Policy effective July 1, 2024

Reason for revision: Following extensive discussion and consideration among university leadership, HRS and the P&S Council, the university is moving forward with eliminating the probationary period for P&S staff. As part of that change, additional guidance and evaluation will be incorporated into a P&S staff member's first year of employment. These changes translate to the need to revise policy 5.21 related to appointment types and probationary periods, as well as policy 5.23 related to performance appraisals and 5.24 related to reduction in force.

Between these changes and the general need for updating these policies, there's a fair amount of revision. The approach was to limit policy 5.21 to appointment types and move the notice of non-reappointment language to 5.24. In addition, policy 5.24 was retitled to incorporate other types of terminations, rather than just layoff. Policy 5.23 was extensively modernized and includes language to synchronize how we expect performance reviews (currently referred to as appraisals) to function in the new Workday software starting July 1, 2024.

5.24 - P&S Policies and Procedures Termination of Employment

Purpose:
To outline voluntary and involuntary provisions related to the termination of employment for Professional and Scientific (P&S) positions.

Policy Statement:
A P&S appointment may terminate for voluntary reasons including retirement, resignation, long term disability approval, invalid work authorization or abandonment of position. Abandonment of position shall be considered to have taken place when the employee is absent from duty for three consecutive workdays without proper notification and authorization and shall be deemed to have resigned.

Involuntary reasons for termination of P&S employment are further outlined in this policy.

A. Non-Reappointment
A P&S staff member's appointment is considered to be renewed or ongoing unless notified otherwise. Notice of non-reappointment is provided in accordance with the following appointment categories, following consultation with Human Resource Services (HRS).

1. Temporary Appointment
The nature of the service required with this type of appointment typically includes an identified end date at the time of hire. The university administration will make every effort to keep staff members serving with such an appointment advised as to when services will be concluded.

2. Term Appointment
The period of service established at the time of appointment will determine the date for notice of non-reappointment. In conjunction with funding renewal status, notice confirming non-reappointment will be given in writing and will be provided a minimum of (30) calendar days prior to the appointment expiration date.

3. Contract Appointment
Contracts signed by university administration and the employee will include an effective date and an end date. However, the nature of the service required with this type of appointment and the program area in which it is granted permits separation from university service to be affected with limited prior notice.

4. Regular Appointment
The ongoing service required with this type of appointment causes the notice of non-reappointment provision to be inapplicable.

Deleted: -- Reduction in Force Proceedings
5. Annual Appointment
Notice confirming non-renewal for annual appointments will be given in writing and will be provided a minimum of (30) calendar days prior to the effective date.

B. Reduction in Force
In the event it becomes necessary for the university to reduce its P&S staff, such reduction shall be based on program need as determined by the university and its leadership. Within such determination, a staff reduction shall occur in accordance with the following standards.

1. Order of Staff Reduction
In the event it becomes necessary to reduce the number of P&S staff, such reduction shall be based on program need as determined by the university and its leadership. Within such determination, a staff reduction shall occur in accordance with the following standards.

a. P&S staff serving in temporary appointments shall be subject first to release from their temporary position. The university administration will make every effort to keep temporary staff advised as to when services will be concluded.

b. Following the separation of staff serving in temporary appointments, P&S staff serving in term appointments shall be subject to reduction in force proceedings. Written notice of separation will be provided at least 30 calendar days prior to the effective date of active service to conclude. Staff serving with such appointments may elect to compete for vacant P&S positions, but shall be given no priority consideration.

c. P&S staff serving with less than one year in a regular appointment will be subject to reduction in force proceedings following the separation of staff serving in term appointments. Written notice of separation will be provided at least 45 calendar days prior to the effective date of active service to conclude. Staff impacted in this category may elect to be reassigned to any open P&S position provided they are fully qualified to perform the work as established with prior related work experience and/or credentials, following the conclusion of applicable reassignments of separated staff with more than one year of service.

d. Only after reduction in force proceedings have been made applicable for temporary, term and first year regular staff will the same be effective for staff serving in a regular appointment for more than one year. Written notice of separation will be provided at least 60 calendar days prior to the effective date of active service to conclude. Such staff may elect to be reassigned to any open P&S position provided they are fully qualified to perform the work as established with prior related work experience and/or credentials. Staff with more than one year of service in a regular appointment who have been separated from active university service with reduction in force proceedings may be given priority consideration for placement (recall) when a vacant P&S position exists.

During periods of staff reduction, applicable criteria will be applied according to the appointment categories listed above to effect reduced staffing while maintaining an optimum level of operational efficiency. The criteria include present and prior related position, responsibilities, professional credentials obtained, and relative skills, ability and performance demonstrated as evidenced with performance evaluation procedures.

2. Recall
P&S staff serving one year or more in a regular appointment at the time of separation from active university service, as a consequence of staff reduction, will be eligible for recall. With an annual request in writing, such staff will be considered for vacant P&S positions for a period equal to
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active service up to three (3) years. Upon submission of application materials through the applicant tracking system for a posted vacancy, such staff members will be interviewed and evaluated for the respective vacant P&S position prior to hiring an external candidate. If an inactive university staff member is not, following application and interview, selected for the P&S position, they will be advised in writing by the employing administrator as to the reason(s) for the non-selection. The university administration's decision to reject placement of such a staff member is not subject to grievance proceedings.

Staff members to be interviewed for return to active service are responsible for creating a profile in the university’s applicant tracking system and enabling any desired automated notifications of position vacancies. As directed by HRS, the inactive staff member is to keep HRS advised of their current phone number and recall interest. Failure to respond to a request to be interviewed for a position opening within five (5) calendar days of the date on which notification is sent shall constitute a decline of notice for that position.

A period of inactive service upon recall will be considered as a leave of absence for purposes of university and position service, salary, fringe benefit allowances and other conditions of employment.

C. Termination for Cause
An employee serving in a P&S appointment may be terminated for cause for reasons including, but not limited to, documented unsatisfactory performance of duties, excessive absenteeism, misconduct, violation of university and/or Board of Regents, State of Iowa policies or unlawful conduct.

Actions or offenses that do not immediately rise to the level of termination for cause will typically be preceded by interventions intended to remedy the unacceptable actions. Situations unable to be resolved through verbal coaching and counseling may move into a progressive discipline process. The level of discipline is based upon the seriousness of the offense and the employee’s performance and disciplinary history. Disciplinary levels may include verbal warnings, written warnings, suspension without pay or termination of employment.

Unsatisfactory performance may warrant the underperforming employee to be placed on a Performance Improvement Plan (PIP) as a supportive measure designed to assist the employee to achieve successful performance. The duration of a PIP typically ranges between 60 and 90 calendar days. Failure of the employee to provide immediate and/or sustained performance improvement may result in disciplinary action, up to and including termination of employment.

The implementation of PIPs, disciplinary actions and termination of employment for cause are implemented in consultation and partnership with HRS.

Additional Resources
4.18 Terminations & Terminal Vacation Pay Policy

P&S Council approved February 8, 2024
Human Resource Services, approved February 8, 2024
University Council, approved XXXX, 2024
President and President’s Cabinet, approved XXXX, 2024
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