HRM-031 Employees Ineligible for Rehire

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Status Final

Last Revised Friday, May 16, 2025

Policy Type University

Contact Office Employee Relations (UVA HR)

Oversight Executive
Vice President and Chief Human Resources Officer

Applies To Academic Division and the College at Wise.

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Reason for Policy

The University of Virginia is committed to maintaining an effective, safe, and secure environment for those who live, learn, and work here. Toward that end, the University has a responsibility to hire only fully qualified individuals and to minimize risk to the University. This policy provides guidance to managers and to Employee Relations (UVA HR) for determining whether an employee or former employee is ineligible for rehire.

Definition of Terms

Designated Hiring Official

Description

An individual who is authorized to extend a conditional offer of employment to individuals on behalf of the University. The president, vice presidents, academic deans of the University's schools, and the University librarian are designated hiring officials. Hiring authority may be delegated in writing by one of these individuals with the approval of the president or the appropriate vice president.

Employee (6)

Description

University and Classified Staff employed by the University in any capacity, full-time or part-time, and all those employees in a wage or temporary status.

Ineligible for Rehire

Description

University employees terminated for serious misconduct or behavior or policy violations may be deemed ineligible for rehire in any type of University employment.

Ineligible for Rehire Period

Description

Ineligible for rehire periods are based on the reason(s) for the involuntary termination or separation. The recommended time frames that employees shall be ineligible for rehire range from one to five years and may include permanent disqualification from University employment.

Trespass Warning

Description

A written notice issued by the University of Virginia Police Division, the UVA Medical Center, the Division of Student Affairs, or Office for Equal Opportunity and Civil Rights that warns a person that they are not permitted to enter or remain upon the University or UVA Medical Center property described in the trespass warning.

Policy Statement

Employees may be deemed ineligible for rehire if their separation from employment was based on or preceded by such conduct including but not limited to serious misconduct or intentional violation of University policy.

The purpose of this policy is only to determine eligibility for rehire. Nothing in this policy authorizes supervisors or Employee Relations (UVA HR) to modify any prior discipline imposed by the University.

1. **Determination Regarding Ineligibility for Rehire:**
   The employee's supervisor (at the time of termination) is responsible for determining whether an employee is ineligible for rehire by conferring with their school/department/unit leadership, Human Resources Business Partner (HRBP), and Employee Relations (UVA HR).

   Employee Relations (UVA HR) reviews the *No Trespass List* maintained by the University Police Division to find out if the employee has been issued a trespass warning and conveys that information to the supervisor to aid in the ineligible for rehire determination.

   Once a decision has been made, the supervisor must document this in the applicable Human Resources Management System (HRMS) and notify the employee in the termination letter.

2. **Ineligible for Rehire Criteria:**
   An employee who is dismissed or has separated from the University may be ineligible for rehire under the following circumstances:

- Termination for cause resulting from misconduct, behavioral, or policy violations (examples include but are not limited to theft, violence or threat of violence, alcohol or drug policy violations, or other misconduct demonstrating unfitness for the job).
- Resignation or retirement in lieu of termination for cause, including resignation or retirement during pendency of any actions to terminate employment or during an investigation for misconduct.
- Issuance of a Trespass Warning by the University Police Division to the employee.

The University may also exclude from future employment former employees whose misconduct is discovered by the University after separation from service. In such case, the University provides notice to the former employee of the circumstances leading to this decision.

During the designated ineligible-for-rehire period, the employee is disqualified from consideration for any position (within the Academic Division, the Medical Center, and the College at Wise).

3. **Notification and Administrative Reconsideration:**
The employee may seek reconsideration of this decision by notifying the Associate Vice President for Talent Support (AVP TS) or designee in writing within 10 calendar days after receipt of the notification. The same process applies to former employees whose misconduct is discovered by the University after separation from service and designated as ineligible for rehire.

   Within 30 calendar days from the date of the employee's written request for reconsideration, the employee may deliver a written statement to the AVP TS or designee explaining the reasons the employee believes the ineligible for rehire determination is not warranted. All information the employee wishes the University to consider when reconsidering the ineligible for rehire decision must be included in the written statement.

   The AVP TS or designee will review the matter and issue a decision on behalf of the University within 45 calendar days from the date of receipt of the written statement from the employee. The decision is final and may uphold, reverse, or modify the ineligible for rehire status.

4. **Responsibilities:**
The ***employee's supervisor*** is responsible for:
   - Consulting with their school/department/unit leadership, the HRBP, and Employee Relations (UVA HR) to determine whether an employee is ineligible for rehire.
   - Designating the employee as ineligible for rehire in the HRMS.
   - Notifying the employee of the ineligible for rehire decision in the termination letter.

   Employee Relations (UVA HR) is responsible for:
   - Reviewing the *No Trespass List* to find out if the employee has been issued a trespass warning and conveying that information to the supervisor.
   - Confirming the employee is designated as ineligible for rehire in the HRMS.
   - Disseminating information regarding this policy by including materials in training courses and seminars, employment guides, and other informational resources.

5. **Compliance with Policy:**
Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

Direct questions about this policy to UVA Human Resources.

Related Information

PRM-018: Issuance of Trespass Warnings

Major Category Human Resource Management

Next Scheduled Review Tuesday, May 16, 2028

Revision History

Removed duplicative language, updated Contact Office 5/16/25.

Approved By Policy Review Committee

Approved Date Wednesday, March 23, 2022