

Policy IV.4002.C, Termination or Demotion of Non-Contractual Employees

Purpose

This Policy establishes a uniform practice for termination or demotion of non-contractual employees. Non-contractual employees are employed at will. This means that either party can end the employment relationship at any time, for any reason, with or without cause.

This policy does not apply to Reduction in Force (RIF) decisions. RIF decisions are subject to [Policy IV-G-5: Policy on Reduction in Force](#). A Reduction in Force is a reduction in position, responsibilities and pay.

Policy

Termination or demotion decisions will be made without regard to the employee's race, creed, color, national origin, citizenship status, age, disability, pregnancy and pregnancy-related conditions, religion, gender/sex, sexual orientation, gender expression or identity, genetic information, marital status, or veteran status.

Additionally, the College will not discriminate or retaliate against employees who exercise rights guaranteed by the Constitution or rights conferred by statute, including, but not limited to, the Family Medical Leave Act, Uniformed Services Employment and Reemployment Rights Act, and the Texas Whistleblower Act.

A non-contractual employee may be terminated for violating state or federal law, including [Section 51.252 of the Texas Education Code](#) (relating to the failure to make a mandatory report of sexual harassment, sexual assault, dating violence, and stalking) and [Section 51.3525 of the Texas Education Code](#) (relating to prohibited diversity, equity, and inclusion programs and activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation).

A non-contractual employee does not have a property right to their job.

A non-contractual employee may be terminated or demoted with or without cause, except that if a reason exists, it is not an unlawful reason.

A non-contractual employee is not granted the opportunity for an appeal of a termination or demotion; however, the employee is able to request a secondary review of their job termination or demotion.

Only the Chancellor or, designee, is authorized to approve a termination or demotion.

Administrative Leave

While a termination or demotion recommendation is pending, or during the course of an ongoing internal/external investigation, the Chancellor, or designee, may suspend or reassign the affected employee with pay if it is determined that suspension or reassignment is in the best interest of the College.

Definitions

Non-contractual employees: Are employed at will, an employment relationship in which either party can end the employment relationship at any time, for any reason, with or without cause. Part-time staff, part-time faculty, full-time staff, and some administrators are designated as non-contractual employees.

Demotion: A reduction in position, responsibilities, and pay.

Reduction in Force: A reduction in position, responsibilities and pay.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

Associated Procedure

Procedure IV.4002.C.a, Termination or Demotion of Non-Contractual Employee

Date of Board Approval	November 6, 2023
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Effective Date	November 7, 2023
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Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
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Secondary Owner of the Policy Associated with the Procedure	Vice President, Human Resources
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