

RULES OF
DEPARTMENT OF EDUCATION
DIVISION OF UNIVERSITIES
UNIVERSITY OF FLORIDA

(Substantial rewording of Rule 6C1.3.056 follows. See Florida Administrative Code for present text.)

6C1-3.056 Finance and Administration; Resignation and Non-~~Reappointment~~renewal of ~~Technical, Executive, Administrative, and Managerial Support~~Administrative and Professional Staff.

(1) Except for an emergency situation, a member of Technical, Executive, Administrative, and Managerial Support (TEAMS) staff in an exempt position shall be required to give at least one (1) month's notice of resignation, and a TEAMS staff member in a non-exempt position shall be required to give at least two (2) weeks notice of resignation.

(a) Definitions

1. For the purposes of this rule, Executive Service shall denote the members of TEAMS who do not hold tenure or permanent status and who hold the title of Vice President.

2. For the purposes of this rule, a "new" employee is one not employed in TEAMS or USPS by the University at the time the department/unit makes the offer of employment.

(2) Non-reappointment by the University.

(a) TEAMS Employees in Initial Non-Exempt Appointments and Executive Service Appointments

1. With the exception of appointments to Executive Service, a new TEAMS

employee's initial appointment at the University to a non-exempt position shall be probationary and the employee may be terminated at any time without any requirement of notice and without rights of appeal.

2. Employees in TEAMS designated in the Executive Service serve at the will of the President, do not have tenure or permanent status, and have no expectation of appointment beyond a sixty (60) days' notice period.

(b) TEAMS employees whose positions hold appointment modifiers of Provisional, Acting, Temporary, Emergency, Time-Limited, or Probationary are not entitled to any notice of non-reappointment, and their employment ceases on the last day of the appointment unless the University issues a renewal of their appointment.

(c) At any time during any appointment, a TEAMS employee may be given written notice that regular or multi-year appointments will not be renewed as follows:

1. For employees in their initial twelve (12) months of employment, three (3) months prior to the end of the current appointment period; alternatively, TEAMS employees in their initial twelve (12) months of employment may be given written notice in the last three (3) months of the current appointment period that regular or multi-year appointments will not be renewed provided that the employee is given a temporary appointment ending three (3) months from the date of the written notice.

2. For TEAMS employees with more than twelve (12) months of service in TEAMS or USPS since the last Break-In-Service, at least six (6) months prior to the end of the current appointment period; alternatively, TEAMS employees with more than twelve (12) months of service in TEAMS or USPS since the last break-in-service may be given written notice in the last six (6) months of the current appointment period that regular or multi-year appointments will not

be renewed provided that the employee is given a temporary appointment ending six (6) months from the date of the written notice.

3. If the effective date of the non-reappointment notice is subsequent to the expiration date of the employee's appointment, the employee shall be issued an appointment limited to the balance of the required notice period.

(d) The decision to discontinue an appointment to a TEAMS employee shall not be based on constitutionally impermissible grounds.

(e) Following receipt of the notice of non-reappointment, a TEAMS employee may be reassigned to other duties and responsibilities or placed on administrative leave in accordance with Rule 6C1-1.201, F.A.C. Such reassignment will occur when it is determined by the University that such action best meets the employment needs of the department or unit.

Regardless of a reassignment, the employee is entitled to the same amount of compensation he or she received prior to reassignment until the effective date of the non-reappointment notice.

(f) 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.

(g) No appointment shall create any right, interest, or expectancy of continued employment. At any time during any appointment, TEAMS personnel may be non-renewed upon written notice that the appointment will not be renewed as stated above.

(h) Notice of non-reappointment should be made by Certified mail with return receipt requested or hand-delivered.

~~— (l) Except for an emergency situation, an Administrative and Professional staff member shall be required to give at least one (1) month's notice of resignation.~~

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

~~—— (a) Appointment periods are for the sole purpose of encumbering funds, thus no appointment shall create any right, interest, or expectancy of continued employment. At any time, during any appointment staff members may be non-renewed upon written notice that the appointment will be discontinued as follows:~~

~~—— 1. For employees in their initial year of employment, three (3) months prior to the effective date of the non-renewal notice;~~

~~—— 2. For employees with one or more years of service, six (6) months prior to the effective date of the non-renewal notice;~~

~~—— (b) The decision to discontinue an appointment to an Administrative and Professional staff member shall not be based on constitutionally impermissible grounds.~~

~~—— (c) In the event of a break in service for more than four (4) consecutive months, only service following such break shall be counted in determining years of employment for purposes of this rule. "Break in service" is defined as an absence, not including approved leaves of absence, following which the employee is treated as a new employee.~~

~~—— (d) If the effective date of the non-renewal notice is subsequent to the expiration date of the employee's appointment, the employee shall be issued a temporary appointment for the balance of the required notice period.~~

~~—— (e) Following receipt of the notice of non-renewal, an Administrative and Professional staff member may be reassigned to other duties and responsibilities. Such reassignment will occur when it is determined that such action best meets the employment needs of the department or unit. Regardless of a reassignment, the employee is entitled to the same amount of~~

compensation he/she received prior to reassignment until the effective date of the non-renewal notice.

Specific Authority 1001.74(4)~~229.0081(2)~~ FS.

Law Implemented 1001.74(19), 1001.75(3)~~229.0081(2)(m), 229.0082(3)~~ FS.

History--New 3-6-85, Formerly 6C1-3.57, Amended 7-1-96, 11-1-99, 6-27-02, _____.