

Guidelines for Implementation of Soft Money Truncation Language

Reflected on the Notice of Appointment

March 21, 2011

Overview

Effective August 16, 2009, the Notification of Appointment was modified to include the following language:

For appointments made "subject to receipt of funds" (such as those from grants or contracts), the University reserves the right to terminate the appointment prior to the Period of Service End Date if the grant(s) or other source of funding for the position has ended. An asterisk (*) symbol following the "Dollars" indicates that employment and payment is contingent upon receipt of funds. For such appointments, the University reserves the right to terminate the appointment prior to the Period of Service End Date if the grant or source of funds for the position becomes unavailable, and will provide prior notice, if applicable, in accordance with the notice periods set forth in Article IX(11)(b)(2) of the University of Illinois Statutes. If an asterisk (*) symbol does not appear next to the Dollars box on this Notice of Appointment, your appointment is not subject to the receipt of funds and not subject to earlier termination based on the loss of such funding.

The University intends that situations in which an appointment is truncated prior to the end of the normal appointment period will be an extraordinary circumstance, not one that is routine. Alternatives for continuing employment until the end of the appointment or notice period should be thoroughly explored before action to truncate an appointment are explored. This document gives guidance to units regarding the potential truncation of appointments. It is important to note that this language is applicable only to those appointments covered in Article IX of the University of Illinois Statutes.

(<http://www.uillinois.edu/trustees/statutes.cfm#art9>)

Fund Types which could be affected by the "subject to the receipt of funds message" (Current – August 2010)

Grants and contracts
Gifts and Endowments
Medical Service Plan
Federal Appropriations – Special Agreements

Situations in which it is *likely* appropriate to truncate a contract(s):

- A sponsored agreement budget is reduced *during* the budget period of an award
- A proposal budget is renegotiated *after* the start date of an award and staff have been hired on anticipation funds
- A unit is told a grant will be awarded but the award does not come through
- A unit is told a grant will be awarded but the award amount is lower than the application amount and the unit has hired based on pre-contract information

Situations in which it is *NOT* appropriate to truncate a contract(s):

- A failure to appropriately plan and be cognizant of appointment durations (e.g., a grant is in the final year without expectation for renewal and ends in March but employees are appointed through August)

- A situation in which there are performance management issues that could be “resolved” by terminating the employee early

Process for truncating appointments

NO appointments are to be truncated without prior consultation with the appropriate campus (central) HR office. Employees should **not** be notified of the possibility that their appointments maybe truncated prior to this consultation.

Employees who are due formal notice from the Board of Trustees retain the applicable notice rights set forth in Article IX(11)(b)(2) of the University of Illinois Statutes. Appointments cannot be truncated to a date earlier than the minimum required notice under Article IX(11)(b)(2). For employees who are not entitled to formal notice of non-reappointment, units should provide a reasonable period of time before the appointment truncation is effective. The appropriate amount of courtesy notice will be determined based upon the circumstances, through consultation with the campus (central) HR office. A reasonable standard may be 30 days, as the funding agencies must give the University a minimal notification period to a change in award. Affected employees should be given notice as soon as possible after the University is notified of a change that will result in truncation of employee appointments.

Each campus HR office may develop campus specific procedures but in general the following information will need to be provided in order to support truncating an employee’s appointment:

- Documentation from the funding source outlining the change in award that necessitates the truncation needs to be forwarded to the campus HR office.
- Unit confirmation that, in addition to the loss of funding, the scope of work is also being modified and therefore there will be no immediate need to hire in order to to cover the work of the position being truncated.

Special Considerations

If a unit does not need to truncate all employees paid from a grant, the unit must work with HR to appropriately determine which employee(s) will be terminated due to work responsibilities, skills, etc.

International Employees

If the employee is an international employee working on a Visa, the campus international office must be consulted to determine any particular ramifications and/or limitations.

Leaves of Absence

Employees on federally protected leaves of absence (FMLA, VESSA, disability and Military leave) cannot have their appointments truncated while on that protected leave.

Educational and personal leaves should be carefully considered, including the reason the leave was granted and the expected return from leave before truncating appointments.

Special Considerations continued

Other employment

Each campus should determine what level of support is provided to employees regarding placement, training, and consideration for other on-campus employment.

Further information

If employees should have questions regarding the truncation of their appointment, please direct the employee to contact the appropriate Human Resources Office as follows:

University Administration employees (all campuses):

Employee Relations and Human Resources
Phone: 217-333-2600
e-mail: erhr@uillinois.edu

Chicago Campus employees:

Academic Human Resources/Records
Contact: Odell Richmond
Phone: 312/996-6356
e-mail: odell@uic.edu
*Mr. Odell will coordinate with Campus Employee Relations on truncations.

Faculty Affairs Human Resources
e-mail: fahr@uic.edu

Springfield Campus employees:

Academic Human Resources (Provost's Office)
Phone: 217-206-6616
e-mail: UISAHR@uis.edu

Office of Human Resources (Campus HR)
Phone: 217-206-6652
e-mail: hremployment@uis.edu

Urbana Campus employees:

Academic Human Resources
Phone: 217-333-6747
e-mail: ahr@uillinois.edu