

Regulations of the University of North Texas System	Chapter 3 Human Resources
03.1000 At-Will Employment Relationship	

03.1001 **Regulation Statement.** The University of North Texas System (“System”) is committed to recruiting, developing and retraining quality staff employees in an at-will employment relationship that fosters successful performance and requires accountability from all employees.

03.1002 **Application of Regulation.** All staff employees as defined in this regulation and individuals in management positions.

03.1003 **Definitions.**

1. **At-Will Employment.** “At-will employment” means an employment relationship of indefinite duration that may be terminated by either party, at any time, without cause or for any reason except one that is unlawful.
2. **Management Position.** “Management position” means a faculty or staff position that has supervisory responsibilities over and authority to hire and terminate staff employees.
3. **Staff Employee.** “Staff employee” means an individual who is employed part-time, full-time, or in a temporary capacity. “Staff employee” does not include faculty, employees under contract, or individuals who are required to be students as a condition of employment.
4. **Reviewing Official.** “Reviewing official” means an employee designated by System Administration or an Institution policy who is responsible for reviewing a termination decision.
5. **Workday.** “Workday” means a day when the System Administration or Institution is open for official business, excluding days when only essential personnel are required to work.

03.1004 **Responsibilities.** The System Administration and Institutions shall adopt policies and implement processes that are consistent with the at-will employment relationship and the requirements set forth in this regulation. No policy, process or practice implemented by the System Administration or an Institution shall have a probationary period of employment or confer

rights or interests that are contrary to the employment at-will relationship or this regulation.

03.1005

Policy Requirements. The System Administration and Institutions shall adopt policies and processes related to the employment status and involuntary termination of staff employees that include the following minimum requirements:

1. Prior Review by Human Resources Department. All involuntary terminations, except discharges listed in paragraph five of this section, must be reviewed by Human Resources before a staff employee is discharged.
2. Notice of Reason(s) for Involuntary Termination. Staff employees must be informed, in writing, of the reason(s) for involuntary termination at the time of discharge.
3. Basis for Involuntary Termination. All involuntary terminations, except discharges listed in paragraph five of this section, must be based on the employee's failure in one or more of the following responsibilities to be:
 - a. Prompt and timely in attendance.
 - b. Honest in all work-related communications, disclosures, submissions, and financial responsibilities.
 - c. Responsive to all lawful work-related requests from a System or Institution official and to the needs of the work unit.
 - d. Respectful, cooperative and professional to all.
 - e. Competent in fulfilling the responsibilities of the position.
 - f. Compliant with all federal and state laws, and applicable Regents Rules, System Regulations, and policies.
4. Review of Termination Action.
 - a. All staff employees, except those who report directly to a President, the Chancellor or the Board of Regents, may request review of a termination action in accordance with a policy adopted pursuant to this regulation. Staff employees who report directly to a President, the Chancellor or the Board of Regents may not request review of a termination action.

- b. A review of a termination action shall be performed by a reviewing official. The reviewing official must be in a management position above the level of the individual taking the termination action and over the area in which the terminated employee worked. The reviewing official also must have authority to take remediating action. Policies adopted by the System Administration and Institutions pursuant to this regulation may not require review by an individual who is employed by a different agency within the UNT System.
5. Other Discharges. Discharges for reasons other than performance or conduct shall be governed by other System Administration and Institution policies.

03.1006

Review of Involuntary Discharge.

1. A request for review must be submitted to the reviewing official no later than five (5) workdays after the staff employee receives notice of termination or after the employee receives notice of a decision by a reviewing official, as applicable.
2. All requests for review must be made by the terminated employee, in writing, and must state the reason(s) the employee disputes the termination and the relief sought.
3. Levels of Review:
 - a. Staff Employees below the level of Assistant Vice President or Assistant Vice Chancellor (or an equivalent position as determined by the System Administration or individual Institution) shall be allowed two levels of review.
 - i. A review must be conducted upon a timely request.
 - ii. A second review, if requested, must be conducted by a person in the position of vice president or vice chancellor, or above.
 - iii. The decision of the second reviewing official is final.
 - b. Staff Employees at the level of Assistant Vice President or Assistant Vice Chancellor (or an equivalent position as determined by the System Administration or individual Institution) shall be allowed one level of review.
 - i. A review must be conducted upon a timely request.

- ii. The reviewing official must be in a position of vice president or vice chancellor, or above.
 - iii. The decision of the reviewing official is final.
- 4. A reviewing official must consider all written information submitted by the terminated employee for review and has sole discretion to allow the employee to present information in person. A reviewing official may obtain and consider any additional information the official believes is appropriate in performing the review.
- 5. A reviewing official must inform the staff employee of the reason(s) for the decision, in writing, and within the time set out in System Administration or Institution policy.
- 6. The entire review process shall be completed no later than forty-five (45) workdays from the date the first request for review is received by the appropriate reviewing official. The Chancellor or a President may authorize an extension when delay is attributable to the terminated employee or when delay is outside the control of a reviewing official. The authority to grant an extension may not be delegated.
- 7. No action may be initiated to fill the position of a staff employee who has requested review until the review process is complete.

References and Cross-references:

University of North Texas System Board of Regents Rule 05.100
University of North Texas System Board of Regents Rule 05.900
University of North Texas System Board of Regents Rule 05.1000

Approved: April 2, 2012
Effective: June 1, 2012
Revised: September 13, 2012 (renumbered)