

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: March 17, 2010

REGULATION TITLE:
Discipline and Termination for Cause of
Non-Unit Faculty and A&P Staff Members

REGULATION NO.:
UCF-3.0124

SUMMARY OF REGULATION AMENDMENT: This regulation is amended to update the reference to updated grievance procedures. Regulation 3.0132, the grievance procedure for non-unit faculty and A&P staff members, was repealed and replaced with separate regulations for each group: UCF-3.036 (non-unit faculty) and UCF-3.037 (A&P).

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
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-3.0124 Discipline and Termination for Cause of Non-unit Faculty and A&P Staff Members.

(1) Just cause shall be defined as:

- (a) Incompetence; or
- (b) Misconduct.
- (2) Termination and Suspension.

(a) The appointment of a non-unit faculty or an A&P staff member may be terminated or suspended during its term for just cause. The employee shall be given a written predetermination notice of a proposed termination or suspension by the president or his designee. The notice shall state the reasons for the proposed termination or suspension. The predetermination notice shall provide the opportunity for a predetermination conference, if requested in writing within five business days of receipt of the predetermination notice. A final notice shall be issued to notify the employee of the University's final decision. Any termination or suspension imposed under this subsection shall take effect as set forth in the final notice issued by the President or designee. An employee who is terminated or suspended under this subsection may grieve such action as set forth in ~~University Regulation 3.0132~~ University Regulations UCF-3.036 (non-unit faculty) or UCF-3.037 (A&P).

(b) The president or designee retains the right to impose disciplinary action other than termination or suspension for just cause. The employee shall be given written notice of any disciplinary action. The notice shall state the reasons for the disciplinary action. Any disciplinary action taken under this section shall be subject to the grievance procedure found in ~~University Regulation 3.0132~~ University Regulations UCF-3.036 or UCF-3.037, as applicable. Counseling shall not be considered disciplinary action under this section.

(3) Suspension Pending Hearing. Notwithstanding the provisions of paragraph (2)(a) above, the president or his designee may immediately suspend an employee from the performance of duties when the president or designee has reason to believe that the

employee's presence on the job would adversely affect the functioning of the university or jeopardize the safety or welfare of any employees or colleagues. A suspension may be with or without pay. Within five business days of the effective date of a suspension, the president or president's designee shall serve written notice upon the employee, including a statement of the reasons for any action taken. If the employee has been suspended without pay and ultimately prevails in the predetermination procedure, the employee shall be reinstated with back pay.

Authority: BOG Regulation 1.001. History—New 4-30-81, Amended 12-27-83, Formerly 6C7-3.124, Amended 3-16-03; Formerly 6C7-3.0124, Amended 6-22-09, -10.-