

## Overview:

# NON-RETENTION OF MPP EMPLOYEES

MPP positions are “at will” and serve at the pleasure of the President. Terminations, however, may not be arbitrary or capricious, or violate any other policy/law. This tool provides appropriate administrators a brief overview of the non-retention process. Please note, that this document does not replace the need to engage the Office of Human Resources. *NOTE: This overview only references the MPP position and does not cover the process for employees that may also have Retreat Rights into a faculty position.*

	Process	Things for You to Remember
Step 1	An MPP (MPP) contacts the Director of Employee and Labor Relations (DELR) with a request to begin the non-retention process for an MPP position in their chain of command (employee).	Must provide the President's or Vice President's approval (in writing) to the DELR to proceed with the process. <b>*Note:</b> approval should include whether the non-retention shall be accompanied by notice or pay in lieu of notice.
Step 2	The DELR will then schedule a meeting to discuss the matter and determine whether the non-retention is appropriate. The DELR will also consult with University counsel prior to approving the action.  <b>*NOTE: For MPPs that may have Retreat Rights, DELR will need to consult with the Office of Faculty Advancement (OFA) to determine specific details in that process, draft the Notice of Non-Retention, and determine OFA's role in this process</b>	Be prepared to discuss the reasons for the non-retention of the MPP position, with specific examples of misconduct or performance issues, if applicable.
Step 3	If non-retention is appropriate, the discussion then turns to process. If the MPP has elected to move forward with pay in lieu of notice, the DELR will consult with the Director of Payroll to provide options for employee's separation date.  Pay in lieu of notice and 90 days' notice have different processes and documentation requirements – it is at this stage that the DELR will discuss these with the MPP.  <b>*Note:</b> the final date of employment is subject to approval by HR in order to ensure compliance with policy, and state/federal law, and may be delayed up to several weeks.	At this point, the MPP should start considering/determining: * Does the employee have university property? * What can the employee access? * Does IRT access need to be altered?  <b>*Note:</b> it is normally inappropriate to engage represented staff in these discussions.
Step 4	The MPP will complete the necessary PTF form based on the final date of employment.	If the employee's position has direct reports, decide who will take over those duties following the final date in MPP position, and what process needs to occur to make that happen.  <b>* Note:</b> Timing and words matter! Please be sure to work with the DELR prior to making any announcements or locating interim replacements.
Step 5	ELRM will finalize the Notice of Non-Retention and designate the appropriate administrator for purposes of reconsideration.	The AA must provide the DELR with a completed PTF (with appropriate departmental approval signatures) before the DELR will provide the final Notice of Non-Retention
Step 6	DELR will provide information regarding how to conduct the notification meeting, the reconsideration process, and items required to complete the separation process. The DELR will be available to discuss these items in detail with the MPP.	If IRT access for the employee needs to be shut down right after the notification meeting, inform the DELR as this will require special, advance handling.
Step 7	MPP will: <ul style="list-style-type: none"> <li>Schedule the notification meeting with the employee</li> <li>Conduct the notification meeting and collect all university property used in the position</li> <li>Prepare the remaining separation paperwork and submit to the appropriate campus department(s)</li> </ul>	<b>IMPORTANT:</b> Must provide DELR with a signed copy of the Notice of Non-Retention (scanned is fine) so that the final date in position can be processed and the Notice can be added to the employee's personnel file.