

Non-Represented Employment Policies  
 Regarding Notice, Severance and Term of Appointment  
 Changes Approved March 2010 by Board of Trustees  
 Effective Date: July 1, 2010

Notice and Severance for Discontinuance due to Programmatic or Financial Reasons

For non-represented employees notice may be given as notice, pay in lieu of notice, or a combination, at the discretion of the university.

For all employee groups, policies regarding layoff are not applicable to employees with “soft money” appointments that are contingent on funding from outside organizations, institutes and agencies over which the university has no financial control. Employees in soft-money appointments are notified as soon as possible when the position is being eliminated due to lack of funding.

**Non-Represented Hourly Employees** (University Supervisors and Confidential employees) – Non-represented hourly employees will receive notice of layoff and severance pay based on length of continuous regular University service as of July 1, 2010.

Tier 1 – Employees hired on or before July 1, 1995

| Length of Service (Completed years) | Notice   | Severance | Total    |
|-------------------------------------|----------|-----------|----------|
| Less than 5 years                   | 2 weeks  | None      | 2 weeks  |
| 5 - 9 years                         | 12 weeks | None      | 12 weeks |
| 10 – 12 years                       | 26 weeks | 4 weeks   | 30 weeks |
| 13 – 15 years                       | 26 weeks | 8 weeks   | 34 weeks |
| 16 – 18                             | 26 weeks | 12 weeks  | 38 weeks |
| 19 – 21                             | 26 weeks | 16 weeks  | 42 weeks |
| 22 – 24 years                       | 26 weeks | 20 weeks  | 46 weeks |
| 25+ years                           | 26 weeks | 26 weeks  | 52 weeks |

Tier 2 –Employees hired July 1, 1995 – June 30, 2005

| Length of Service (Completed years) | Notice  | Severance | Total    |
|-------------------------------------|---------|-----------|----------|
| Less than 3 years                   | 2 weeks | None      | 2 weeks  |
| 3 – 4 years                         | 2 weeks | 3 weeks   | 5 weeks  |
| 5 – 9 years                         | 6 weeks | 3 weeks   | 9 weeks  |
| 10 – 12 years                       | 6 weeks | 4 weeks   | 10 weeks |
| 13 – 15 years                       | 6 weeks | 6 weeks   | 12 weeks |
| 16 - 20 years                       | 6 weeks | 8 weeks   | 14 weeks |
| 21 + years                          | 6 weeks | 12 weeks  | 18 weeks |

Tier 3 – Employees hired July 1, 2005 or later

| Length of Service (Completed years) | Notice  | Severance | Total    |
|-------------------------------------|---------|-----------|----------|
| Less than 3 years                   | 2 weeks | None      | 2 weeks  |
| 3 – 4 years                         | 2 weeks | 2 weeks   | 4 weeks  |
| 5 – 9 years                         | 6 weeks | 2 weeks   | 8 weeks  |
| 10 – 15 years                       | 6 weeks | 3 weeks   | 9 weeks  |
| 16 – 20 years                       | 6 weeks | 4 weeks   | 10 weeks |
| 21+ years                           | 6 weeks | 6 weeks   | 12 weeks |

**Non-Represented Salaried Employees** – Non-represented salaried employees will receive notice of layoff and severance pay based on length of continuous regular University service as of July 1, 2010.

Tier 1 – Employees hired before July 1, 1995

| Length of Service (Completed years)    | Notice                              | Severance | Total          |
|--|-------------------------------------|-----------|----------------|
| LT 2 years (after Probationary period) | 6 mos. notice or 4 mos. pay in lieu | ½ month   | 4 ½ - 6 ½ mos. |
| 2 – 4 years                            | 6 mos. notice or 4 mos. pay in lieu | 1 mo.     | 5 – 7 mos.     |
| 5 years                                | 6 mos.                              | 1 mo.     | 7 mos.         |
| 6 – 7 years                            | 6 mos.                              | 2 mos.    | 8 mos.         |
| 8 – 9 years                            | 6 mos.                              | 3 mos.    | 9 mos.         |
| 10 – 11 years                          | 6 mos.                              | 4 mos.    | 10 mos.        |
| 12 – 13                                | 6 mos.                              | 5 mos.    | 11 mos.        |
| 14 – 15                                | 6 mos.                              | 6 mos.    | 12 mos.        |
| 16 – 17                                | 6 mos.                              | 7 mos.    | 13 mos.        |
| 18 – 19                                | 6 mos.                              | 8 mos.    | 14 mos.        |
| 20 – 21                                | 6 mos.                              | 9 mos.    | 15 mos.        |
| 22 – 23                                | 6 mos.                              | 10 mos.   | 16 mos.        |
| 24 – 25                                | 6 mos.                              | 11 mos.   | 17 mos.        |
| 26+                                    | 6 mos.                              | 12 mos.   | 18 mos.        |

Tier 2 – Employees hired July 1, 1995 – June 30, 2005

| Length of Service (Completed years) | Notice | Severance | Total    |
|-------------------------------------|--------|-----------|----------|
| LT 2 (after Probationary period)    | 3 mos. | ½ mo.     | 3 ½ mos. |
| 2 – 4 years                         | 3 mos. | 1 mo.     | 4 mos.   |
| 5 years                             | 4 mos. | 1 mo.     | 5 mos.   |
| 6 – 8 years                         | 4 mos. | 2 mos.    | 6 mos.   |
| 9 – 11 years                        | 4 mos. | 3 mos.    | 7 mos.   |

|               |        |        |         |
|---------------|--------|--------|---------|
| 12 – 14 years | 4 mos. | 4 mos. | 8 mos.  |
| 15 – 19       | 4 mos. | 5 mos. | 9 mos.  |
| 20+ years     | 4 mos. | 6 mos. | 10 mos. |

Tier 3 – Employees hired July 1, 2005 or later

| Length of Service<br>(Completed years) | Notice | Severance | Total    |
|--|--------|-----------|----------|
| LT 2 years (after Probationary period) | 2 mos. | ½ mo.     | 2 ½ mos. |
| 2 – 4 years                            | 2 mos. | 1 mo.     | 3 mos.   |
| 5 - 11 years                           | 3 mos. | 1 mo.     | 4 mos.   |
| 12 – 20 years                          | 3 mos. | 2 mos.    | 5 mos.   |
| 21+ years                              | 3 mos. | 3 mos.    | 6 mos.   |

**Management Group** – See below.

Notice for at-will discontinuance

Non-represented employees may be discontinued for reasons other than program or financial reasons or for cause. Examples of other reasons include a change in the required knowledge, skills and abilities for the position, or a change in the direction of a department or program.

**Non-represented hourly employees** whose employment is discontinued for such reasons will receive a minimum of two weeks notice.

**Non-represented salaried employees** whose employment is discontinued for such reasons will receive notice based on length of continuous regular service as of July 1, 2010 as follows:

| Length of Service<br>(Completed years)        | Tier 1 – Employees hired before July 1, 1995 | Tier 2 – Employees hired July 1, 1995 – June 30, 2005 | Tier 3 – Employees hired July 1, 2005 or later |
|---|--|---|--|
| During probationary period                    | Not Specified                                | ½ month   | ½ month  |
| Less than 4 years (after probationary period) | Not Specified                                | 1 month   | ½ month  |
| 4 years                                       | 4 months                                     | 3 months  | 1 month  |
| 7 years                                       | 6 months                                     | 3 months  | 2 months                                       |

**Management Group** -- Employees in positions included within Management Group will receive notice of discontinuation for program or financial reasons and for at-will discontinuation based on length of continuous regular service as of July 1, 2010 as follows:

| Length of Service (Completed years in Management Group)   | Tier 1 – Employees hired before July 1, 2003 | Tier 2 –Employees hired July 1, 2003 and later     |
|---|--|--|
| During probationary period                                | 6 mos.                                       | 2 mos.   |
| Before end of initial term (up to 5 years) and LT 7 years | 6 mos.                                       |  |
| After probationary period – 6 years                       |  | 3 mos.   |
| 7 years+  | One year                                     | Greater of 6 months or end of fiscal/academic year |

### Term of appointment

**Non-Represented Hourly** – Non-represented hourly employees will serve a 6 month probationary period, after which their employment will be for an indefinite period at-will.

**Non-Represented Salaried** – Non-represented salaried employees will normally serve a 12 month probationary period, after which their employment will be for an indefinite period at-will. A non-represented salaried employee may receive a term appointment of up to 3 years for purposes of reappointment and major performance reviews, but may be discontinued within the term with notice as specified in the applicable policy for discontinuance for financial or programmatic reasons, for cause, or as an at-will discontinuance.

**Management Group** – Employees in Management Group positions will have an initial term of up to 3 years including a specified probationary period (normally at least 12 months). Subsequent appointments will be at-will and may be indefinite or for a term appointment of up to 3 years for purposes of reappointment and major performance reviews. Employment may be discontinued at any time with notice as specified in the applicable policy for discontinuance for financial or programmatic reasons, for cause, or at-will discontinuance.

**Non-Represented Faculty** – The probationary period for tenure for non-represented faculty is 6 years with appointments of 1 or 2 years during the probationary appointment. Tenure may be granted at time of hire in accordance with Board policy. Employees who hold rank and tenure and are appointed to non-represented faculty positions from within the university will retain rank and tenure in the faculty position unless otherwise agreed.

For non-represented tenured and tenure track faculty, reappointment, non-reappointment and discontinuance for program or financial reasons are the same as for represented faculty.

Administrators holding academic rank may be designated as Management Group, Non-Represented Salaried or Non-Represented Faculty and will be given a probationary period and term in the administrative position and a probationary or tenured appointment in the faculty position. Tenure is granted in the faculty position only, not in the administrative position. Granting of tenure is subject to Board approved tenure policy and guidelines. Based on their credentials, non-represented employees

may also be granted a courtesy academic rank that carries no right to a faculty position following service in an administrative position and no right to consideration for tenure.

Presidents and Chancellor are not eligible for tenure unless they are promoted from within UMS after receiving tenure.

Certain employees in the **Non-Represented Salaried or Management Group** may have individual employment agreements that govern the terms of appointment. All such agreements must be reviewed by University Counsel. Any benefits or terms of employment that are exceptions to current policies require Chancellor's approval.

### **Presidents and Chancellor**

Benefits and terms of appointment for Presidents and Chancellor are in accordance with the Board policy titled "Chancellor and Presidents Benefit Package." Each President and Chancellor is subject to an individual employment agreement. The Chancellor is authorized to extend benefits in addition to the standard benefits such as dependent tuition waiver, supplemental retirement contributions and deferred compensation at the time of appointment or reappointment, with notice to the Board. The decision to extend supplemental benefits will be based on individual circumstances such as performance and retention.

### Board Policy on Chancellor and Presidents Benefit Package

The Chancellor and Presidents are appointed by and serve at the pleasure of the Board of Trustees. The initial appointments for the Chancellor or a President shall specify (1) an agreement regarding the process and timetable for evaluation; and (2) a two-year renewable term appointment which may be extended annually on the first anniversary date of appointment and thereafter, subject to the Notice for Cause policy.

In addition to benefits accorded all System employees, the Chancellor and Presidents shall be eligible for the following benefits established by the Board of Trustees and as agreed upon at the time of appointment or reappointment.

1. Life insurance at twice the base salary with the University System paying the total premium.
2. A motor vehicle.
3. As a condition of employment, University-maintained housing will be provided on a campus when available or a housing allowance will be provided for the appointed Chancellor and President (excludes Interim or Acting incumbents). Housing allowances provided in lieu of University housing will be reviewed annually and adjusted by the housing C.P.I.
4. A Chancellor or President who completes five or more years of service in that position and who will continue to serve UMS in a faculty position may be granted a one semester or one-half year sabbatical at the administrative salary level in order to transition to the faculty position. The sabbatical is not a

right, but may be granted at the discretion of the Chancellor for a President or of the Board for an employee serving as Chancellor. The employee will be required to return to UMS employment for at least one year or to repay the sabbatical salary.

### Policy Regarding Appointment of University of Maine System Professor, Researcher or Administrator

Appointment as a University of Maine System Professor, Researcher or Administrator allows the University of Maine System and the State of Maine to continue to benefit from the individual's professional expertise and experience in teaching, conducting research or leadership projects in various areas. Individuals with a minimum of three years of service as a Chancellor or President in the University of Maine System are eligible to pursue an appointment as a University of Maine System Professor, Researcher or Administrator.

A University of Maine System Professor, Researcher or Administrator's appointment, specific duties, and responsibilities shall be determined on an individual basis by the Board in consultation with the individual involved. When the duties involve a specific university assignment, the President and the appropriate unit of that institution shall also be consulted by the Board of Trustees.

Appointment as a University of Maine System Professor, Researcher or Administrator is not a right and is granted by the Board of Trustees at their discretion. A President or Chancellor who holds previously granted faculty rank or tenure and who has the right to assume a faculty position is not eligible for appointment as University of Maine System Professor, Researcher or Administrator.

#### Conditions of Appointment

The salary and other terms and conditions of employment of a University of Maine System Professor, Researcher or Administrator shall be established by the Board.

Procedures:

1. The salary shall be computed at a rate of 66.6% of the individual's salary at the time of appointment. This amount is for a fiscal year appointment and will be adjusted for an academic year or other work year. The salary and support budget shall be provided on an on-going basis from a separate System account as approved by the Board of Trustees.
2. Following appointment as a University of Maine System Professor, Researcher or Administrator the individual shall be eligible for salary increases as determined periodically by the Board of Trustees.

After completion of three or more years of satisfactory service as president or chancellor, an

individual shall be eligible to request a non-renewable one-year appointment as University of Maine System Professor, Researcher or Administrator at a fiscal-year salary equal to 66.6% of the last annual salary as president or chancellor.

After completion of five or more years of satisfactory service as president or chancellor, an individual shall be eligible to request a non-renewable two-year appointment as University of Maine System Professor, Researcher or Administrator at a fiscal-year salary equal to 66.6% of the last annual salary as president or chancellor.

After completion of seven or more years of satisfactory service as president or chancellor, an individual shall be eligible to request a non-renewable three-year appointment as University of Maine System Professor, Researcher or Administrator at a fiscal-year salary equal to 66.6% of the last annual salary as president or chancellor.

Appointment as University of Maine System Professor, Researcher, or Administrator is subject to approval by the Board of Trustees and will be in accordance with the provisions of Board policy 404.5. Board policy 404.5 may be amended by the Board. Terms of employment not addressed in Board policy 404.5 shall be in accordance with provisions of the Handbook. Any sabbatical granted following completion of service as President or Chancellor shall be included in the appointment term as University of Maine System Professor, Researcher, or Administrator.

4. The appointee shall be subject to the same review process as individuals in equivalent positions and is subject to discontinuation for cause or for financial and program reasons.

5. A University of Maine System Professor, Researcher or Administrator holding a university or system-wide appointment may have assigned to him or her such graduate and undergraduate research assistants and/or secretarial assistance as agreed upon in the terms of the appointment and shall be provided a suitable office, appropriately furnished.