

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: April 7, 2009

REGULATION TITLE:
Resignation and Nonrenewal of Non-unit Faculty
and Administrative and Professional Staff Members

REGULATION NO.:
UCF-3.0122

SUMMARY OF REGULATION AMENDMENT: This regulation is amended to include a short paragraph regarding termination dates and to remove notice provisions which are no longer in effect. Amendments also include technical changes and renumbering of the regulation.

AUTHORITY: BOG Resolution dated January 7, 2003

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Mark Roberts, Director, Human Resources

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4000 Central Florida Blvd.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
Fax: (407) 823-6155
e-mail: regulations@mail.ucf.edu

FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

~~6C7UCF~~-3.0122 Resignation and Nonrenewal of Non-unit Faculty and Administrative and Professional Staff Members.

(1) Resignation by the Employee.

(a) Non-unit Faculty and Administrative and Professional (“A&P”) staff members shall give one month’s written notice of resignation if possible.

(b) Failure to provide at least two (2) weeks’ written notice of resignation will result in the designation of the employee as ineligible for rehire, except in cases of medical or family emergency, or where the employee’s early departure is approved by the University.

(c) Employees are required to work their resignation notice period unless on approved leave of absence. Failure to work during the resignation notice period will result in the designation of the employee as ineligible for rehire.

(d) An employee’s termination date is normally the last day during which the employee works at least one-half of the working day. Any exception to this specific provision must be approved in advance by the Director of Human Resources or designee.

(2) Nonrenewal by the University.

(a) Non-unit administrative faculty and A&P staff members have no expectation of continued employment beyond the terms listed herein. These employees may be given a notice of nonrenewal for any reason, subject to the notice provisions herein. Notice is provided to allow time for the employee to seek other employment, either with UCF or elsewhere.

(b) The University reserves the right to terminate employment. An employee may be notified of nonrenewal at any time during their employment, and this supersedes any term provisions of an appointment or contract.

(c) Nonrenewal means an employee is given written notice of termination of the employment relationship with the University after the end of the applicable notice period as set forth below.

(3)(a)

~~For employees hired on or after June 1, 2007, the following notice provisions will take effect immediately:~~

~~(i) Non-unit Faculty and A&P staff members with up to 6 months of employment in their current pay plan, may be given two weeks' notice terminating the employment relationship. Two weeks' pay may be given in lieu of notice.~~

~~(ii) Non-unit Faculty and A&P staff members with at least six months but fewer than 12 months of employment in their current pay plan may be given two months' written notice terminating the employment relationship.~~

~~(iii) Non-unit Faculty and A&P staff members with at least 12 months but fewer than 24 months of employment in their current pay plan, may be given three months' written notice terminating the employment relationship.~~

~~(iv) Non-unit Faculty and A&P staff members with two or more years of employment in their current pay plan may be given six months' written notice terminating the employment relationship.~~

~~(b) For employees hired on or before May 31, 2007, the following notice provisions will be in effect until June 30, 2008, after which the notice provisions set forth in subsection (3)(a) above will take effect:~~

~~(i) Non-unit Faculty and A&P staff members with up to 6 months of employment in their current pay plan, may be given two weeks' notice terminating the employment relationship. Two weeks' pay may be given in lieu of notice.~~

~~(ii) Non-unit Faculty and A&P staff members with at least six months but fewer than 12 months of employment in their current pay plan may be given three months' written notice terminating the employment relationship.~~

~~(iii) Non-unit Faculty and A&P staff members with at least 12 months but fewer than 24 months of employment in their current pay plan, may be given six months' written notice terminating the employment relationship.~~

~~(iv) Non-unit Faculty and A&P staff members with two or more years of employment in their current pay plan may be given one year's written notice terminating the employment relationship.~~

(4) The decision to nonrenew a University employee shall not be based on constitutionally or statutorily impermissible grounds.

(5) Following receipt of the notice of nonrenewal, the employee may be reassigned to other duties and responsibilities. Regardless of a reassignment, however, the employer is committed to compensate the employee until the effective date of nonrenewal.

(6)(a) Notwithstanding paragraph (23) above, ~~for no notice need be provided to~~ employees (i) who are on "soft money" (e.g., contracts and grants, sponsored research funds, and grants and donations trust funds) with less than five continuous years of service on such "soft money" appointments in their current pay plan or (ii) who are on a Visiting Appointment, ~~no notice need be provided.~~ For employees on "soft money" with five years or greater of such continued service in their current pay plan, ninety (90) days' notice shall be provided contingent upon funds being available in the contract, grant or fund.

(b) Each such employee referenced in paragraph (a) above shall have the following or an equivalent statement included in an appointment document or employment agreement: "Your employment is a Visiting Appointment or is funded by 'soft money' as defined in paragraph Regulation 6C7UCF-3.0122(6)(a), University Regulations, and may cease with little or no notice as provided therein."

(7) Notwithstanding any of the above, employees hired on Executive Service appointments may have their employment terminated with sixty (60) days' written notice.

Authority: ~~BOG~~ Florida Board of Governors Resolution dated January 7, 2003. History—New 4-30-81, Formerly 6C7-3.122, Amended 1-6-93, 4-23-03, 7-16-07; Formerly 6C7-3.0122, Amended _____-09.