



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

OP 70.22: Employee Deaths

DATE: May 20, 2019

PURPOSE: The purpose of this Operating/Policy Procedure (OP) is to establish orderly and timely procedures for dealing with Texas Tech University employee deaths.

REVIEW: This OP will be reviewed in April of odd-numbered years by the Assistant Vice President for Human Resources and the Chief of Police with substantive revisions forwarded to the Chief of Staff for the President and the Chief Compliance and Security Officer.

POLICY/PROCEDURE

1. General Policy

It is the policy of Texas Tech University to handle employee deaths, the payment of benefits to designated beneficiaries, and the distribution of personal property belonging to the employee in an orderly and timely manner.

To facilitate the administration of this policy, the following procedure and responsibilities are assigned:

2. Supervisor, Dean, and Department Head Responsibilities

- a. In the event an employee death occurs on campus, the Texas Tech Police Department should be notified immediately and subsequent emergency action taken under their direction. Human Resources should be notified after the emergency subsides.
- b. In the event an employee's death occurs off campus, the Texas Tech Police Department and Human Resources should be notified by the employee's supervisor within the first working day the event is known, and the employee's worksite should be secured. The supervisor is responsible for maintaining the security of the employee's worksite until relieved of that responsibility by the Texas Tech Police.
- c. Identify and secure the employee's property.

If the employee's office cannot be secured, the supervisor or other departmental representative will search the worksite for personal property with the assistance of a police officer from the Texas Tech Police Department.

If the family is present for the search, personal property may be inventoried and given to them.

If the family is not present for the search, an inventory of personal items will be prepared by the department representative and the items and inventory will be given to the police officer for secure storage at the Texas Tech Police Department. *NOTE: The employee's department will be responsible for storing a deceased employee's personal property should the quantity of personal property exceed two boxes.*

- d. Contact the deceased employee's family and arrange to have the employee's personal property identified and removed.

If the employee's worksite has been secured, the supervisor or other departmental representative should contact the Texas Tech Police Department to have a police officer unlock the secured office. Once unlocked, the police officer will remain while the employee's family and the department representative identify, inventory, and remove the employee's personal property.

If the employee's worksite was not secured and the personal property was removed by a Texas Tech police officer, the employee's family will be referred to the Texas Tech Police Department to pick up the employee's property.

- e. The supervisor is responsible for completing and forwarding through normal administrative channels an electronic Personnel Action Form (ePAF) to remove the employee from the payroll effective the close of business the last day worked or on paid leave.
- f. If the deceased is an international faculty or staff member, the responsibilities noted above will be carried out in conjunction with the Office of International Affairs. Notification of the family, immigration, other appropriate governmental agencies and making other necessary arrangements shall be the responsibility of the Vice Provost for International Affairs.

3. **Texas Tech Police Department Responsibilities**

- a. Dispatch a police officer to the worksite of the employee.
- b. If the employee worked in an area that can be secured, the police officer will arrange to have the locks changed to secure the area and secure the key at the Texas Tech Police Department.
- c. If the employee worked in an area that cannot be secured, the police officer will assist the department supervisor or other department representative in searching the deceased employee's worksite for personal property that does not belong to the university. All property and valuables not clearly personal by markings or by nature of the property will be assumed to be the property of the university.
- d. The police officer will remove, or arrange to have removed, the items and place them in secure storage at the Texas Tech Police Department for safekeeping until proper disposition can be determined by the department supervisor or other departmental representative.
- e. Release any secured space to the employee's department as soon as the deceased employee's personal property has been removed.

4. Responsibilities of Human Resources

The Assistant Vice President for Human Resources or designee shall notify the university's payroll department to ensure the final paycheck, as well as any accrued vacation and one-half of the remaining balance of the accrued sick leave or 336 hours of sick leave, whichever is less, may be paid to the estate of the deceased employee. Human Resources will notify the Employees Retirement System of Texas (ERS) of the death. ERS will mail a beneficiary packet to the last beneficiary on file. The Teachers Retirement System of Texas (TRS) will be notified by Payroll via the monthly reporting system if the deceased employee was actively contributing to TRS. All beneficiary information is maintained by both ERS and TRS separately. Beneficiary information is not maintained in the Human Resources department. If a final paycheck, vacation accrual check, and/or sick leave balance check is necessary, Payroll Services will forward the check(s) to Human Resources. Human Resources will mail the checks to the last address on file with a letter containing contact information for ERS and TRS. The letter will include a W-9 to be returned to the university for tax processing of the estate.

5. Authoritative Reference

Texas Government Code 661.033
IRS Special Ruling, 11-13-51: Rev. Rul. 86-109, 19896-2 CB 196

6. Right to Change Policy

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.