

## NOTICE OF PROPOSED REGULATION AMENDMENT

Date: August 29, 2023

**REGULATION TITLE:**

Resignation and Nonrenewal of Non-unit Faculty and  
A&P Staff Members

**REGULATION NO.:**

UCF-3.0122

**SUMMARY OF REGULATION AMENDMENT:** This regulation addresses resignation and nonrenewal of employees who are in the Faculty and Administrative and Professional (A&P) pay plans and who are not part of a collective bargaining unit. The proposed amendments specifically update the expectations for how much notice employees are expected to provide when resigning, based on current work assignment. Additionally, the proposed amendments modify the language related to nonrenewal periods based on current work assignment in addition to years of service, with a distinction made in circumstances where an employee is providing patient care responsibilities.

**AUTHORITY:** BOG Regulation 1.001

**NAME OF PERSONS WHO INITIATED PROPOSED REGULATION AMENDMENT:**

Maureen Binder, Associate Vice President and Chief HR Officer

**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  
4365 Andromeda Loop N.  
Millican Hall, Suite 360  
Orlando, FL 32816-0015  
Phone: (407) 823-2482  
e-mail: [regulations@ucf.edu](mailto:regulations@ucf.edu)

**UCF-3.0122 Resignation and Nonrenewal of Non-unit Faculty and Administrative and Professional Staff Members.**

**(1) Resignation by the Employee**

- (a) Non-unit, non-clinical Faculty and Administrative and Professional (“A&P”) staff members shall give at least two weeks’ (or 14 calendar days’) written notice of resignation; one month’s written notice of resignation is preferred if possible.
- (b) College of Medicine A&P staff members with patient care responsibilities at UCF Health shall give at least one month’s (or 30 calendar days’) written notice of resignation.
- (c) College of Medicine faculty including those with patient care responsibilities at UCF Health or another institution with whom UCF has contracted to provide

professional services shall give at least three months' (or 90 calendar days') written notice of resignation.

- ~~(d)~~ ~~(b)~~ Failure to provide ~~at least two (2) weeks' written~~ the required notice of resignation described in (a) through (c) above 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.
- ~~(ee)~~ 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. If mutually agreeable to both parties, a termination date may be scheduled earlier than the notice period required in (a) through (c) above. In such cases, the university is not obligated to pay the employee beyond the mutually agreed to termination date.

## **(2) Nonrenewal by the University**

- (a) Nonrenewal means an employee is given written notice that his or her employment with the University will end at the time set forth in the written notice.
- ~~(b)~~ Non-unit 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, at any time during their employment, and such notice supersedes any term provisions of an appointment or contract. Notice is provided to allow time for the employee to seek other employment, either with UCF or elsewhere.
- ~~(c)~~ The terms and conditions for written notification vary based on years of employment and current work assignment. These terms, conditions and notice periods are as set forth in (3)(a) through (3)(e) below. Any reference to "non-unit faculty" in this Regulation specifically excludes tenured faculty.
- ~~(b)~~ ~~Nonrenewal means an employee is given written notice that his or her employment with the University will end at the time set forth in the written notice.~~

## **(3) Terms and Conditions of Notice; Notice Periods**

- (a) Non-unit, non-clinical 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.
- (b) Non-unit, non-clinical Faculty and A&P staff members with at least six months but fewer than two (2) years of employment in their current pay plan may be given four (4) weeks' written notice terminating the employment relationship.
- (c) Non-unit, non-clinical Faculty and A&P staff members with at least two (2) years but fewer than five (5) years of employment in their current pay plan, may be given twelve (12) weeks' written notice terminating the employment relationship.
- ~~(d)~~ Non-unit Faculty employed by the UCF College of Medicine with fewer than five years of employment in their current pay plan, including those with work assignments that include patient care responsibilities at UCF Health or another institution with whom UCF has contracted to provide professional services, shall be given at least twelve weeks' written notice before termination of the employment relationship.
- ~~(e)~~ A&P staff members employed by the UCF College of Medicine who have patient care responsibilities with at least six months but fewer than five (5) years of

employment in their current pay plan shall be given four weeks' written notice before termination of the employment relationship.

- (fd) All nNon-unit Faculty and A&P staff members with at least five (5) years but fewer than ten (10) years of employment in their current pay plan may be given sixteen (16) weeks' written notice terminating the employment relationship.
- (eg) All nNon-unit Faculty and A&P staff members with ten (10) years or more of employment in their current pay plan may be given twenty (20) weeks' written notice terminating the employment relationship.
- (fh) Notwithstanding any provision of this regulation, employees hired on or moved to Executive Service appointments may have their employment terminated with sixty (60) days' written notice of nonrenewal, regardless of how long the individual has been employed with the University.

(4) Following receipt of the notice of nonrenewal, the employee may be reassigned to other duties and responsibilities. Notwithstanding this provision, if the employee's work assignment includes patient care responsibilities, the employee shall be granted the right to give adequate public notice (that is, at least 30 calendar days) of the termination of their practice and continue to provide patient care during this notice period. An employee reassigned during a notice of nonrenewal period is entitled to the same level of salary ~~he or she~~ they received prior to reassignment. An employee on notice of nonrenewal shall not receive any pay increase during the notice period.

(5) At the time of or following issuance of a notice of nonrenewal to any employee, the University may elect in its discretion to pay the employee for all or a remaining portion of the notice period, as may be allowed under Florida law. If the University elects this option, it shall pay the employee an amount, less withholding, equal to the salary for that portion of the notice period which the University is paying out, and the employee's employment shall terminate immediately. This provision shall not apply to employees with patient care responsibilities who exercise their right to provide adequate public notice and continue to provide patient care during the notice period.

#### **(6) Exceptions to Notice Requirements; Special Conditions**

- (a) Employees on "soft money" funded appointments. Notwithstanding paragraphs (2) and (3) above, the University may nonrenew without notice employees who are on "soft money" funded appointments (e.g., contracts and grants, sponsored research funds, ~~and~~ grants and donations trust funds, and clinic revenues/auxiliary funds) with less than five continuous years of service on such "soft money" funded appointments.- For employees on a "soft money" funded appointment with five years or greater of such continued service, the University shall provide ninety (90) days' notice of nonrenewal if funds are available in the contract, grant or fund.
- (b) Employees on Visiting Appointments. Notwithstanding paragraphs (2) and (3) above, the University may nonrenew an employee on a Visiting Appointment without providing notice.
- (c) Each employee on "soft money" or a Visiting Appointment 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 Regulation UCF-3.0122 and may cease with little or no notice."

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

*Authority: BOG Regulation 1.001. History—New 4-30-81, Formerly 6C7-3.122, Amended 1-6-93, 4-23-03, 7-16-07; Formerly 6C7-3.0122, Amended 5-7-09, 8-25-14, 10-27-17, 11-14-19, \_\_\_\_\_-23.*