**UNIVERSITY OF NORTH DAKOTA**

**Staff Voluntary Separation Incentive Program Guidelines - 2021**

1. **PURPOSE**

The purpose of the Staff Voluntary Separation Incentive Program (SVSIP) is to implement a limited time incentive to eligible University of North Dakota (UND or University) employees in order to achieve specific institutional objectives. These objectives include:

1. Provide incentive to those who may be considering retirement.
2. The SVSIP will assist administration in the planning of the budget of 2022-2023.

This is a limited-time offering by UND for individuals to submit voluntary applications for consideration. Participation in the program is voluntary for both the University and the staff employee. **Staff employees are not guaranteed participation in the plan, and the decision to approve an applicant is entirely at the discretion of UND.**

UND anticipates approving as many applications as possible. The University has discretion to limit the total number of applicants approved for reasons including, but not limited to, preserving the vitality of the affected programs and services, as well as the integrity of financial resources.

1. **ELIGIBILITY CRITERIA AND LIMITATIONS**

The SVSIP is not an entitlement of benefit.

All staff employees who meet the minimum eligibility requirements are invited to apply; however, **it might be the case that** **not every individual meeting the minimum requirements and submitting an application will be approved**. Certain divisions/departments/ schools/colleges may determine that they cannot recommend an applicant for approval based on budgetary and programmatic demands. The Vice President for each area will consult with the respective department/school/college and the Vice President for Finance and Operations in making a recommendation to the President. The President retains sole discretion over the eligibility and approval of any SVSIP application.

**The decision to apply for participation in the program by any eligible employee is strictly voluntary on the part of the employee.**

1. **Eligibility Requirements and Limitations**

Individuals meeting all of the following criteria are eligible to apply for the SVSIP:

1. The individual must be a benefited staff member currently employed at UND.
2. The individual must meet the Rule of 65, which is calculated as the sum of the employee’s age and total years of benefited employment at the University of North Dakota (e.g. 55 years old with 10 years of benefited employment).
3. Grants and contracts funding cannot be used for any incentive payments.
4. The individual must meet these eligibility criteria as of November 2, 2020.
5. The applicant must be in good standing with no current disciplinary letters, corrective actions, performance improvement or other similar plans in place.
6. The individual must review and acknowledge the SVSIP Program Guidelines and Application for participation prior to January 15, 2021.
7. **Exclusions**

The following individuals are NOT eligible for participation, even if they meet the criteria in Section A above:

1. Employees who have given written or verbal notice of their intent to retire or resign prior to December 8, 2020;
2. Employees who are rehired retirees;
3. Part-time, non-benefited employees, including graduate and undergraduate student employees;
4. Non-tenured instructional faculty (i.e. adjunct, part-time, lectureship, graduate teaching assistant and clinical appointments);
5. Employees who have previously entered into an agreement with a predetermined employment end date;
6. Employees who have accepted other employment prior to accepting a voluntary separation;
7. Any employee who has received notice of termination, notice of non-renewal or cancellation of their employment contract.

1. **Application Procedure and Review**
2. Review SVSIP criteria for eligibility. If you have questions regarding your eligibility, please contact the UND Office of Human Resources by email at und.hr.VSI@und.edu. **Please note**: the UND Office of Human Resources is the only official source of information or interpretation for this program. Any questions received will be responded to in writing by a representative of the UND Office of Human Resources.
3. Applications will be made available at the UND Office of Human Resources located in Twamley Hall Room 313. Applications can also be found online at http://und.edu/finance-operations/human-resources-payroll/svsi-page.cfm.
4. Eligible employees must submit completed applications for consideration in the SVSIP to the UND Office of Human Resources. Applications are encouraged as early as possible with the **final deadline for consideration being no later than 4:30 p.m. CST on January 15, 2021**. Applications can be submitted in one of two ways:
   1. Hand Delivered to UND Office of Human Resources, Twamley Hall Room 313, or
   2. Sent via email to: und.hr.VSI@und.edu.

**It is the applicant’s responsibility to ensure that their application was received by the application deadline. UND encourages applicants to contact the Office of Human Resources to confirm receipt of their application regardless of submittal method used.**

1. The Office of Human Resources will assure accuracy, completeness and verify eligibility for each application. After the application deadline has passed, department chairs/heads/directors, in consultation with their Dean and/or Associate Vice President, area and Division of Finance & Operations and other UND staff, will evaluate the applications received in relation to the objectives of the SVSIP and specifically document those discussions prior to consideration by the appropriate Vice President. The appropriate Vice President and Vice President of Finance and Operations, or designee, will then review the application in detail before it is submitted to the President for conditional approval or denial. Final approval of an applicant is conditioned on execution of an unmodified separation agreement and only the President may approve a separation agreement.
2. The President’s decision on each application will be communicated to the applicants as soon as practicable.
3. Conditionally approved applicants will be provided with a separation agreement for their review. Conditionally approved applicants will have forty-five (45) calendar days from the date of the separation agreement is made available to review and consider the separation agreement. Conditionally approved applicants will also have a period of seven (7) calendar days to revoke their acceptance of the separation agreement after it is submitted. During this time, approved applicants are encouraged to seek advice from their financial, legal and/or tax counselors and to contact the office of Human Resources with their questions about the plan.
4. Employees who separate from UND under this Program waive all rights to continued employment as part of participation in the SVSIP.
5. Please note that applications and other materials submitted are subject to North Dakota’s open records law and therefore subject to public review with appropriate request.
6. **Incentives**

The receipt of an approved applicant’s incentive payment is contingent on continued satisfactory employment until the date of separation from UND.

1. Approved applicants will receive a payment equal to one week of pay based on the individual’s annual base salary per completed year of service to the North Dakota University System, up to a maximum of fifty percent of annual base salary, less all required federal and state taxes and deductions as required by law. If applicable, approved applicants will also receive a payment of accrued leave calculated pursuant to UND and NDUS policies.
2. Approved applicants will have the choice of either:
   * 1. one lump sum payment on July 15, 2021 or
     2. two equal payments made on July 15, 2021 and January 14, 2022.
3. No change in annual base salary within the ninety (90) days prior to January 15, 2021 or at any time after will be taken into account in determining the employee’s annual base salary for use in the incentive calculations.
4. UND health insurance benefits for approved applicants will terminate at the end of the month following month of separation. Any other pay and benefits received as a result of employment at UND will terminate or cease in accordance with the terms of those established laws, policies, plans and procedures.
5. **Tax and Financial Consequences of Participation in the SVSIP**
6. Eligibility to participate in the SVSIP does not automatically make the employee eligible for retirement benefits under the North Dakota Public Employees Retirement System (NDPERS) or the Defined Contribution Retirement Plan (TIAA/CREF) or any other institutional, state or federal retirement program. The employee is solely responsible for consulting with his/her retirement program to determine eligibility for and the amount of any annuity, if any, and applying for such benefits, if any, in accordance with state and federal law. It is the employee’s responsibility to submit the required application and information to NDPERS or TIAA/CREF or any other retirement program financial provider, whichever is applicable, for processing within the required timelines of the program.
7. In all cases, each individual participating employee is responsible for consulting with his/her personal tax advisor as to the potential tax consequences of the employee’s participation in the SVSIP.
8. No employee of UND is authorized by UND or the North Dakota University System to provide tax and/or financial advice to employees. Information sessions and material provided are for general information only and should not replace the advice of a competent financial and/or tax advisor.
9. **Conditions**
10. The President has sole discretion over the determination of eligibility and approval or denial of any individual application to the SVSIP in order to achieve specific institutional objectives. Nothing in this program shall be construed to create a right or entitlement to any employee.
11. Approved participants in the SVSIP shall be restricted from being rehired by the University for one year from the date of separation, unless authorized by the President because of exigent circumstances.
12. The approved applicant’s date of separation will be no later than June 30, 2021, unless otherwise approved by the President.
13. In consideration for participation in the SVSIP and the receipt of incentives described herein, accepted applicants must voluntarily accept and sign a separation agreement that contains a release of any and all continuing employment rights and any and all claims against the UND and/or North Dakota University System, including but not limited to any claim against their officers, employees, agents, attorneys, insurers and/or their assignees.

III**. Schedule for the Incentive Program.**

1. The SVSIP will be announced on December 2, 2020. UND will begin accepting applications on Tuesday, December 8, 2020.
2. The final deadline for submitting applications is 4:30 p.m. CST on January 15, 2021. UND will not accept or consider any applications submitted after the final deadline.
3. The date of separation for applicants approved for participation is no later than June 30, 2021 unless otherwise approved by the President.
4. The incentive payout date will be determined by the accepted applicant as described in Section II. D. above.