65.A. GENERAL

Note 1--MSP Grades. Managers and Senior Professionals (MSP) in Grades I through VII have only the rights explicitly enumerated in this policy; and so the decision to terminate their employment does not require a "just cause" standard, but should not be arbitrary or capricious or violate any other University policy. To the extent practicable, MSP employees in Grades I through VII should be afforded notice, preferably in writing, of performance deficiencies in advance of termination from employment.

MSPs in Grades VIII and IX are "at will" employees and have only the rights described in Policy 67

MSP employees are not subject to the provisions of PPSM 60-Layoff.

Note 2--Method of Delivery. Notices of intent to terminate are to be consistent with PPSM procedure and are to be hand-delivered or sent by mail with a proof of service attached. A person who is not a party to the action fills out the proof of service. The form is on the Web at http://www.hr.ucdavis.edu/Forms.

Note 3--Time Limits. The Employee & Labor Relations Analysts may extend the time limits in this policy.

65.B. NOTICE AND DECISION

Note 1--Authority. Deans, vice chancellors, and the UCDMC Chief Executive Officer have the authority to terminate an MSP employee. They may redelegate this authority to direct supervisors of MSPs. Terminations shall be reviewed by the Associate Vice Chancellor--Human Resources or UCDHS Human Resources Executive Director, or his/her designee before the notice of intent to terminate is sent.

Note 2--Notice of Intent. In addition to the items listed in Policy 65.B, the Notice shall identify an Official Reviewer. The Official Reviewer shall be selected in consultation with Employee & Labor Relations. The head of Employee & Labor Relations at either the campus or UCDHS must approve the Official Reviewer.

Note 3--Official Reviewer. In order to minimize the risk of an error, the official reviewer shall review the Notice of Intent, the supporting documents, and the employee's response. In most cases, the person who is making the termination decision also performs the review. However, the Associate Vice Chancellor--Human Resources or the UCDHS Human Resources Executive Director may appoint someone else, who will perform the review and then implement, modify, or rescind the proposed action. If a disagreement about the decision to terminate arises between the Official Reviewer, the terminating authority, and the Official Reviewer or the department head, the parties shall attempt to resolve the disagreement and agree on the final decision. If the disagreement cannot be resolved, the decision on the final action will be made by the next highest administrator in the chain of command in consultation with the head of Employee and Labor Relations at either the campus or UCDHS. The Official Reviewer shall use the process outlined in the UC Davis Skelly Protocol, in conducting the
65.C. PAY IN LIEU OF NOTICE

Note 1--Authority. The Associate Vice Chancellor--Human Resources or the UCDHS Human Resources Executive Director has the authority to approve pay in lieu of notice. MSP employees who voluntarily terminate their employment prior to the date specified in their Notice of Intent to terminate will not be eligible to receive pay in lieu of notice.

65.D. TERMINATION ASSISTANCE

Note 1--Authority. The Associate Vice Chancellor--Human Resources or UCDHS Executive Director has the authority to approve termination assistance. If severance pay is proposed, and the amount exceeds the authority of the Associate Vice Chancellor—Human Resources or the UCDHS Human Resources Executive Director, additional approval at the Campus or Office of the President may be required. In such cases, additional information will be required to support the severance pay, and additional time will be required to obtain approval. The Dean, Vice Chancellor or UCDMC Chief Executive Officer must consult with the head of Employee & Labor Relations at either the campus or UCDHS prior to offering any termination assistance. (PPSM 65.D.4.a)

Note 2--Release of Claims. In order to receive termination assistance in the form of assignment to another position or severance pay, the employee must provide a written release of all claims.

Note 3—Rehire During Period covered by Severance Pay. When termination assistance in the form of severance pay is accepted, the terminated MSP employee will be required to repay severance on a pro-rated bases up to the number of months of pay that were provided if they accept University employment (either career, limited or contract) at or above the monthly salary of the position from which the employee was terminated. If an MSP employee obtains alternate University employment at any grade level prior to the designated termination date, eligibility for consideration of severance pay will cease.