



## Resignation/Termination

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### ***Policy Content***

#### **Resignation/Termination of Contract Staff**

##### 1. Resignation

As stated in the Vacation Leave Policy, twelve-month contract employees must submit a 30-day written notice of intent to resign in order to be eligible to be paid for all vacation leave balances.

(For further information, please see Sick Leave and Vacation Leave in the handbook Fiscal Affairs Policies and Procedures.)

##### 2. Termination

The employment of any staff employee by the University is exclusively “at will” employment, any previous verbal assurance, statement, or representation notwithstanding. Consequently, the employment of any staff employee may be terminated by the University at any time with or without reason or cause, its only obligation being to pay wages or salary owed to the employee up to date of termination. Any such employee may terminate his/her employment at any time, subject to applicable notice requirements and the provisions of this Handbook.

#### **Resignation/Termination of Classified Staff**

In order to be eligible to receive accrued unused Vacation Leave (Terminal Leave Pay, as defined hereafter), an employee shall give the Department Supervisor no less than two (2) weeks written notice of resignation prior to the effective date of separation. Unless waived by the University in its sole discretion, the employee must work his/her normal schedule during such resignation notice period. The employee must work on their last day of employment.

In the event of termination, the employee will receive compensation for all hours worked or days worked, as the case may be, through the effective date of termination. Final paychecks will be issued in accordance with the existing procedure and in full compliance with the Texas Payday Statute.

In addition to compensation for services performed through the effective date of termination, eligible employees shall receive Terminal Leave Pay. Terminal Leave Pay is equal to payment of accrued but unused vacation leave which is accrued through date of separation (pursuant to Section 14 of this Policy Manual); it is computed by multiplying the accrued unused Vacation Leave (not to exceed the maximum allowed accrual) times the hourly rate.

If an employee utilizes Sick Leave during a resignation notice period, a physician’s statement will be required.

Employees who tender resignations are required to complete a Clearance Form to ensure all debts to the University are paid prior to receiving their final paycheck. Involuntarily terminated employees will be cleared by Human Resources. Upon receiving notice of resignation/termination, Human Resources will cancel direct deposit of the employee’s final paycheck. The clearance procedure should be initiated at the department level and conclude at Human Resources.

Upon the expiration of an employee’s FMLA leave, if the employee is not released by his/her doctor to return to work, the supervisor may proceed to fill the position. In accordance with the University’s neutrally applied absence policy, any employee who is continuously absent from active work for any medically-related reason for six (6) months (to include the FMLA period, sick and vacation leave, and any period of leave without pay – all of which run concurrently), notwithstanding that the employee has accrued Vacation or Sick Leave or that the employee is on approved leave status of any kind shall be automatically terminated without notice, effective at the end of the six (6) month period, absent the requirement of a reasonable accommodation. Any employee so terminated shall not be eligible for payment of Terminal Leave Pay and shall not resort to the Grievance Procedure. Such employee may be eligible for payment of Disability Leave Pay, in accordance with the provisions of Section 23 hereinafter. Further information regarding University (Short-Term) Disability should be obtained from the Human Resources Office.

## Revision Management

### Revision History Log:

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### Vice President Approval:

Enter Vice President(s) that are responsible for approving this document

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