

**THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
OFFICE OF HUMAN RESOURCES
POLICY AND PROCEDURES MEMORANDUM**

BEGINNING AND ENDING EMPLOYMENT DATES

DATE: February 1, 2006

1. PURPOSE

This policy provides guidelines for determining the beginning and ending dates of appointments for classified employees of The University of Texas of the Permian Basin.

2. POLICY

2.1 Beginning Dates for Appointments

The beginning date of an appointment for a new classified employee should be the first day of work. However, employees should be appointed on a holiday, Saturday, or Sunday, under the following conditions:

- appointments that are to provide continuous employment within the University of Texas of the Permian Basin or as a direct transfer from another state agency;
- appointments to positions which require the new employee actually to begin work on a holiday, Saturday, or Sunday; or,
- appointments to monthly salaried positions which are effective on the first day of the fiscal year or on the first day of a calendar month, either of which falls on a holiday, Saturday or Sunday, provided that the appointment requires performance by the employee of all customary duties of the job for all of the official working days of the month in which the employment is to begin.

2.2 Ending Dates of Appointments

Appointments will normally carry an ending date effective on or before August 31 of the fiscal year in which the appointment is being made. Appointments on grants or contracts may end on the contract ending date. The following special provisions apply:

The ending date of an appointment or the date on which an appointment is terminated will include a holiday, Saturday, or Sunday which immediately follows the last day of work except when the holiday, Saturday, or Sunday is the first day of a new calendar month. However, if an employee is transferring to a state agency or another institution, the receiving agency will pay for any holiday that follows the last day of work at the previous agency, regardless of whether the agency or institution recognizes the holiday, and the appointment dates will be adjusted accordingly.

With approval by The University of Texas of the Permian Basin Office of Human Resources, the ending date of an employee's appointment may be adjusted to include any accrued vacation leave. If this occurs, the employee may continue to receive all compensation and benefits that he or she was receiving, including paid holidays, longevity pay, and hazardous duty pay.

The employee is not eligible to use sick leave or to accrue sick leave or vacation time, unless he or she returns to work for at least one day, during the last month of employment.

If a general salary increase for employees takes effect before the employee's accrued vacation time is exhausted, the employee is entitled to the increase.

Holidays, days on sick leave, and other approved leave (e.g., military leave) with or without pay, do not break the continuity of service.

2.3 Military Service

An employee who is restored to state employment following military service is generally to be considered as having been on furlough or leave of absence, and as such, is entitled to all benefits to which an employee returning from a non-military leave of absence would be entitled, including the crediting of sick leave accrued prior to such military leave.

An employee who leaves a state position to enter active military service is entitled to be re-employed:

- By the state or local government entity,
- In the same department, office, commission, or board of this state, a state institution, or local governmental entity in which the employee was employed at the time of induction or enlistment in, or order to, active military service, and,
- In the same position held or a position of similar seniority, status, pay.

Unless the employee has submitted his or her resignation, he or she is still considered to be a state employee while on leave without pay as a member of the Reserve Branch of the military.

If an employee left a position that accrued lifetime service credit to serve in the military and was then re-employed with the state after completing that service in accordance with any applicable federal or state veterans' reemployment law, the individual accrued lifetime service credit during that service. This applies to both vacation accruals and longevity pay.

In any given month in which an employee is on leave without pay due to military service, for either less than the full calendar month or a full calendar month, that month shall be counted in the calculation of total state service, and shall be applied toward satisfying the six continuous months of service requirement for taking vacation leave.

2.4 Break in Service

The following employment conditions do not constitute a break in service:

- termination and immediate reappointed without a break in service of one workday;
- transfer without a break in service of one workday within The University of Texas System, to or from another state-supported college or university, or to or from another state agency; or,
- leave without pay.

3. PROCEDURES

3.1 If an employee intends to transfer from a state agency or another institution without a break in service, the employing department should ensure that the appointments are continuous from one agency to the next, unless the employee does indeed have a break in service.

3.2 If an employee transfers to The University of Texas of the Permian Basin without a break in service and a holiday falls between the ending date of the previous employment and the first day of work in the new appointment, the new appointment must begin on the holiday, and the receiving employer pays for the holiday.

Examples:

- If an employee transfers without a break in service from an institution to The University of Texas of the Permian Basin on the Tuesday after Labor Day, then the appointment will include Labor Day (Monday.)
- If an employee transfers without a break in service to The University of Texas of the Permian Basin on the Monday following the Thanksgiving holiday, the new appointment must begin on Thursday, Thanksgiving Day.

3.3 To place an employee on leave without pay, the department representative must prepare a personnel action form (PO-1) with appropriate signatures. For employees terminating employment, a PO-1 must be prepared to remove the employee from the payroll in a timely manner.

PO-1's are prepared in the department, signed by the proper authority, forwarded to the Budget Office, and processed by the Budget Office and the Office of Human Resources.

DEFINITIONS

Break in Service: When an employee is removed from the payroll and is off the payroll for at least one workday.

Workday: A day on which an employee is normally scheduled to work.

4. AUTHORITY

- *Texas Government Code*, § 661.067, § 661.904, § 662.0072, § 662.010, § 613.002
- Texas Attorney General Opinion MW-109
- State Auditor's Office Leave Interpretation Letter 98-03
- State Auditor's Office Leave Interpretation Letter 89-02
- Texas Attorney General Opinion H-105

5. APPLICATION

This policy applies to The University of Texas of the Permian Basin.