

THE UNIVERSITY OF TEXAS AT EL PASO

HUMAN RESOURCE SERVICES DEPARTMENT

VOLUNTARY SEPARATIONS OF CLASSIFIED STAFF AND ADMINISTRATIVE & PROFESSIONAL EMPLOYEES MANAGER'S TOOLKIT

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I. VOLUNTARY SEPARATIONS

This toolkit is only applicable to Classified Staff and Administrative & Professional (A&P) employees.

As an administrator, you have primary responsibility for ensuring that all of the voluntary separation steps, as established in University Policy and Procedures, are executed when an employee decides to end their employment with The University of Texas at El Paso. Be sure to consult with Human Resource Services (HRS) immediately after a voluntary separation is brought to your attention—there may be additional procedures not outlined in this toolkit that you may be required to complete.

A. DEFINITION

A **voluntary separation** occurs when an employee decides to end employment with the University of their own accord (voluntary resignation) or when an employee abandons the position (job abandonment).

B. VOLUNTARY RESIGNATION

A **voluntary resignation** exists when an employee notifies their supervisor or department head that they have decided to leave their position with UTEP. Unlike involuntary separations, the decision to leave is the employee's. If an employee decides to resign from their position with the University, it is advised that they give their supervisor or department head as much of an advanced notice as possible. Though not directly specified in the University's policies, it is recommended that they inform their supervisor or department head of their decision to leave with at least two-weeks in advance of their desired employment end date.

Once an employee notifies their department of their decision to voluntarily separate from the University, the employee should provide a written "Notice of Resignation." The Notice of Resignation should include the employee's last day of employment and reason for leaving the University, if available; once completed, a copy of the Notice of Resignation should be forwarded to HRS. Once HRS has received the Notice of Resignation, an employee may be given a packet of information to complete regarding the separation, continuation, transfer of benefits and requirement to meet with an HRS Employee Benefits Representative for a clearance meeting.

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Upon receiving a “Notice of Resignation” it is recommended the supervisor or department head should provide the employee with a written “Acknowledgment of Resignation” regardless of whether the notice of resignation was verbal or written.

Sample Letter: [*Acknowledgment of Verbal Resignation*](#)

Sample Letter: [*Acknowledgment of Written Resignation*](#)

Employees deciding to separate from the University may be allowed to use their vacation or applicable compensatory time to extend their official termination date. Any accrued and unused vacation balances an eligible employee has earned will be paid out if not used after an employee’s last day of employment.

It is important to mention that voluntary resignations are not subject to the University Grievance procedure.

C. JOB ABANDONMENT

Job abandonment occurs when an employee fails to report to work or notify their supervisor of their absence during a period of three or more consecutive workdays. An employee who abandons their job will be considered to have voluntarily resigned their position with the University. Job Abandonment is not eligible for the University Grievance procedure.

In the event of job abandonment by an employee it is recommended the supervisor or department head should notify the employee of the Presumption of resignation.

Sample Letter: [*Presumption of Resignation*](#)

D. FREQUENTLY ASKED QUESTIONS (FAQS)

WHAT DOES A VOLUNTARY SEPARATION MEAN?

A voluntary separation is one where an employee freely makes a decision to leave the University. Their reasons may include another employment opportunity outside the University, personal reasons, a decision to return to school or relocation.

WHAT SHOULD I DO IF MY EMPLOYEE NOTIFIES ME (OR DESIGNEE) THAT THEY ARE RESIGNING?

You should speak to the employee directly to confirm and verify that they are indeed resigning their position with the University and contact HRS for further guidance.

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WHEN SHOULD I NOTIFY HRS THAT AN EMPLOYEE IS RESIGNING?

As soon as you confirm the intent to resign or have received a Notice of Resignation.

WHAT CONSTITUTES A “WRITTEN” NOTICE OF RESIGNATION?

An E-mail, facsimile (fax), or physical letter or memo sent to HRS is enough to meet the requirement of a “written” Notice of Resignation.

WHAT IF AN EMPLOYEE RESIGNS VERBALLY OVER THE TELEPHONE OR VIA A VERBAL DISCUSSION WITH A SUPERVISOR?

If during a conversation an employee threatens to resign or resigns without a written resignation letter, the employee’s statements should be repeated back to them and the employee should be made aware that their statement will be interpreted and documented as a voluntary separation.

WHAT IF AN EMPLOYEE CHANGES THEIR MIND AFTER A WRITTEN NOTICE OF RESIGNATION HAS ALREADY BEEN SUBMITTED? IS IT TOO LATE FOR THEM TO DO SO?

If an employee has submitted their resignation and it has been accepted, the employee will need to rescind the resignation in writing. The decision to accept the rescinding of a resignation request is at the discretion of the University. Supervisors are under no obligation to accept an employee’s decision to rescind the request for resignation.

WHAT IF MY EMPLOYEE RESIGNS FOR A DIFFERENT POSITION WITHIN THE UNIVERSITY IN ANOTHER DEPARTMENT? IS THIS CONSIDERED A VOLUNTARY RESIGNATION?

No. This is considered a transfer to another department.

AS A UTEP ADMINISTRATOR, AM I ALLOWED TO PROVIDE EITHER WRITTEN OR VERBAL REFERENCES OR A LETTER OF RECOMMENDATION TO AN EMPLOYEE WHO VOLUNTARILY RESIGNS?

Yes, it is permissible; however it is recommended you consult with HRS before writing or providing an employment reference or recommendation; the subject of reference checks or letters of recommendation to any separating employee can lead to an unfavorable situation. .

IS AN EMPLOYEE WHO VOLUNTARILY RESIGNS ELIGIBLE FOR REHIRE?

Not always. As an administrator, you should NOT promise or guarantee re-employment of any kind to any separated employee. If asked, you should always tell the separated employee to apply as would any other applicant. You will review the merits of their application accordingly as well as their reasons for separation, and any performance-related documents in their personnel file. Please consult with HRS before making this decision.

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II. RETIREMENT

A. DEFINITION

Retirement occurs when an employee decides to end their employment with the University completely. This may happen upon reaching a determined age, when physical conditions don't allow the person to work anymore, or by personal choice. For more information on [Retirement Programs](#), visit the University of Texas System Web site.

B. RETIREMENT

The retirement of an experienced staff employee may have an impact on the operation of a University office, department, or division. Whenever possible, an anticipated or planned retirement date should be given to the immediate supervisor as early as possible.

Retiring from UTEP with the associated benefits may be based on a combination of age and service depending on an employee's respective state-mandated retirement plan guidelines. To qualify as a "Retiree," the separating employee must meet the criteria listed by the Texas Insurance Code. Information as to what constitutes a "Retiree" and the associated retiree benefits can be located at the [U.T. System – Office of Employee Benefits](#) Web site. If an employee has decided to retire, the supervisor or department head must:

- Refer the employee to HRS to determine if they are eligible for retirement.
- Request that the separating employee, if eligible to retire, submit a written resignation letter, which clearly states an effective or desired retirement date.
- Accept the resignation letter and date.
- Notify HRS of an employee's desire to retire from the University and their acceptance of their resignation for retirement; and
- Submit the resignation letter to HRS.

Early and Disability retirement: Depending on the state's mandated retirement plan guidelines, and specified age and service eligibility requirements, an employee may be eligible for early retirement or disability retirement. In both cases, it is strongly recommended that an employee be instructed to contact an HRS Employee Benefits Representative for more information.

It is important to note, that if a retiree goes back to work, some of the employee's retirement benefits may be impacted.

C. FREQUENTLY ASKED QUESTIONS (FAQS)

WHAT SHOULD I DO IF MY EMPLOYEE APPROACHES ME ABOUT RETIRING?

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If your employee states that they are considering retiring, you should refer them to HRS to determine if they are eligible to retire under our state-mandated retirement plans.

IF MY EMPLOYEE ASKS ME FOR MY OPINION WHETHER THEY SHOULD RETIRE OR NOT, WHAT SHOULD I TELL THEM?

The decision to retire should be made solely by the employee. Administrators, supervisors, and department heads should refrain from giving any advice or opinions on a retirement decision. Please refer them to HRS for advice.

WHO DETERMINES IF AN EMPLOYEE IS ELIGIBLE TO RETIRE?

An employee's ability to qualify for retirement depends on their retirement plan guidelines and retirement criteria. For example, if the employee is under the [Teacher Retirement System \(TRS\)](#), they will need to contact TRS for retiree eligibility information and consult with HRS for the UT System eligibility criteria. Employees retiring under ORP will need to contact their ORP Retirement provider and HRS for assistance.

IF MY EMPLOYEE STATES THAT THEIR STATE SERVICE RECORD IS INCORRECT AND THIS ERROR IS DELAYING THEIR DECISION TO RETIRE, WHAT SHOULD I DO?

The employee should be referred to an HRS Employee Benefits Representative to research the correct state service months. Many times "breaks-in-service" do not count as state service months. As a result, the employee's perception of their service time will be inaccurate.

Furthermore, for TRS purposes, the employee will need to contact TRS to verify that the state service amount documented by UTEP is the same as the amount documented by TRS.

IF MY EMPLOYEE HAS ALREADY SUBMITTED A LETTER OF RESIGNATION TO RETIRE, SHOULD THEY BE TREATED ANY DIFFERENTLY THAN MY OTHER NON-RETIRING EMPLOYEES?

No. As an administrator you should treat all of your employees the same, regardless of their status.

SHOULD I PLAN A RETIREMENT EVENT TO RECOGNIZE MY RETIRING EMPLOYEE? IF SO, WHO SHOULD I INVITE?

Please know that UTEP recognizes all retirees with a dinner sponsored by the President on an annual basis, typically in August. If you want to have a special event to honor your retiree, we suggest that you first broach the subject with your retiree to see if they would welcome such an event. Second, ask if they would like the event to be formal or informal. Finally, you could ask them whom to invite. They may want their immediate or extended family present during the event. Please note that the use of state funding for an event will be prohibited.

In some cases, retirees do not want to be recognized for their retirement. In these cases, you should respect the employee's wishes.

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D. DEATH OF AN EMPLOYEE

In the event of a death of a UTEP employee, the department where the deceased employee last worked must inform HRS of the event. HRS will determine applicable death benefits. HRS will meet with the family of the deceased to review all applicable death benefits.

III. WHEN AN EMPLOYEE LEAVES THE UNIVERSITY

Separation documents are processed when an employee voluntarily or involuntarily ends their employment with UTEP. There are a number of steps you may need to take when an employee leaves UTEP.

A. ADMINISTRATIVE PROCESS TO COMPLETE A SEPARATION

When an employee leaves the University for any reason it is the department's responsibility to complete the administrative process. Below are general the steps that need to be followed:

- Notify HRS immediately so the separation process may begin on a timely basis.
- Provide HRS a copy of the resignation letter, if provided.
- Initiate in DEFINE an appointment to separate employee to update the electronic records of the University.
- The appointment in DEFINE will require verification of the following:
 - The amount of unused and accrued vacation leave hours the separating employee has at the date of separation.
 - The amount of sick leave hours the separating employee has at the date of separation.
 - Vacation and sick leave information must be documented in the "NOTES" section of DEFINE/BIS for use by HRS and Payroll.
- The separating department will be required to inventory any University equipment in the possession of the separating employee before they meet with HRS.

The action of separating an employee from the University will ensure that the following take place accordingly:

- Inactivation for access to UTEP system's
- Inactivation of employee benefits
- Reporting purposes

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HUMAN RESOURCE SERVICES WILL COLLECT:

- UTEP Miner Gold Card
- University keys
- University property (i.e. laptop, PDA, cell phones, etc.) according to the separating employee's department

HUMAN RESOURCE SERVICES WILL CONTACT:

- Payroll and Budget Offices
- University Help Desk and Information Security Office
- University Library
- University Key Shop; and
- Other departments as required

B. REINSTATEMENT OF PREVIOUS SERVICE TIME

Classified Staff and A&P employees who are rehired within one year of their termination date may have their sick leave accrual restored and may begin earning vacation time at the same rate as of their date of termination, and will not be considered to have an "interruption of service" for benefits such as retirement.

C. EXIT INTERVIEW

Separating staff are expected to complete an [exit interview](#) during the clearance process. The exit interview survey can be completed [online at the HRS Web site](#) and will be maintained directly by the HRS department. Edited exit information may be used to determine reasons and other trends that would be helpful for the University in addressing employee-relation issues.

D. TERMINATION DATE

Termination date is the last day of work exclusive of days of vacation to be paid. Each Classified Staff and Administrative & Professional employee is expected to work until the effective date of termination, unless the Employee Relations section of HRS and the Human Resources Director has approved an exception.

E. EMPLOYEE RECORDS

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It is assumed that all relevant employee records are consistently sent to HRS for the official HRS file. Any other document that may exist after a separation is not considered official.

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