

Guidelines for the Faculty Voluntary Separation Incentive Program (VSIP) University of North Texas Health Science Center (HSC), 2020

Program Purpose

The Voluntary Separation Incentive Program (VSIP) program has been developed to provide a mechanism for the HSC to reduce overall operating costs. It also enables the organization to prioritize funding for investment in the university's most strategic initiatives.

Program Description & Application Procedure

The VSIP is a limited opportunity for faculty members who meet eligibility requirements to receive a payment incentive in return for their agreement to voluntarily separate from employment with the HSC. The VSIP is not a retirement program; therefore, eligible faculty members are not required to retire.

Faculty members interested in the VSIP must complete an application, titled the "Voluntary Separation Incentive Program Application" Form. The application period begins on May 18, 2020 and ends at 5:00 p.m. on July 6, 2020. Faculty members who are uncertain whether they meet the eligibility requirements may contact the Provost's Office. Each faculty member who elects to participate in the VSIP relinquishes tenure (if applicable) and signs a separation agreement, titled the "Voluntary Separation Agreement and Release of Claims" Form.

VSIP applications are subject to the approval of the Provost. Funds dedicated to this program are limited, therefore not every eligible faculty member's application will be approved. Applications will be considered in the order received. Receipt of submitted applications will be acknowledged electronically by the Provost's Office.

Eligibility Criteria

The submission of an application under the VSIP is voluntary and eligible faculty members are not required to apply. A faculty member's decision not to participate does not in any way change his or her current or future employment relationship with the HSC.

The VSIP is available to faculty who meet the following eligibility criteria as of April 30, 2020:

- Are a full-time (≥ 0.75 FTE), benefits-eligible employee of the HSC; and
- Hold a primary academic rank in one of the HSC schools and colleges; and
- Have a record of state service plus age that equals 72 or higher

Ineligibility Criteria

Faculty members described below are disqualified from participation in the VSIP, even if otherwise eligible, if they meet any of the following criteria as of April 30, 2020:

- Hold an academic rank of Instructor or Assistant Professor;
- Hold a "Research" prefix, academic rank (e.g. Research Professor);
- Hold a "Clinical" prefix, academic rank (e.g. Clinical Professor);

- Hold a “Visiting” prefix, academic rank (e.g. Visiting Professor);
- Hold a secondary administrative appointment of Dean;
- Received Total Research Awards and F&A in FY19 at or above \$750,000;
- Are employed in a part-time HSC position;
- Are employed in an adjunct or affiliate HSC position;
- Received a decision notice of involuntary separation;
- Submitted a notice of resignation or retirement before the first date of the VSIP application period;
- Performed service for which a retention incentive was paid, or is to be paid during the 36-month period preceding the first date of the VSIP application period;
- Conferred tenure during the 36-month period preceding the first date of the VSIP application period.

Withdrawal of Application

A faculty member who wishes to withdraw his or her application must deliver a written, signed statement of revocation to the Office of the Provost no later than seven (7) calendar days after submitting the signed Voluntary Separation Agreement and Release of Claims.

The statement of revocation must be submitted to the Office of the Provost via hand-delivery, U.S. Postal Service, or electronic email. An application that is not withdrawn by the deadline will become effective the next calendar day following expiration of the seven-day revocation period.

Incentive to Participate

Each eligible faculty member whose application to voluntarily separate is accepted and not withdrawn within the prescribed time period will receive a payment and separation date based on the faculty member’s choice of the following options:

- **Option 1:**
 - **Employment ends on or before December 31, 2020;** and
 - Receives a payment of up to \$20,000, less all required federal and state taxes as required by law, within 45 calendar days of the faculty member’s separation date. This payment will be used to fund the faculty member’s medical insurance premiums for the 18-month coverage period following the date of separation, if applicable; and
 - Receives an incentive payment within 45 calendar days of the faculty member’s separation date; and
 - The incentive payment will be equal to the amounts listed below based on faculty rank, less all required federal and state taxes and deductions as required by law. The incentive amounts are set in accordance with 1.5 x Component “A” of the faculty member’s institutional salary per the HSC Faculty Policy 6.108:
 - Associate Professors, \$120,000
 - Professors, \$150,000

- **Option 2:**
 - **Employment ends on or before June 30, 2021;** and
 - Receives a lump-sum payment of up to \$15,000, less all required federal and state taxes as required by law, within 45 calendar days of the faculty member’s separation date. This payment will be used to fund the faculty member’s medical insurance premiums for the 18-month coverage period following the date of separation, if applicable; and
 - Receive an incentive payment within 45 calendar days of the faculty member’s separation date; and
 - The incentive payment will be equal to the amounts listed below based on faculty rank, less all required federal and state taxes and deductions as required by law. The incentive amounts are set in accordance with 75% of Component “A” of the faculty member’s institutional salary per HSC Faculty Policy 6.108:
 - Associate Professors, \$60,000
 - Professors, \$75,000

The VSIP payments will not qualify as “earnings” for retirement purposes. Therefore, no employee retirement or insurance deductions will be withheld, and the HSC will not make retirement or insurance contributions. Payments pursuant to this program will be disbursed within 45 calendar days from the faculty member’s separation date. The Provost may approve exceptions to this program (e.g. an earlier date for separation) if in the best interest of the HSC.

Reemployment

Faculty who separate as part of this program are not eligible to be rehired at the HSC, unless approved by the President.

Legal Advice

Eligible faculty are advised to contact an attorney, at their own expense, to discuss the VSIP and to review the Voluntary Separation Agreement and Release of Claims document before submitting an application or executing the separation agreement.

Information Regarding Other Benefits

Unused vacation at the time of separation from the health science center shall be paid in accordance with Texas law. Any other employment payment and benefits (e.g. health, dental) will terminate or cease upon separation in accordance with Texas law, as well as the rules of the UNT System Board of Regents and the policies of the UNT System and the HSC.

Forfeiture of Tenure and Right to Notice of Non-Reappointment

Faculty members who are approved for separation under the VSIP voluntarily relinquish their tenure status at the end of their last day of work at the health science center. Faculty also forfeit the right to receive notice that they will not be reappointed as set out under the HSC faculty policies.

Information to Be Furnished

Upon request, faculty members shall furnish any documentation and information the HSC consider necessary to administer the VSIP.

No Assignment of VSIP Payments

Under no circumstances may a VSIP payment be subject to assignment, garnishment, lien, or other encumbrances, and any attempt to cause any such payments to be made to any person or entity other than the eligible faculty member will not be honored by the HSC, unless required by law.

Recovery of VSIP Payment Made by Mistake

A faculty member who receives a separation payment by a mistake of fact or law, or who receives any payment amount contrary to terms of the program, is obligated to return the erroneous payment or portion thereof to the HSC immediately upon written demand.

Representations Contrary to the VSIP

No employee, officer, director, or agent of the HSC has the authority to alter, vary, or modify the terms of the VSIP. No verbal or written representations contrary to the terms of the VSIP and no written amendments shall be binding upon the HSC.

No Employment Rights or Contract

Nothing contained in the VSIP shall be construed as a contract of any kind between the HSC and any entity or person. No person shall be entitled by virtue of the VSIP to remain employed by the HSC and nothing in the VSIP shall restrict the right of the HSC to terminate the employment of any eligible employee before his or her voluntary separation date. Initiation of action to terminate a faculty member for cause following acceptance into the VSIP program and prior to the agreed separation date that ends in termination may result in forfeiture of all benefits received under the VSIP program including the separation payment.

Applicable Law

The VSIP shall be governed and construed in accordance with the laws of the State of Texas without reference to its conflicts of law provisions.

Severability

If any provision of the VSIP is found, held or deemed by a court of competent jurisdiction to be void, unlawful, or unenforceable under any applicable statute or other controlling law, all other provisions of the VSIP shall continue in full force and effect.

Nondiscrimination

The HSC does not engage in discrimination or harassment against any person because of race, color, religion, sex, national origin, ancestry, age, marital status, genetics, disability, veteran status, or any other characteristic protected under applicable federal or state laws.

End of the Program

The VSIP will terminate when all payments described herein have been provided.

Questions Regarding the VSIP

This program is being administered by the Office of the Provost with the support of Human Resource Services. Questions concerning eligibility and other aspects of the VSIP should be directed to the Provost at charles.taylor@unthsc.edu. Faculty should speak to their personal attorney to answer specific questions about how the VSIP and Separation Agreement affect them.

Disputes Regarding the Application of the VSIP

Any dispute regarding the application of the VSIP guidelines will be handled in accordance with the HSC Faculty Policies and Procedures.

VSIP Timeline Summary

May 8, 2020	VSIP program formally announced
May 18, 2020	Application period opens
July 6, 2020	Application period closes
July 17, 2020	Extension of VSIP offers end