

Texas Tech University System

Regulation 01.09

Eligibility for Rehire

Approved March 20, 2018

Next Scheduled Review: November 2019

1. General

- a. Texas Tech University System (TTUS) and its institutions (collectively, the System) have a responsibility to hire fully qualified individuals and to minimize risk to the System. This regulation establishes the procedures to identify and designate certain individuals who have terminated from System employment as not eligible for rehire (NEFR) within the System.
- b. This regulation applies to all employees of the System including faculty, staff, and student employees.
- c. This regulation will be reviewed in January of even-numbered years by Human Resources, General Counsel, Equal Opportunity, and Audit Services with substantive revisions forwarded to the TTUS Vice Chancellor and Chief Financial Officer.

2. Criteria for not eligible for rehire designation

- a. An employee who terminates voluntarily or involuntarily from the System is eligible for rehire unless:
 - i. The individual engaged in behavior that constitutes serious misconduct including but not limited to fraud, theft, violence/threat of violence, alcohol/drug policy violation, moral turpitude, sexual misconduct, or other conduct demonstrating unfitness for employment; or
 - ii. The individual has been involuntarily terminated two times or more from the System within a five-year period.

3. Process

- a. In accordance with University policy, the respective Human Resources office will review the circumstances surrounding the termination and, based on the criteria in Section 2 of this regulation, determine whether an individual should be submitted for NEFR consideration.
- b. A designation of NEFR, including the effective time period, will be made on a case-by-case basis in consultation with the respective director of Human Resources, respective president or designee, the Office of General Counsel, and the Office of Equal Opportunity.
- c. Human Resources will document the former employee's name, ID number, social security number, date of birth, institution, department, date of termination, reason for ineligibility, and time period of NEFR designation.

- i. The designation of NEFR will be effective for a period of at least five (5) years following the date of determination as ineligible for rehire.
 - ii. The NEFR designation list should only be disclosed to those who have a need to know or as required by law.
 - iii. An individual designed as NEFR will be so noted in the appropriate HR hiring system.
- d. For the designated period, no individual designated as NEFR shall be eligible for employment at any institution in the System without the written approval of the Chancellor.
 - i. If an individual designated as NEFR is inadvertently hired during the period of ineligibility, the individual's employment will immediately be terminated.

4. Responsibilities

- a. Human Resources will provide individuals designated NEFR with written notice of this decision and its duration. A copy of this notice will be retained in the individual's personnel file.
- b. Human Resources will monitor to ensure no individuals designated as NEFR have been inadvertently hired.
- c. The System will ensure the widest dissemination of information regarding this program to all employees by including material in training courses and seminars, employment guides, and other broad information sources.

5. Right to Change Regulation

- a. Texas Tech University System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time without the consent of employees.

Contact Office: TTUS Office of Equal Opportunity
(806) 742-3627