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| POLICY NAME | Ineligibility for Rehire Policy | POLICY NO. | CC612 |
| APPROVING BODY | President/Cabinet | VERSION NO. | 01 |
| RESPONSIBLE DEPARTMENT | Compliance & Communications - Employee and Labor Relations | | |
| EFFECTIVE DATE | 01-DEC-2024 | REVIEW/REVISION DATE | 12-DEC-2024 |

PURPOSE:

In the interest of maintaining a healthy, safe, and productive environment for faculty, staff and students, Western New Mexico University may choose to designate a former employee as ineligible for rehire based on risks to the university if the individual were to be reemployed and in accordance with the guidance in this policy.

POLICY:

INELIGIBLE FOR REHIRE DESIGNATION

Individuals who separate from WNMU employment may be designated ineligible for rehire for the following reasons:

- Termination for cause of serious misconduct
- Resignation or retirement in lieu of termination for serious misconduct
- Resignation or retirement while under investigation for allegations of serious misconduct
- Serious misconduct is discovered and substantiated after resignation or retirement

Employee and Labor Relations will make the determination for ineligibility for rehire, provide written notice to the former employee of their designated status, and coordinate with Human Resources to record the ineligible for rehire status in the employee record.

SERIOUS MISCONDUCT

The reasons for designating a former employee as ineligible for rehire may include, but are not limited to:

- Dishonesty or falsification
- Willful violation of university policy
- Committing an act related to employment which is prohibited by law
- Theft, destruction or misuse of university property
- Discrimination or harassment based on a protected class

- Acts of retaliation
- Violence, intimidation or abuse
- Willful neglect or misconduct resulting in unsafe conditions or reputational damage to the university

APPEAL RIGHTS

Once an individual is designated as ineligible for rehire, they may appeal the designation at any time by petitioning, in writing, for reinstatement of eligibility.

Within thirty (30) business days, the President will review the petition and any supporting documentation, make further inquiries as needed, and issue a written determination to the petitioner, either upholding or denying the petition.

If the petition is upheld, Human Resources will change the employee record to indicate eligibility for rehire. If the petition is denied, the petitioner will have the opportunity to appeal again in 1 (one) year, based on change of circumstances and a renewed ability to make positive contributions in the workplace and support the mission of the university.