

UNIVERSITY OF FLORIDA  
NOTICE OF CHANGES IN PROPOSED RULES

NOTICE IS HEREBY GIVEN that the University of Florida, in response to comments received prior to the rule hearing, at the rule hearing, and from the Joint Administrative Procedures Committee, has changed the following rules:

**6C1-1.017 University of Florida; Separations from Employment and Layoff**

Paragraph (1)(c) has been changed to list the rules that authorize dismissal for just cause.

Paragraph (1)(d) clarifies that probationary non-exempt Technical, Executive, Administrative and Managerial Support (TEAMS) employees may be separated from employment at any time without any requirements of notice or reason and without rights to appeal.

Paragraph (2)(a) has been rewritten as follows: “Reasons for layoff, which may occur at any time, are: adverse financial circumstances; reallocation of resources; reorganization of degree or curriculum offerings or requirements; reorganization of academic or administrative structures, programs, or functions; curtailment or abolishment of one or more programs or functions; shortage of work; or a material change of duties. The President or designee shall notify the appropriate employee organizations when layoffs are to take place.”

Paragraph (2)(b) has been changed to indicate that the President or designee shall designate a layoff unit and shall consider the special qualifications and relevant experience required for specific positions and exclude such positions from layoff.

Paragraph (3)(a) has been amended to indicate that the administrator of the unit is the President’s designee to determine which specific positions are to be excluded from the layoff unit based on the special qualifications and relevant experience required for the position.

Subparagraph (3)(e)7 clarifies the basis for the President’s or designee’s determination in those cases in which employees have the same total retention points: in such cases, the President or designee will make a determination based on the special qualifications and relevant experience of the employees.

The layoff provisions for non-exempt TEAMS employees have been clarified in section (4).

Section (4)(c) indicates that within the layoff unit, non-exempt TEAMS employees in the affected class shall be ranked on a layoff list based on retention points derived from length of service and evaluations. Employees who work less than full-time shall have the retention points determined in proportion to the time

worked. Layoff rights extend only to employees who meet the specific qualifications and full-time equivalent of the position regardless of their placement on the layoff list. The rule details the methodology by which retention points shall be computed based on the employment history.

The layoff provisions for exempt TEAMS employees are clarified in section (5). In general, exempt TEAMS employees in the layoff unit are to be laid off in accordance with years of continuous service at the University.

In paragraph (6)(b), concerning the layoff of Academic Personnel, the factor of “compatibility with colleagues” has been removed as “collegiality” is already listed in the factors.

**6C1-1.200 University of Florida; Benefits, Retirement Programs, Employment Services, and Holidays**

Under section (1) the application of the Family Medical Leave Act to OPS employees is clarified.

In subparagraph (4)(b)2 the conditions under which an employee may be required to use accrued annual, overtime, special, or regular compensatory leave are stated: “at any time deemed advisable for efficient management of the operation of the unit, conservation of funds, or a savings to the university.”

In subparagraph (4)(b)3 the criteria for using accrued overtime, special, or regular compensatory leave prior to accrued annual leave are stated: “when necessary for the conservation of funds or savings to the University.”

Under paragraph (6)(a) and (6)(b), it is clarified that only full-time TEAMS employees are provided with the benefits of the employee development program and the higher education opportunity for children program.

**6C1-3.040 Finance and Administration; Employee Recognition Program**

Paragraph (2)(a) has been rewritten as follows: “Academic Personnel, TEAMS and USPS employees who have contributed outstanding and meritorious service in their fields, including those who have made exceptional contributions through service and superior accomplishments in State University System operations, are eligible for consideration for an award.”

In paragraph (2)(a)2a, the changes clarify that the Superior Accomplishment Awards Committee establishes criteria for the Superior Accomplishment Awards.

Paragraph (2)(b) has been changed as follows: “Academic Personnel, TEAMS, and USPS employees who have achieved increments of five (5) continuous years of satisfactory service at the University are recognized for such service.” The remainder of the paragraph has been deleted.

**6C1-3.045 Finance and Administration; University Support Personnel System  
Predetermination and Arbitration Appeal Procedures for Employees with  
Permanent Status**

Paragraph (1)(e) has been changed as follows: “During the period between the first notice and the effective date of the action, one of the following options shall be used by the University: retain the employee in his or her usual duties; temporarily assign the employee to other duties; place the employee on annual leave; or place the employee on administrative leave.”

Subparagraph (1)(f)1 has been rewritten as follows: “The President or President’s designee shall immediately suspend an employee from performance of his or her 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 would jeopardize the safety or welfare of other employees. The President or designee shall determine whether a suspension shall be with or without pay based on the severity of the misconduct and the threat to safety.”

Subparagraph (1)(f)3 has been removed.

Subparagraph (2)(e)2, which discusses the subpoena of witnesses, has been removed.

**6C1-3.046 Finance and Administration; Discipline, Suspension and Dismissal for Cause  
of Technical, Executive, Administrative, and Managerial Support Staff**

Paragraph (2)(a), the first sentence, has been changed as follows: “The appointment of a TEAMS staff member can be terminated or suspended with or without pay for just cause.”

Subparagraph (2)(a)2 has been rewritten as follows: “During the period following the notice of dismissal or suspension, the President or designee shall determine the reassignment of the employee for the balance of employment.

Subparagraph (2)(a)4 has been rewritten as follows: “If the Dean or Director upholds or modifies the notice of dismissal or suspension, the Vice President for responsible for the unit in which the TEAMS staff member is employed, will review the basis of further notice within seven (7) working days. The Vice President’s review will be based solely on the decision by the Dean or Director and the accompanying documents. If the Vice President determines that it is necessary to receive further information, the Vice President will meet with the

staff member within the seven (7) working day period to seek such information. Within the next five (5) working days the Vice President will issue a written decision that upholds, modifies, or revokes the notice of dismissal or suspension.”

Paragraph (2)(b) has been rewritten as follows: “The President or designee retains the right to impose disciplinary action, other than termination or suspension, for "just cause", as set forth in Section 1012.92, F.S.”

Section (3) has been rewritten as follows: “The President or designee shall immediately suspend an employee from the performance of his or her 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 would jeopardize the safety or welfare of other employees. The President or designee shall determine whether a suspension shall be with or without pay based on the severity of the misconduct and the threat to safety. Within two (2) working days from such immediate suspension, the President or designee shall serve written notice upon the employee stating the reasons for the action taken. If the employee has been suspended without pay and subsequently is reinstated as a result of the review or grievance procedures, the employee shall be reinstated with back pay.”

**6C1-3.051 Finance and Administration; University Grievance Procedures for Technical, Executive, Administrative, and Managerial Support Staff Members; General Information, Definitions, Resort to Other Procedures, Time Limits, and Procedures, and Arbitration Appeal**

Paragraph (6)(b), has been rewritten to clarify that the University employee who will serve as the grievance officer will have “relevant expertise and experience.”

Subparagraph (8)(e)2 concerning subpoenas has been removed.

**6C1-3.054 Finance and Administration; Appointment; Technical, Executive, Administrative, and Managerial Support Staff**

Additional language has been added to paragraph (3)(b) as follows: “After satisfactory completion of the initial appointment, multi-year appointments of exempt TEAMS personnel of five (5) years or less may be made with the permission of the appropriate Vice President or Vice President’s designee in exceptional circumstances based on unique qualifications and labor market conditions.”

Paragraph (4)(f) has been rewritten as follows: “Current University employees shall not be promoted, demoted, or reassigned outside the current college or division until the employee has completed six months satisfactory service, unless approved by the President. Approval shall be granted only by when the action is consistent with the efficient use of University resources and agreed upon by the

Director of the Division of Human Resources and by both the current college or division and the receiving college or division.”

Paragraph (5)(b) has been rewritten as follows: “If a provisional TEAMS appointment is made below the minimum of the pay range, the pay shall be increased to at least the minimum of the pay range upon the employee attaining the minimum qualifications for the class.”

Paragraph (5)(c) has been rewritten as follows: “A trainee TEAMS appointment shall be in accordance with the approved individual training schedule and, dependent upon the qualifications of the applicant, may be below the minimum of the pay range.”

Paragraph (5)(d) is rewritten as follows: “Dependent upon budgetary considerations and the qualifications of the appointee, an emergency TEAMS appointment may be below the minimum of the pay range.”

Paragraph (5)(e) has been rewritten as follows: “The President has authority to authorize a salary outside the pay range. The President shall base this decision, which shall be made only in exceptional circumstances, on the following factors: the unique qualifications of the appointee, labor market conditions, the efficient use of University resources, and the significance of the position to the University’s mission and goals.”

**6C1-3.056 Finance and Administration; Resignation and Non-Reappointment of Technical, Executive, Administrative and Managerial Support Staff**

Paragraph (2)(f) has been rewritten as follows: “No single multi-year appointment shall exceed five (5) years in duration. Any multi-year appointment issued by the University must be approved in advance of issuance and in writing by the Vice President or designee of the unit in which the employee is appointed.”

**6C1-3.059 Finance and Administration; Pay Upon Appointment and Probationary Status After Promotion; University Support Personnel System Employees**

Paragraph (3)(a) has been rewritten as follows: “A USPS applicant who receives a regular appointment to a USPS position must be paid the minimum of the pay grade for the class to which the applicant is appointed. A salary at a rate of pay which exceeds the minimum can be authorized provided adequate funds are available if the applicant possesses exceptional qualifications or the department can demonstrate an inability to recruit other acceptable applicants.”

Paragraph (3)(b) has been rewritten as follows: “When a university employee receives a regular promotional appointment in the USPS, the employee must be paid at the minimum of the pay grade for the class to which he or she is appointed. A promotional salary increase which exceeds the minimum can be

authorized provided adequate funds are available and the unit's budgetary officer has approved the increase before any commitment to the employee is made regarding salary adjustment."

**6C1-3.061 Finance and Administration; Personnel Policy for Technical, Executive, Administrative, and Managerial Support Staff; Recruitment and Selection**

In paragraph (1)(b), the fourth sentence has been removed and replaced by the following: "Educational qualifications, work experience, and references must be verified prior to extending a job offer."

Subparagraph (2)(a)3 has been rewritten as follows: "TEAMS position vacancies will be announced for a minimum of seven (7) calendar days with the following exceptions."

The second sentence in subparagraph (2)(b)1 has been removed.

**6C1-6.009 IFAS; Promotion, Tenure and Permanent Status**

Paragraph (3)(d) has been rewritten as follows: "A county extension faculty member of the Florida Cooperative Extension Service, whose overall performance is worthy; and who is serving in a permanent status accruing rank, shall be considered and recommended for permanent status or given a notice of non-renewal by the end of six years of continuous academic service. The performance of a faculty member is evaluated each year in relation to permanent status and a letter is written by the county extension director to the supervising district extension director either recommending that the faculty member 'be continued in a permanent status accruing position' or 'not be continued in a permanent status accruing position.'"

Except for these changes, the rules published by the University on October 18, 2002 will be adopted as originally proposed. The full text of the rules are available from Karon S. Grabel, Clerk of the University, 123 Tigert Hall, Post Office Box 113125, Gainesville, Florida 32611-3125, (352) 392-1358.