Voluntary and Involuntary Termination Policy

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General Description

Policy Summary:

The University recognizes that employment is not permanent. Termination is the cessation of the employment relationship between the University and the employee for any reason. When employment terminates, an appropriate designation for the type of termination shall be documented by University management as described below and exit procedures and return of University property shall be followed.

Purpose:

This policy aims to to provide full and part-time staff employees with an explanation of voluntary and involuntary separations.

Scope:

This policy applies specifically to employees in staff positions. Individuals who may teach a course as a condition of their staff employment are considered staff employees for purposes of this policy.

Exceptions:

Only the Board of Trustees, President, or Provost, may authorize a written employment contract or agreement that outlines terms related to employment duration, termination notice, or grounds for termination contrary to at-will employment.

This policy does not apply to probationary employees, temporary employees, or student workers whose student status is a condition of employment.

Responsible Department:

Human Resources

Policy Content

I. At-Will Employment

Trinity University is an “at-will” employer. Absent an authorized employment contract, all staff employees serve the University without a fixed term and do not have vested rights in continued employment. This policy is for guidance purposes only and is specifically not intended to create any property right, right to notice, or opportunity for a hearing beyond that mandated by state and federal laws.

II. Types of Separations

1. Voluntary Termination - occurs when the separation is initiated by the employee.

- Paid or unpaid leave time may not be counted toward such a notice period.
- A written resignation communicated to the immediate supervisor must be in writing and a copy must be sent to Human Resources.
    - The University requests that a non-exempt paid staff member give at least two (2) weeks’ notice , unless otherwise prohibited by law.
    - The University requests that an exempt monthly-paid staff member give at least four (4) weeks’ notice, unless otherwise prohibited by law.
    - The University requests that members of the President's Executive Leadership Team give at least six (6) weeks notice, unless otherwise prohibited by law.

- Unless otherwise prohibited by law, unused vacation leave is forfeited when an employee voluntarily separates from employment, (i.e., resigns). However, those who resign with advance written notice as indicated above, will receive the balance of any unpaid vacation leave remaining at the time of the work separation.

2. Involuntarily Termination- occurs when the separation is initiated by an authorized representative of the University.

Types of involuntary terminations:

- Immediate termination - Immediate termination will be executed for serious misconduct or cause when in the best interest of the University.
- Termination due to unsatisfactory performance - An employee may be terminated for reasons such as, but not limited to, lack of skills to perform the assigned work, inefficiency, absenteeism,

violation of policies or procedures, disorderly conduct, insubordination, theft, fraud, falsification on record or other unsatisfactory performance factors.

- Disability - When an employee is totally or permanently disabled such that the employee is unable to perform the essential functions of his or her positions, even with reasonable accommodations.
- Death of the employee.

III. Procedure

A. Involuntary Termination

1. In cases of involuntary termination, the supervisor is generally expected to provide the employee with feedback and performance counseling.
2. When an employee's performance is not satisfactory, the supervisor is responsible for making a recommendation through the supervisory chain regarding management of discipline or immediate termination. A termination notice must be provided in writing to an employee. The supervisor is expected to privately meet with the employee to discuss and answer questions about the termination action.
3. Termination must be approved by the Vice President of the division and the Chief Human Resources Officer.

B. Return of University Property

1. Employees who are leaving the University must return tools, uniforms, documents, electronic devices, laptops, credit cards, keys, ID card, and other items belonging to the University to their immediate supervisor.
2. Their immediate supervisor is responsible for ensuring the return and accounting of University property.
3. Employees must also return all University confidential information immediately upon their separation, including electronically stored information, and keep no copies.

C. Final Paycheck

1. Final paychecks will be issued in accordance with the existing procedure and in full compliance with the Texas Payday Statute.

D. Sick and Vacation

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1. Upon termination, an employee may receive their accrued vacation pay in accordance with the University's policies and procedures.

E. Technology

1. An employee will have until their last day of employment to copy their personal information or email correspondence from the University's computers. The employee may not remove or delete any data that belongs to the University or information that is necessary for business operations.

F. Security/Confidential Information

1. An employee who has had access to confidential information should be advised that access to confidential information, documents, and data will be terminated.
2. If a supervisor is concerned that an employee will become violent upon being told of their termination, the supervisor should notify TUPD prior to the termination meeting.

Revision Management

Revision History Log:

Revision #:	Date:	Recorded By:
v2.2	2/18/2025 11:55 AM	Pamela Mota
v2.1	2/12/2025 2:02 PM	Pamela Mota
v2.0	9/18/2023 11:40 AM	Pamela Mota
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Vice President Approval:

Name:	Title:
Gary Logan	Vice President for Finance & Administration