

FAQ Related to Tenured Faculty Voluntary Separation Incentive Program (“Program”) 2020

Q.1. Can I resign earlier than agreed upon?

If an employee wishes to resign earlier than agreed upon in the separation agreement, the employee is encouraged to notify the University as soon as possible in order to avoid a negative impact on the University. A mutually agreed upon resignation date that causes the least harm for both parties will be negotiated in good faith.

Q.2. If I do not apply for the Program and am involuntarily separated from employment at a later date, will I get an incentive payment?

The Program is a limited time offering by UND. If you are involuntarily separated from employment at the University at some point in the future, you may be eligible for a severance compensation (**but severance compensation is not required or guaranteed**) in accordance with UND and North Dakota University System policies, but that would be separate from this TFVSIP. For additional information, please contact the UND Office of Academic Affairs.

Q.3. If my application is accepted and I separate from UND, will it save one of my colleagues from involuntary separation in the future?

The possible impacts of this Program on layoffs and notices of non-reappointment will depend on a number of factors, including how many employees participate in the program, strategic plans, impact on a department or program, and changes in the UND’s financial health among others.

Q.4. Will I be required to retire if my application is accepted into TFVSIP?

No. This is not a retirement program. Participation in this Program does not automatically make an employee eligible for retirement benefits under NDPERS or TIAA/CREF or any other institutional, state or federal retirement program. If an employee have questions about retirement, they should consult with their retirement program provider and Human Resources.

Q.5. Will I continue to receive health care coverage after my separation date under the TFVSIP Program?

As stated in the Program guidelines, health insurance benefits will terminate for approved applicants one month following the date of separation, in most cases July 31 in the year of separation. Any other pay and benefits will also terminate or cease in accordance with the terms of those established laws, policies, plans and procedures. Accepted applicants who separate from UND will be eligible for NDPERS COBRA for up to 18 months at the applicant’s expense, or retiree health insurance coverage for as long as the retiree is eligible for Medicare, receives a retirement payment and pays the premium.

Q.11. Can I be rehired at UND after I separate from employment under the TFVSIP?

If an employee participates in the TFVSIP, the employee will be restricted from being

rehired or compensated in any capacity by UND for one year from the date of separation, unless authorized by the President for exigent circumstances.

Q.12. If I am selected and accept a separation, does that mean that my position will not be filled?

Not necessarily. The eligibility criteria are not limited to those whose functions may be reduced or eliminated due to their departure. Cost savings may be realized even if the position is filled, or if there is a delay in filling the position.

Q.13. Why does UND require that I separate on a specific date?

The date designated for separation is based on a required timeline that includes, but is not limited to, the signing of separation agreements, the campus budget process, and reorganization within affected schools/colleges.

Q.14. How will I know if my application to participate in the Program was accepted or denied?

If an employee applies for participation, the employee will be notified of the decision as soon as practicable after the January 15, 2021 application deadline. Remember the department has to thoroughly analyze the applications against impact.

Q.13. What is a separation agreement? Will I be required to sign it if my application is approved?

If an application is conditionally approved, the applicant will be required to voluntarily accept and sign an agreement containing separation language and a release of claims. The agreement will outline the terms of the accepted applicant's separation or phased retirement from UND and will include a release of tenure, all continuing employment rights, and any and all claims against UND and/or the North Dakota University System. Once an application has been conditionally approved and the separation agreement is provided, the applicant will have forty-five (45) calendar days to sign and submit the separation agreement to Academic Affairs. The applicant then has seven (7) calendar days from the date the separation agreement was submitted to revoke the acceptance and withdraw it.

Q.14. Does submitting an application obligate me to resign?

No. The separation agreement will be presented to those who are selected from among the applicants. If an applicant is accepted, the applicant will have forty-five (45) days to decide they want to move forward. Once the signed separation agreement is submitted and an additional seven (7) day revocation period has passed, the decision to participate in the Program cannot be rescinded.

Q.15. Can I withdraw my application after it is submitted to Academic Affairs?

Yes. An applicant may withdraw an application at any time prior to signing a separation agreement. The withdrawal should be in writing and sent to Academic Affairs Officer as soon as possible.

Q.16. Is it possible that some tenured faculty members who meet the rule of 65 are still not eligible for the Programs?

Yes. Even if a tenured faculty meets the rule of 65, they may not be eligible for the Program. For example, faculty members who have already given written notice of their intent to retire or resign would not be eligible for the Program. Please refer to the Program Guidelines for a complete list of who is not eligible for the Program.

Q.17. How is the Programs being funded?

All costs of the Program will be the responsibility of the existing employee's school/college. There are no central funds set aside for this Program.