funding or changing programmatic needs.

C. WORK ASSIGNMENTS DURING NOTICE PERIOD

During any of the advance notice periods, an OA may be required to complete alternative assignments, work in alternative locations, work for alternative units or departments, or otherwise have limited access to campus or university systems, facilities, or functions.

D. PERFORMANCE MANAGEMENT AND ADVANCE NOTICE

The advance notice of separation provisions are intended to provide protections to OAs for unforeseen circumstances that may result in a layoff.

The advance notice provisions are not intended to be used by supervisors as a performance management tool. The university expects supervisors to follow the OA Performance Management ([link](#)) Procedure to address OA performance issues and the OA Corrective Discipline Procedure ([link](#)) to address issues of misconduct or policy violations.

V. RETURN OF UNIVERSITY-OWNED ASSETS

OAs who separate, whether voluntarily or involuntarily, must return all university-owned property on or before their last day of employment, unless directed to return the items earlier.

For purposes of this provision, university-owned property includes but is not limited to: computers and other IT equipment; office furnishings and supplies; electronic files; documents, notebooks, etc.; keys and code cards; and university ID.

Failure to return university-owned property may result in legal action.

VI. REHIRE ELIGIBILITY

In some extreme circumstances, OAs may be noted as ineligible for rehire by the university as determined by the Assistant Vice President for Employee and Labor Relations and will be advised in writing at the time of discharge.

When an OA is designated as ineligible for rehire, the OA may submit a request to have the designation reconsidered. Within 30 days of the OA receiving notice of the designation, the OA should send a detailed letter to the CHRO that sets forth the reasons for the reconsideration. The CHRO or designee will review the request along with relevant information regarding the circumstances of the separation and determine whether the OA should retain the ineligible for rehire designation, be restricted from obtaining certain positions, or be fully eligible for rehire. The CHRO or designee will send a letter (certified/return receipt requested) to the OA's address

of record, notifying the OA of the final determination of rehire eligibility within 30 days of receiving the reconsideration request.

VII. EXIT SURVEYS

As part of the separation process OAs may complete an online Exit Survey provided by HR. HR will use the information provided through exit surveys in the aggregate to determine employment trends and identify problem areas. HR will provide notice on its website of how information from exit surveys will be used and stored.

The information provided through this survey will be treated with the greatest degree of confidentiality possible. However, that confidentiality can only be observed insofar as it does not interfere with the university's obligations to investigate allegations of misconduct that require it to take corrective action, or to fulfill duties imposed by law.

This survey does not replace any department specific surveys or exit interviews.