

NOTICE OF PROPOSED REGULATION

Date: June 15, 2007

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

REGULATION NO.:
6C7-3.0122

SUMMARY OF REGULATION: The regulation is amended to reflect changes in the resignation and non-renewal procedures for non-unit faculty and administrative and professional staff members, specifically regarding the resignation/termination notice period.

AUTHORITY: BOG Resolution dated January 7, 2003

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

COMMENTS CONCERNING THE PROPOSED REGULATION 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 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

6C7-3.0122 Resignation and Non~~renewal~~-reappointment 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 ~~being designated~~ 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. Failure to work during the resignation notice period will result in the designation of the employee being designated as ineligible for rehire.

(2) Non~~renewal~~-~~reappointment~~ by the University.

(a) Non-unit administrative faculty and A&P staff members have no expectation of continued employment beyond the terms ~~of non-reappointment~~ listed herein. These employees may be given a notice of non~~renewal~~-~~reappointment~~ for any reason, subject to the reasonable 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 ~~an appointment~~employment contract. An employee may be notified of non-~~reappointment~~renewal at any time during ~~the term of the appointment~~their employment contract, and this supersedes any term provisions of an appointment or contract.

(c) Non-~~reappointment~~renewal 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.

 (bii) 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-two~~ months' written notice terminating the employment relationship.

 (eiii) 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-three~~ months' written notice terminating the employment relationship.

 (div) Non-unit Faculty and A&P staff members with two or more years of employment in their current pay plan may be given ~~twelve-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 ~~not to offer further appointment to~~nonrenew a University ~~staff member~~employee shall not be based on constitutionally or statutorily impermissible grounds.

(5) Following receipt of the notice of non-~~reappointment~~renewal, ~~a University staff member~~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 ~~non-reappointment~~nonrenewal.

(6)(a) Notwithstanding paragraph (d) above, for employees 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, 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) ~~All~~Each such employees referenced in paragraph (a) above shall have the following or an equivalent statement included in ~~their~~an appointment document or employment ~~contracts~~agreements: "Your employment is funded by 'soft money' as defined in paragraph 6C7-3.0122(6)(a), F.A.C. 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 Resolution dated January 7, 2003. History—New 4-30-81, Formerly 6C7-3.122, Amended 1-6-93, 4-23-03, _____.