UC Davis Personnel Policies for Staff Members

Separation Actions
Section 64, Termination (PSS)
Date: 6/12/12
Supersedes: 9/1/03
Responsible Department: Human Resources
Source Document: UC PPSM 64

64.A. GENERAL

Note 1--Exclusions. Limited, casual-restricted, floater, and probationary employees do not have the rights listed in this policy. Their rights are listed in Policy 61.

Note 2--Time Limits. The Employee & Labor Relations Analysts may extend the time limits in this policy.

Note 3--Method of Delivery. Notices of Intent to Terminate are hand-delivered or sent by mail. Every notice shall be accompanied by a proof of service. A person who is not a party to the action fills out the proof of service and either mails or hand delivers the Notice of Intent with a copy of the completed and signed proof of service. The form is on the Web at http://www.hr.ucdavis.edu/Forms. If proof of service is inadvertently omitted, failure to complete or attach a proof of service is not grounds to overturn the termination action.

64.C. NOTICE AND DECISION

Note 1--Authority. A department head or designee may terminate an employee, only after consulting with an Employee & Labor Relations Analyst. The University Official designated to take the action on behalf of the department will hereafter be referred to as the "Disciplinary Authority".

Note 2--Notice of Intent. In addition to the items listed in Policy 64.C, the notice shall identify an official reviewer ("Skelly Reviewer"). The Skelly Reviewer shall be selected in consultation with Employee & Labor Relations. The UC Davis Skelly Protocol applies to both the Davis campus and UCDHS locations. In accord with the protocol, the head of Employee & Labor Relations at either the campus or UCDHS must approve the Skelly Reviewer. The authority to appoint the Skelly Reviewer rests with the head of E&LR (or designee) at the location where the action is taken. The UCD Skelly Protocol can be found at: http://www.hr.ucdavis.edu/supervisor/Er/skelly/view?searchterm=Skelly.

Note 3--Disciplinary Authority. The UCD Skelly protocol defines the process for implementing the final decision to terminate an employee following the timelines and procedures outlined in PPSM 64 and the protocol. At the end of that process the Disciplinary Authority takes action as outlined in UCD Procedure 64.1—Termination.

UCD PROCEDURE 64.1—TERMINATION

a. If required by Policy 64.A or B, the Disciplinary Authority takes corrective action or issues a written warning prior to taking action to terminate. The Disciplinary Authority must consult with an Employee & Labor Relations Analyst to determine if the circumstances warrant immediate termination without prior corrective action or written warning.

b. The Disciplinary Authority consults with an Employee & Labor Relations Analyst prior to taking action to terminate through delivery of a Notice of Intent to Terminate
c. The employee may respond to the Notice of Intent, orally or in writing within 8 calendar days.

d. After a timely response has been received or 8 days has passed, the Disciplinary Authority reviews the notice of intent, the supporting documents, the response given by the employee, the report of the Skelly Reviewer, if any, and makes the decision to implement, modify, or rescind the termination.

e. If the termination is to be modified or rescinded, the Disciplinary Authority informs the employee what corrective action will be taken, if any, and a written notice of the modification or rescission will be provided to the employee. This modification or rescission concludes the Skelly Process on the original proposed action and is the final outcome. The employee should consult PPSM 70—Complaint Resolution if s/he wishes to further dispute the final action.

f. If the termination is sustained as proposed in the Letter of Intent to Terminate, then the Disciplinary Authority issues the Notice of Termination. The Notice of Termination shall include information about how and when to return University property and other information relevant to the termination process.

g. The department pays all wages due to the employee. See "Payment of Wages upon Termination" at http://payroll.ucdavis.edu/ for procedures about and the relevant timelines necessary for processing a termination check.