UNIVERSITY POLICY HR-01.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR100 RECRUITMENT, SELECTION, APPOINTMENT, AND NON-REAPPOINTMENT

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.910
   240.209(1),(3)(r) FS. Law Implemented 240.209(1), (3)(f), 240.246, 775.16 FS.
   SUS Chancellor’s Memorandum CM-M17.00-03/99
   Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT:

All recruitment activities shall be planned and carried out in accordance with State and federal laws, BOR Rules, and the University of West Florida’s commitment to affirmative action/equal opportunity. The University of West Florida will appoint a candidate to a vacant position who meets the minimum qualifications contained in the SUS class specification and any additional competencies required for the specific position in the class. Positions that do not allow experience to substitute for a required degree may request that the degree be waived prior to advertising by following the provisions outlined in the Degree Waiver Procedure (Exhibit A).

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EXHIBITS:

See Office of Human Resources website: http://nautical.uwf.edu/data/menu.cfm?Clan=20
See Office of Equal Opportunity and Diversity website: http://www.uwf.edu/~eeopage/
A. Degree Waiver Procedure
B. Employment/Recruitment Checklist for USPS/OPS Positions
C. President’s Memorandum #37, Hiring and Search Guidelines for Faculty and Administrative and Professional (A&P) Positions
D. President’s Memorandum #38, Policy and Procedures for Faculty and Administrative and Professional (A&P) Internal Searches
E. Requisition to Fill Position Vacancy Form
I. Vacant Position

A. A position vacancy exists when an incumbent terminates an established position or when a new position is established.


II. Requisition to Fill Position Vacancy

A. Departments filling a USPS or OPS position should follow the instructions in the Employment/Recruitment Checklist for USPS/OPS Positions (Exhibit B). Departments filling an A&P position should follow the instructions in the Employment/Recruitment Checklist for A&P Positions (Exhibit H).

B. Departments filling a Faculty or A & P position should follow the instructions in President’s Memorandum Number 37 (Exhibit C) or President’s Memorandum 38 (Exhibit D) if an internal search is to be conducted.

C. A Requisition to Fill Position Vacancy must be completed for every vacancy. Instructions for completing a requisition are listed on the back of the form (Exhibit E).

III Advertising Position Vacancies

A. All vacancies must be advertised on the Career Opportunity Announcement (COA) unless an exception or exemption, as described below, exists. Any exceptions from those described below require review and approval from Equal Opportunity and Diversity (EOD).

1. Exceptions

The following vacancies do not have to be advertised:

a. Voluntary or Involuntary Change in Assignment or Demotion within a pay plan,

b. Academic Promotions,

c. Position Rotation (e.g., chair), or
d. Change in Assignment, Demotion, Layoff Placements. If a vacant position is to be filled with an employee whose assignment is being changed or who is being demoted or placed in lieu of layoff, advertising is not required. Contact Office of Human Resources (OHR) for additional information regarding change in assignment, demotion, and/or layoff placements.

e. Emergency Hires. If a vacant position is to be filled on an emergency basis for three months or less, advertising is not required.

f. USPS temporary positions in EEO categories 4, 5, 6, or 7 to be filled in on a temporary basis for one year or less. EEO categories are listed on the USPS pay range by pay grade.

g. Reclassification of an occupied position.

h. Funding Change. If there is a change of funding source for a position (e.g., between contract, grant, auxiliary, or state-funded sources) when duties and classification of the position have not changed and the incumbent was hired according to SUS and University position vacancy procedures.

i. Appointment to positions of .50 or less FTE.

j. Appointment to a position as part of the settlement of a discrimination complaint or other complaints.

k. Promotion of a University employee who completed in good standing a university educational leave program (such as Education Leave with Pay, Grant-In-Aid, and A&P Professional Development Leave).

l. Reappointment to a position funded from contracts or grants that becomes available because of the reestablishment of a contract or grant.

m. Appointment to a position which is determined, by the director of HR, to have the responsibilities similar to those of the position from which an employee was laid off during the previous year with recall rights (under applicable provisions of BOR rules or collective bargaining agreements).

2. Exemptions from Advertising

The following vacancies are exempt from advertising requirements if they occur in Vice President’s (V.P) Areas or Colleges job groups in which there is no underutilization of women or minorities based on the UWF Affirmative Action Plan or Equity Accountability Plan.

a. Faculty and A & P positions funded from contracts or grants, including positions funded from newly established or newly expanded contracts or grants, where the proposed incumbents are specifically identified by name in the contract or grant.

b. Faculty, A&P, and USPS EEO category 3 positions to be filled as acting, visiting, or temporary appointments, provided the appointments do not extend beyond one year.

c. Positions, similar to positions that were advertised less than four months ago, for which acceptable pools generated by the previously advertised positions are available.

Positions that are exempt from advertising requirements must be processed according to the selection and appointment procedures described below.
3. Waivers of Advertising Requirements

a. The vacancies listed in a, b, and c, above, must be advertised if they occur in V.P. Areas or College job groups in which there is underutilization of women and minorities. However, the advertising requirements can be waived by EOD. Waivers may be granted for cause (i.e., business necessity, time and/or budgetary constraints, support of Affirmative Action, Diversity and/or Equity Accountability Goals).

b. EOD may, for cause (i.e., budgetary constraints, time constraints, emergency situations, hard to fill positions), waive the advertisement requirements for USPS positions, EEO categories 4, 5, 6, or 7.

c. EOD may waive the advertising requirements for any position, if the requested waiver supports the Equity Accountability Goals of the University (Ibid.).

d. The Office of Equal Opportunity/Diversity may, for cause (i.e., budgetary constraints, time constraints, emergency situations, hard to fill positions), waive the advertising requirements for USPS Category 3, Faculty, and A&P (Ibid.)

Positions for which advertising requirements have not been waived must be processed according to the selection and appointment procedures described below.

B. Faculty, A&P, USPS and OPS positions must be advertised a minimum of seven (7) calendar days. A position vacancy may be re-announced for a minimum of seven (7) calendar days.

C. The UWF Office of Human Resources Web Site is the official means for advertising position vacancies and is updated each Friday. If the vacancy occurs in a job group in which there is underutilization of women and/or minorities, the vacancy must, at least, be advertised in local women and/or minority oriented publications, and with local women and minority recruitment sources.

D. Advertisements placed in The Chronicle of Higher Education, Black Issues in Higher Education, and the Hispanic Outlook, newspapers, and other publications should be submitted to the Purchasing Department through the Office of Human Resources for placement. If the vacancy occurs in a faculty or senior level administrative job group in which there is underutilization of women and/or minorities, the vacancy must be advertised in state and national women and/or minority oriented publications, and with state and national women and/or minority recruitment sources.

E. Advertisements listed in D above should include the following:

1. Position Title. A working title may be used to better describe the position duties.
2. Position Number and FTE.
3. Job location.
4. Hiring salary range, anticipated beginning salary, or that the salary is negotiable.
5. Minimum qualifications along with any preferred criteria.
6. Application deadline or notice of open posting.
7. A statement indicating where the application is to be submitted.
8. The statement: UWF is an Equal Opportunity/Access/Affirmative Action Employer.

F. It is not necessary to advertise OPS positions that will last for less than 90 days.

1. The hiring official submits an action sheet, completed employment application, and essential documents to OHR appointing an OPS employee for less than 90 days. The employee must meet the minimum training and experience requirements for the class to which appointed.

2. In extraordinary situations when the OPS work assignment lasts more than the anticipated 90 days, the hiring official must request an extension in writing to Human Resources and the office of Equal Opportunity/Diversity.
   a. The request can not exceed an additional 30 days.
   b. The request should include reasons the employee is needed for additional time.
   c. If the work assignment or project is extended for an indefinite period of time, the position must be advertised unless approved by the Office of Equal Opportunity/Diversity (EOD).

IV. Application Process, Selection and Appointment

A. USPS and OPS position vacancies require that a UWF application be completed and submitted to OHR by the close of business on the application deadline date (Exhibit G).

1. OHR reviews each application to ensure the applicant meets the minimum requirements for the position. In addition, applicants meeting preferred criteria are earmarked to facilitate the process.

2. OHR enters application data in the Applicant Referral System and sends applicant listing to the hiring official. Instructions for completing the Recruitment Effort are provided (Exhibit B).

3. Under Florida Law, veterans’ preference in appointment and employment shall be given provided documentation substantiating a claim is presented at the time of application. The Office of Human Resources may assist the applicant with the guidelines and documentation needed to claim Veterans Preference under Florida Law. See Exhibit J.

4. The hiring official submits the completed Report of Recruitment to OHR through the Deputy EOD Officer.

5. OHR offers the position to the applicant and informs the hiring official of acceptance or rejection.

6. The hiring official submits a USPS action sheet to OHR, along with essential documents.
B. Faculty and A&P position vacancies normally require submission of a cover letter, resume, and list of at least three references. Additional requirements for application may be appropriate for certain positions.

1. The resume is submitted directly to the hiring official on or before the deadline date. Resumes postmarked by the deadline date should be included in the pool. The postmarked envelope must be retained. Facsimiles are not accepted.

2. The A&P selection committee must follow the procedures outlined in this policy.

3. The hiring official submits an A&P Certification Eligibility form (Exhibit I) to Human Resources along with a copy of the successful candidate’s resume and official college transcripts. The A&P Certification Form is used to certify the applicant for employment. It includes the minimum requirements of the position, the applicant’s qualifications and a summary/analysis of the required qualifications in regard to applicant’s education and work experience. The Director of Human Resources’ signature indicates the applicant has met the requirements and is certified for the position. An unofficial copy of the transcript may be submitted as long as the date the official transcript was requested is noted on the form.

4. The Director of Human Resources certifies the candidate as eligible and notifies the hiring official that an employment contract may be prepared and an offer extended.

5. After the offer is accepted, the hiring official submits an A&P action sheet, copy of the resume, and essential documents to OHR.

6. If the offer is rejected, an offer must be made to the second ranked candidate.

7. The hiring official must keep all records related to the search for three years before applying for disposal.

V. University Procedures Relating to Non-Reappointment of Unit Faculty, Unit Administrative and Professional (A&P) Employees, and Tenured Faculty with Administrative Appointments

A. Unit Faculty and Unit A&P employees are covered by the provisions of BOR-UFF Collective Bargaining Agreement.

B. Procedures for the non-reappointment of tenured, tenure-earning, and non-tenure-earning faculty who have also been given administrative appointments are the same as those for unit faculty with respect to the tenured, tenure-earning, or non-tenure-earning faculty appointment. With respect to the administrative appointment, such non-unit faculty serve at the pleasure of the University administrator who appointed them and may be removed from the administrative position at will with no written notice of non-reappointment required.

VI. University Procedures Relating to Non-Reappointment of Non-Tenured, Non-Unit Faculty and Non-Unit Administrative and Professional (A&P) Appointments

A. Non-Reappointment
1. The President or the appropriate Vice President may choose not to reappoint a non-tenured, non-unit faculty or non-unit A&P member. The non-tenured status faculty and non-unit A&P members subject to the provisions of this policy include those non-unit faculty members who have not been awarded tenure or who are employed in non-tenure earning positions, and those A&P members not included in the collective bargaining unit. Decisions for non-reappointment shall not be based on constitutionally impermissible grounds.

2. By the end of the sixth year of continuous full-time, or equivalent part-time employment or service, a non-unit faculty member in a tenure-earning position who has not been granted tenure shall be given notice of non-reappointment of employment as provided for in subsection (6) of this policy.

3. Non-tenured, non-unit faculty and non-unit A&P who will not be offered further employment with the University shall be entitled to written notice of non-reappointment.

4. In the event of a break in service for more than one semester in one full year or more than two semesters in two full years, only service following such break shall be counted for purposes of determining length of service. Approved paid or unpaid leaves shall not be considered a break in service.

5. Non-tenured, non-unit faculty or non-unit A&P appointments shall not create any rights, interest, or expectancy of employment beyond the term specified in the contract.

B. Non-Reappointment Notification Requirements

1. Non-Reappointment Notification Requirements - Notice of non-reappointment or intention not to reappoint, shall be given in writing within the following time limits:

   a. For non-tenured, non-unit faculty or non-unit A&P in their first two years of employment with the university, a minimum of 120 days notice of non-reappointment.

   b. For non-tenured, non-unit faculty or non-unit A&P in their third contract year of employment or beyond with the University, six (6) months prior to the effective date of non-reappointment. **Exception:** Non-tenure employees who have completed two (2) or more years of continuous A&P service, by January 1, 2000, are entitled to 12 months notice of non-reappointment.

   c. Following receipt of notice of non-reappointment, an employee may be reassigned other duties and responsibilities for the duration of the current appointment.

2. The requirements of written notice of non-reappointment set forth in subsection (6) of this policy are not applicable to the following non-tenured, non-unit faculty and non-unit A&P appointments:

   a. Those holding visiting appointments;
b. Those who are appointed for less than one (1) academic year;

c. Those with less than five (5) years continuous service whose salary is funded through “soft” money, e.g., contracts and grants, sponsored research funds, and grants and donations trust funds; or

d. Those who are appointed to a multi-year contract.

3. Faculty and A&P not entitled to a written notice of non-reappointment as provided in Subsection VI.A.6. above, shall have the following statement included in their employment contracts: “Your employment hereunder will cease on the date indicated. No further notice of cessation of your employment with the University is required.”

4. The notice of non-reappointment shall include the following:

a. The expiration date of the current contract; and

b. The last date of employment with the University.

VII. University Procedures Relating to Termination for Cause

A. For just cause, an employee may be terminated at any time during an appointment of definite duration. Just cause includes, but is not limited to, misconduct in office, conduct unbecoming of a state employee, gross insubordination, willful neglect of duty, or conviction of a crime, including violation of any federal or state law.

1. An employee shall be given written notice of termination in advance of the effective date of such termination.

2. After receiving written notice of the reasons, the employee shall have at least ten days in which to respond in writing and/or orally to the president or designee.

VIII. Background Screening

A. Policy

This policy is established by the University of West Florida to conduct background screening on the final Administrative and Professional (A&P) and University Support Personnel System (USPS) candidate(s) being considered for employment pursuant to 110.1127. Florida Statutes.

1. This policy is in addition to the employment and education verification process and encompasses positions that involve the following:

a. Working with or caring for children
b. Handling and working with hazardous materials
c. Campus Security and Safety
d. Driving university or university leased vehicles
e. Working night shifts or requiring regular scheduled work into the night hours
f. Receiving and handling money
   Work performing accounting functions or clerical accounting task

g. Receiving and handling merchandise, equipment, supplies and goods

h. Positions requiring access to all university buildings

i. Any other position determined by the Office of Human Resources to be safety sensitive.

2. Searches will include the following areas:

a. Driving History: A search of the state system, and as applicable, other states to verify possession of a valid driver’s license and for a recent driving record.

b. Criminal History: A record search covering the prior seven year period will be conducted.

c. Fingerprinting for child care and public safety personnel

B. Procedure

1. The Office of Human Resources will coordinate all background search activities.

2. An announcement informing applicants of the background screening process will be made in advertisements for positions requiring background screening. In instances where a position must be filled prior to receipt of the background search results, the applicant will be informed that continued employment, promotion, or transfer/reassignment is contingent on the results of the background screening.

3. Upon completion of the interview process and after the selection of possible candidates has been made, the background screening process can begin. For positions requiring a background screening, the Background Screening Form (Exhibit I) should be completed during the interview process and immediately submitted to Human Resources. There will be two working days turnaround time for all screening requests.

4. The Office of Human Resources will provide assistance in explanation and ramifications of the report. If a search shows criminal history, or a negative driving history/record, the Office of Human Resources will evaluate the information and consult with the appropriate Division Vice President. If the applicant is not to be hired, the Office of Human Resources will notify the hiring department of the applicants ineligibility. The applicant will be notified of the findings and given an opportunity for reply.

5. The Office of Human Resources has designated, by classification, those positions which may be subject to a required background screening process; specific other positions, either A&P or USPS, may be designated or requested by either the appropriate Vice President or college dean. In addition, the exclusion or exemption of a background screening on any of these classes or positions or for any applicant may be authorized by the Division Vice President.
6. Results of all background screening will be kept confidential and will not be disclosed except to the extent necessary to administer and enforce this policy, or pursuant to appropriate legal process.
UNIVERSITY POLICY HR-02.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 200 - COMPENSATION

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.915, 240.209 (1), (3) (r) FS. Law Implemented 216.011 (1) (aa), 240.209 (1), (3) (f), 240.283 FS.
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT

All salary issues will be resolved in accordance with appropriate Florida Statutes, Board of Regents rule, University procedure, and applicable union contracts. The Office of Human Resources will address all salary increases in a fair and equitable manner.

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I. Pay Upon Original Appointment
II. Pay Increase for Change in Assignment/Acting Basis
III. Promotions, Reclassifications, and Demotions
IV. Special Pay Increases
V. Additional/Extra State Compensation

EXHIBITS

Exhibit A. Special Pay Increase Form
Exhibit B. Dual Employment and Compensation Request Form
I. Pay Upon Original Appointment

A. For USPS Employees

1. Ordinarily an original appointment is made at the minimum of the pay grade/pay range.

2. The following should be taken into consideration when requesting hiring above the minimum of the pay grade: market conditions, documented problems with attracting a qualified applicant pool, and employee base rate of pay in another state pay plan.

3. A written request must be submitted to the Director of Human Resources requesting the desired salary, including justification. The Director of Human Resources will make a recommendation and forward to the appropriate Vice President.

4. Appointments made in “Trainee” status shall be in accordance with an approved training schedule recommended by the department to the Office of Human Resources. Ordinarily, an employee in “Trainee” status will be appointed at no more than 10% below the minimum of the pay range. Promotions made with “Trainee” status will result in no increase in salary to the employee until completion of the approved training schedule. The Trainee schedule shall not ordinarily exceed twelve months.

B. For Faculty and A&P Employees

Faculty and A&P salaries upon original appointment shall be consistent with established minimums and maximums of the pay range for A&P and with market conditions for Faculty. Salaries shall be commensurate with educational attainment and experience.

II. Pay Increase for Change in Assignment on an Acting Basis

A. USPS employees may receive a pay increase from the first day of a Change in Assignment or Acting Appointment providing the incumbent in the acting appointment assumes the major portion of the higher level position for more than thirty calendar days. Ordinarily an employee receives a 5% increase in salary for this category of salary increase (or an amount commensurate with the assigned duties and responsibilities).

B. Salaries for Faculty and A&P, as a result of assignment changes, are determined by the immediate supervisor, the appropriate Dean, and the appropriate Vice President.

C. Employees serving in “acting” appointments in an Executive Service position shall receive the applicable benefits when the appointment exceeds six months.

D. A change in this category is effected with a Personnel Action Sheet.

III. Promotions, Reclassifications, and Demotions
A. USPS Employees

1. Promotions and Reclassifications

   UWF has set a limit of 5% of the base rate of pay or the minimum of the new USPS class, whichever is greater, as the policy for promotions and reclassifications.

2. Demotions

   a. Normally, in the case of an involuntary demotion, the employee's salary shall be reduced by the amount equal to the difference between the minimum of the higher and lower pay grades, provided the salary upon demotion does not exceed the maximum of the lower pay grade. In no case may the employee’s salary exceed the maximum of the lower pay grade upon demotion.

   b. In a voluntary demotion, depending on the circumstances surrounding the demotion, an employee’s salary may or may not be reduced. For the employee’s salary not to be reduced, the employee must meet the following criteria:

      1. The employee has been a University USPS employee for more than five (5) years.
      2. The employee must hold permanent status in the higher class from which he or she is demoted.
      3. The demotion must be in the best interest of the University and must be approved by the appropriate Vice President.
      4. If the decision not to reduce the employee’s salary results in that salary exceeding the maximum of the lower pay range, the employee’s salary must be reduced to the maximum of the lower pay range.

B. Faculty and A&P Employees

In the case of Faculty and A&P, promotion, reclassification, and demotion, salary considerations are determined by the immediate supervisor, the appropriate Dean, and the appropriate Vice President consistent with appropriate pay ranges, experience, and market conditions.
IV. Special Pay Increases for USPS Employees

A. General Information

1. Salary increases may not be given that would cause the employee’s salary to exceed the maximum of the salary range, unless prior approval is given by the President or designee or as provided in legislative budget instructions.

2. Employees must be in pay status in order to receive a pay increase of any kind.

3. Employees paid from contracts and grants, auxiliaries, or local funds shall be eligible for pay increases provided such increases are permitted and funded by the funding entity.

4. Retroactive effective dates for pay actions are not permitted except that delayed pay increases shall be granted if funds become available within twelve (12) months of the documentation of the intent to increase the pay. The increase may be effective no earlier than the date of such documentation.

5. Employees returning from an unpaid leave shall receive any increases in the salary range for the class or mandatory pay increases granted during the period of unpaid leave, unless pay implementation instructions provide otherwise. In addition, an employee returning from unpaid leave may be considered for discretionary increases.

B. Criteria

1. Assigned Permanent Duties

   a. There must be a significant increase in the level or nature of an employee's assigned duties which is to continue as a permanent assignment. The increased responsibilities do not justify promotion/reclassification to a higher level class, or there is no appropriate higher level class. An increase in the volume of work will not qualify an employee for a special pay increase.

   b. The increased assigned responsibilities (i.e., additional staff or programs to supervise, or additional duties) must be significant and relevant to the current job responsibilities and must result in a higher level of job complexity.

   c. In situations where the employee is reassigned to a different classification in the same pay grade, the employee's newly assigned responsibilities (i.e., additional staff or programs to supervise, or additional duties) must result in a higher level of job complexity. If additional duties accompany the reassignment, they must be relevant to the reassigned job responsibilities.

   d. A revised position description must be completed as documentation and forwarded to OHR along with the special pay increase (SPI) form. OHR’s review is to determine whether the job responsibilities involve a different classification rather
than a SPI situation. Provided that all documentation is presented, this review will be completed as soon as possible and no later than 30 working days.

e. As a general policy, the pay increase will normally not exceed 10% of the employee's base rate of pay. Any increase in excess of 10% must be authorized by the divisional Vice President, based on exceptional circumstances and justification, who will take into consideration employees in similar relationships, situations, and/or instances.

f. A pay increase in this category shall not be used to circumvent the filling of a vacant position (i.e., duties of a vacant position are being assigned to the employee), unless the permanent reassignment of the duties are reflected in the deletion of duties from the vacant position.

2. Assigned Temporary Duties

a. A pay increase may be provided for an additional assignment of duties/responsibilities on an acting basis; upon return to original responsibilities the pay shall be adjusted. Situations that apply are performing duties of a higher-level vacant position or one whose incumbent has been temporarily assigned other duties or is on leave of absence. The removal of pay for performing duties on an acting basis shall not be considered a reduction in pay.

b. An employee temporarily assigned to perform a major portion of the duties of the higher level classification must perform these duties for a period of more than twenty-two (22) consecutive workdays (in accordance with American Federation of State, County and Municipal Employees, AFSCME, and Police Benevolent Association, PBA, collective bargaining agreements).

3. Budget Limitations at Time of Original Employment and Increases after Original Appointment

a. Budget Limitations at Time of Original Employment

1. A special pay increase in the budget limitations category must occur within twelve (12) months from the date of original appointment.

2. The increase will be effective the date funds become available, if the described budgetary limitations which existed at the time of the appointment changed to allow for such an increase.

b. Increases After Original Appointment

1. Increases after an original appointment may occur six months after the original appointment is made.
2. The provision for an increase after original appointment must be stated at the
time of the appointment by the divisional Vice President of the intent to
increase the original appointment rate by a specified amount.

c. The Vice President’s signature on the Personnel Action Sheet will document
approval of either of the actions described in b.1. and b.2. above.

4. Market Conditions

a. Counter-Offer

1. The job offer must be from a non-University entity, and

2. There must be written confirmation of the outside job offer received directly
from the competing employer or through the employee to whom the offer has
been made.

3. There must be documentation of past turnover problems or difficulty in
recruiting employees with the required training and/or experience.

4. Such a counter offer salary increase must be authorized by a divisional Vice
President.

b. Retention of employee

1. There must be documentation that the university has a considerable
investment in this employee due to specialized or extensive training, and that
the job function is of significant value to the university, and

2. The special pay increase may not place the employee's salary at a rate
higher than that documented by comparable local regional or national market
data as applicable to the classification.

3. As a general policy, the pay increase will normally not exceed 10% of the
employee's base rate of pay. Any increase in excess of 10% must be
authorized by the divisional Vice President, based on exceptional
circumstances and justification, who will take into consideration employees in
similar relationships, situations, and/or instances.
5. **Salary Compression**

   a. A pay increase may be provided in this category to maintain an appropriate pay relationship between employees based on education, experience, and performance.

   b. As a general policy, the pay increase will normally not exceed 10% of the employee's base rate of pay. Any increase in excess of 10% must be authorized by the divisional Vice President who will take into consideration employees in similar circumstances.

6. **Internal Salary Inequity**

   a. Documentation must indicate the specific circumstances resulting in the inequity and effect on the employee's salary. A promotion, demotion, or reclassification of an employee cannot, in and of itself, be the basis for awarding a special pay increase to another employee. However, any of these actions, combined with other circumstances, may justify such an increase. These circumstances generally include, but are not limited to, instances where acquired or achieved formal education or experience results in the addition or performance of higher level duties and responsibilities that were not part or expected of the position prior to the occurrence of the event (i.e., education, experience, or performance).

   b. The provision of a merit increase to one employee shall not be used as the basis for providing a special pay increase to another employee.

   c. As a general policy, a pay increase will normally not exceed 10% of the employee's base rate of pay. Any increase in excess of 10% must be authorized by the divisional Vice President, based on exceptional circumstances and justification, who will take into consideration employees in similar relationships, situations, and/or instances.

7. **Sustained Superior Performance**

   a. Employee must maintain superior performance and be rated as exceeds for a sustainable period.

   b. Employee must have permanent status in the class with no disciplinary actions within the past five (5) calendar years.

   c. Employee must have excelled in one or more ways in the position to which assigned. These efforts must be documented on the performance appraisal by the immediate supervisor and endorsed by the department head, dean, or Vice President, as applicable.

   d. As a general policy, a pay increase will normally not exceed 10% of the employee's base rate of pay. Any increase in excess of 10% must be authorized by the divisional Vice President, based on exceptional circumstances and justification, who
will take into consideration employees in similar relationships, situations, and/or instances.

8. Small-Scale Asbestos-Related Activities

a. Small-Scale and Infrequent Asbestos-Related Activities

1. The employee must have satisfactorily passed the required EPA certified training.

2. The employee's current position description must include a significant expectation of asbestos-related activities as part of his duties and responsibilities. Asbestos-related activities include asbestos abatement and repair and service work in an asbestos environment.

3. The employee must have received the appropriate authorization from his/her supervisor to perform such duties per incident.

4. The employee shall receive an additional 15% per hour for only those hours actually spent in asbestos-related activities or a minimum of two hours, whichever is greater. If asbestos activity has been recognized in an employee's hiring rate, an additional pay additive may not be approved.

5. Any asbestos-related pay additive which occurs during the time that an employee is in overtime status shall be included in the regular rate of pay for overtime calculation.

b. Significant and On-Going Asbestos-Related Activities

1. The employee must have satisfactorily passed the required EPA certified training.

2. The employee shall not receive an additional pay additive when the asbestos-related activities have been recognized in the employee’s hiring rate and have been documented in the employee’s personnel file.

3. The official position description must include asbestos-related activities as a significant and on-going portion of the duties assigned to the position.

4. The pay increase may not exceed 10% of the employee’s base rate of pay.

c. Lead Abatement Activities

1. The employee must have satisfactorily passed the required training for certification.

2. The employee’s position description must include lead abatement activities.
3. The employee must have received the appropriate authorization from his/her supervisor to perform such duties per incident.

4. The employee shall receive an additional 15% per hour for only those hours actually spent in lead abatement activities or a minimum of two hours, whichever is greater.

5. Any lead abatement additive which occurs during the time that an employee is in overtime status shall be included in the regular rate of pay for overtime calculation.

9. Lump Sum Payments (Bonus)
   a. A lump sum payment may be provided for either of the following:
      1. The successful completion of a special project or assignment which is in addition to the employee’s regularly assigned duties as defined on the position description, or
      2. A documented significant increase in productivity or productivity goal achievement.
   b. The lump sum payment shall conform to the following guidelines:
      1. The payment shall be made upon completion of the project or assignment or upon recognition of increased productivity or productivity goal achievement.
      2. The payment shall be provided OPS lump-sum and shall not become part of the employee’s base rate of pay.
      3. The payment shall not exceed 10% of the employee’s annualized base salary or $3,000 (before taxes), whichever is greater.
      4. The payment shall not be included in compensation or benefits for State retirement contributions.
      5. The payment shall have appropriate Federal withholding and FICA taxes deducted.
   c. Documentation required for payment.
      1. Special Project or Assignment
         a. Prior documentation must indicate the specific circumstances surrounding the project or assignment.
b. The project or assignment must be of significant value to the work unit and/or university requiring specialized expertise.

c. The project or assignment must be a one-time assignment and must not be an on-going (bi-annual, annual, quarterly, etc.) task.

d. The level of performance of assigned duties is not to be a basis for providing a lump sum payment.

2. Increased Productivity or Productivity Goal Achievement

a. Documentation must include the specific methods used and circumstances involved which resulted in the increase in productivity.

b. An increase in the volume of work is not considered an increase in productivity.

c. The recognition of exemplary performance may not be the basis for a lump sum payment.

10. Divisional Career Development/Apprenticeship Incentive Programs

a. The specific career development/apprentice programs must be approved through the division Vice President and OHR.

b. The program must have a manual/handbook/procedure outlining the program curriculum, benefits, and requirements, along with program specifics and details on how accomplishments are to be rewarded.

C. Limitations

Special pay increases are not to be used for the following:

1. Permanent increases to the base rate of pay above the maximum of the applicable pay range.

2. Increased volume of work.

3. Situations when the provisions of other rules, collective bargaining contracts, or delegated authority are applicable.

4. Situations where division or college allocated non-faculty rate and/or funds are not available within the division’s approved operating budget.
5. Each divisional Vice President shall certify such compliance by the execution of the Personnel Action Sheet on any of the above.

6. Employees paid from contracts and grants, auxiliaries, or local funds shall be eligible for pay increases provided such increases are permitted and funded by the funding entity.

7. A retroactive effective date for any pay action shall not be permitted except delayed pay increases shall be granted if funds become available within twelve (12) months of the documentation of the intent to increase the pay. The increase may be effective no earlier than the date of such required and completed documentation.

D. University Records Process

1. A copy of each approved request, with appropriate documentation, is filed in the employee’s personnel file in the University of West Florida’s Office of Human Resources.

V. Additional/Extra State Compensation

A. Payment of additional compensation for work performed in excess of the established FTE shall be governed by the provisions of BOR Rule 6C-5.915 (9).

B. Additional compensation performed for another State University System institution or any agency of the State of Florida is permitted provided that a request for approval of Dual Employment and Compensation form is submitted and approved prior to performance of the additional duties. These forms may be obtained in the Office of Human Resources (Exhibit B).

C. Non-exempt employees who are providing additional hours for work as defined in their current position description shall be compensated according to the Federal wage and hour laws (provided with overtime compensation). Services outside of the current position description are considered additional state compensation. When determining a compensation level for these additional services, consideration should be given to the employee's current position, the length of time and complexity of the additional assignment, and the employee's qualifications.

D. Appropriate compensation for qualified employees to teach credit and non-credit courses/workshops and preparation related to such courses/workshops shall be determined by the appropriate Dean and the Provost/Vice President for Academic Affairs.
UNIVERSITY POLICY HR-03.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 300 - HOURS OF WORK AND BENEFITS

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.920
Fair Labor Standards Act
240.209(l)(3)(r)FS. Law implemented 110.117-110.122, 115.14, 216.011(l)(x),
240.209(l)(3), 250.48, Chapters 121 and 440 FS,
Family and Medical Leave Act
110.123 FS, 121 FS, 122 FS, State Group Insurance Rule 60P1-10,
Florida Administrative Code 60S, 4C-6, ORP Rules 60U, BOR Retirement Plan
Alternatives, Chapters 403(b) and 457 of the Internal Revenue Code, Group
Benefits/Liberty Mutual Insurance Group Guide
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT

The University of West Florida shall provide information on benefits available to all employees
and shall implement and communicate the general hours of work and procedures for the
utilization, accrual, and access of leave for all employees.

CONTENTS:

I. Hours of Work
II. Record Keeping
III. Types of Leave
IV. Holidays
V. Payroll Certification/Leave Reporting
VI State Sponsored Insurance Plans
VII Retirement
VIII Tax Deferred Annuities
IX Long Term Disability
X Deceased Employees Guidelines
XI Miscellaneous Benefits
XII Benefits for Retired Employees

EXHIBITS:

A. UWF Presidential Memorandum Number 39
B. USPS Attendance and Leave Report
C. A&P and Faculty Bi-Weekly Leave Report
D. Payroll Certification of Hours With Pay
E. Human Resources/Payroll Calendar
F. Guideline for Signatures on Leave Records
G. Sick Leave Pool Procedures
I. Hours of Work

A. Ordinarily, eight (8) hours shall constitute a workday. Flexible hours and non-standard workweek schedules may be approved in accordance with UWF Presidential Memorandum Number 39 (Exhibit A). The University’s official hours of operation are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

B. Required attendance at approved training courses shall be considered as hours worked.

C. When a USPS employee is called back to work beyond the employee's scheduled hours of work for that day, the employee shall be credited with actual time worked, including time to and from the employee's home to the assigned work location, or a minimum of two hours of work, whichever is greater.

D. Official travel, under State law, whether on regular workdays or regular days off, shall be counted as hours worked.

II. Record Keeping

A. USPS records include, but are not limited to: annual and sick leave earned and used; compensatory leave accrued and used; overtime payments; and any other leave of absence with or without pay.

B. An employee who earns or uses compensatory leave or uses any type of leave in an amount of time which is less than a full hour shall be credited or charged with such leave to the nearest quarter of an hour.

C. For USPS, hours worked and leave taken are reported on the USPS Attendance Report (Exhibit B).

D. A&P/ Faculty report leave used on an A&P and Faculty Bi-Weekly Leave Report (Exhibit C).

E. Falsification of attendance or leave records is cause for disciplinary action in accordance with UWF’s Work Standards and Discipline Policy.

F. Employees may be allowed one 15-minute work break during the first half of their work shift and one 15-minute work break during the second half of their work shift, provided that:

1. An employee may not accumulate unused work breaks.

2. Work break time shall not be authorized for covering an employee’s late arrival on duty or early departure from duty.

G. Requests for medical leave, medical certifications, and return to work certifications are maintained in a separate confidential personnel file in accordance with the requirements of the Family and Medical Leave Act.
H. In compliance with the Fair Labor Standards Act (FLSA), all USPS positions are assigned a status of “exempt” or “non-exempt” for purposes of accruing overtime and compensatory time.

1. The USPS non-exempt status, as designated by the BOR, is not exempt from the maximum hours and overtime pay requirements of Section 7 of the FLSA.

2. The USPS exempt status, as designated by the BOR, is exempt from the maximum hours and overtime pay requirements of Section 7 of the Fair Labor Standards Act (FLSA).

I. Overtime Procedure

1. Work for USPS employees shall be arranged so overtime is not required, except in situations where the divisional Vice President determines that statutory responsibilities prescribed for the university cannot be accomplished properly unless overtime is authorized.

2. The divisional Vice President may pay a non-exempt or exempt employee for any or all of the employee's accrued compensatory leave at any time.

3. Upon reasonable notice, the Vice President may require a non-exempt employee to use any part of the employee's accrued compensatory leave in increments of 8 hours, or in increments equivalent to the number of hours of work in an employee's regularly scheduled workday, at any time.

4. An employee may be required to use earned compensatory leave before using accrued annual leave.

III Types of Leave

A. Leave of Absence

1. The granting of any leave of absence with or without pay shall be in writing by the Director of Human Resources.

2. Prior to sending the request to Human Resources and prior to the leave being taken, the leave shall be approved by the employee's immediate supervisor and other appropriate authority.

3. All approved leaves of absence without pay shall be counted as continuous and creditable service.

B. Family and Medical Leave Act (FMLA)

1. The Family and Medical Leave Act (FMLA) is for the birth or placement for adoption/foster care of a child, to care for a spouse, parent, or child with a serious health condition, or for the serious health condition of the employee.
2. Requests for FMLA leave from USPS and A&P employees shall be sent through the Supervisor and Department Head to the Director of Human Resources. Faculty are to send requests to the Vice President for Academic Affairs. Copies of all approvals are maintained in the employee's personnel file in the Office of Human Resources.

C. Sick Leave

1. Immediate family members are defined as the spouse, grandparents, parents, brothers, sisters, children, and grandchildren of both the employee and the spouse.

2. After three (3) workdays of absence in any 30 day period, the immediate supervisor or appropriate authority may require a medical certification (issued by a health care provider) indicating the medical reasons necessitating the absence before authorizing any additional use of sick leave by the employee.

3. After ten (10) consecutive days of absence, the employee may be required to submit a medical certification from the health care provider before any additional use of sick leave is authorized for the employee.

4. Additional certifications may be required for each subsequent 30 day period if the employee continues to be absent.

5. The employee may be required to submit to a medical examination which shall be paid for by the university.

6. Where a supervisor has documented concerns regarding an employee’s use of sick leave, medical certification, in addition to those referenced above, may be required at the discretion of the supervisor.

7. When all sick, annual, and compensatory leave credits have been depleted, participating employees may draw upon the Sick Leave Pool (Exhibit G).

D. Administrative Leave

1. Administrative leave counts as hours of pay, but does not count as hours of work for overtime purposes.

2. In no case may the approval of administrative leave cause the employee to exceed 40 hours, or the established work hours, during the workweek.

3. Court/Jury Duty

   a. Employees shall provide appropriate documentation from the Clerk of Courts to document administrative leave usage for jury duty.

   b. Administrative leave for this purpose shall be recorded on the USPS Attendance and Leave Report (Exhibit B) or A&P and Faculty Bi-Weekly Leave Report (Exhibit C).
4. Elections
   a. Employees are encouraged to vote outside of their normal workday.
   b. The University does not encourage use of administrative leave for voting since the polls are open before and after work hours. Leave for voting must be requested and approved in advance of the absence.

5. For death of a USPS Employee's Immediate Family Member,
   a. Leave requests need to include the name and relationship of the deceased family member.
   b. “Immediate family member” has been defined in Section III.C.1. of HR300.

6. Military Training
   a. Employees who are members of the U.S. Armed Forces Reserve, shall, upon presentation of a copy of the employee's official orders issued pursuant to the authority of Title 10 or Title 32, U.S. Code, be granted Administrative Leave during the period in which the employee is ordered to active or inactive duty for training.
   b. Such leave, whether continuous or intermittent, shall not exceed 17 working days in any one federal fiscal year (October 1 - September 30).
   c. A copy of the official orders shall be maintained in the employee's personnel file.
   d. In counting working days, each work shift of 12 hours or less shall be counted as one working day.
   e. Any absence in excess of 17 working days may, upon request by the employee and approved by the supervisor, be covered by accrued annual leave credits or accrued compensatory leave credits. If not requested by the employee and approved by the supervisor as annual or compensatory leave, such absences in excess of 17 working days shall be considered to be leave without pay; however, such leave shall be without loss of time or efficiency rating.
   f. Employees who are members of the National Guard Service shall upon presentation of the employee's official orders issued pursuant to the Chapter 250, Florida Statutes (FS), be granted Administrative Leave during periods in which the employee is ordered to active State service by the Governor pursuant to Chapter 250, FS.
   1. Such leave with pay shall not exceed thirty (30) days at any one time.
   2. A copy of the official orders shall be filed in the employee's personnel file.
3. Any absence over thirty (30) days may, with approval of the supervisor, be covered by accrued annual leave credits or accrued compensatory leave credits. If not requested by the employee or approved by the supervisor as annual or compensatory leave, such absences in excess of thirty (30) days shall be approved as leave without pay; however, such leave shall be without loss of time or efficiency rating.

7. Leave Without Pay

   a. An employee may, upon request, be granted leave without pay for a period not to exceed 12 calendar months.

   b. Use of leave with pay (intermittent leave) is authorized during a leave of absence without pay for parental, foster care, medical, or military reasons.

   c. An employee who has been placed on a leave of absence without pay, and is therefore in non-pay status for the entire day before a holiday, shall not be eligible to receive payment for such holiday or any other holiday observed while the employee is on such leave.

   d. An employee's request for the use of accrued leave during a leave without pay shall be made at the time of the employee's request for the leave without pay.

   e. The employer’s contribution to state insurance shall continue for the corresponding pay periods, not to exceed 6 months.

   f. An employee's request shall include the amount of leave with pay the employee wishes to use during the approved period of leave without pay.

   g. The leave without pay request is submitted to the Director, Office of Human Resources, after being approved by the immediate supervisor and department head.

IV. Holidays

A. The following holidays, as provided by Section 110.117, Florida Statutes, shall be observed as paid holidays.

   New Year's Day
   Martin Luther King, Jr. Birthday (observed on the third Monday in January)
   Memorial Day (observed on the last Monday in May)
   Independence Day
   Labor Day (observed on the first Monday in September)
   Veterans' Day
   Thanksgiving Day
   Friday After Thanksgiving
   Christmas Day
B. If any of these holidays fall on a Saturday, the preceding Friday shall be observed as a holiday; or if any holiday falls on Sunday, the following Monday shall be observed as a holiday.

C. Full-time employees are entitled to eight hours per holiday. Part-time employees are entitled to a number of hours proportionate to the hours worked.

D. Personal Holiday

1. Each full-time USPS employee shall be entitled to one personal holiday each fiscal year (July 1-June 30).

2. Each part-time employee is entitled to a personal holiday each fiscal year (July - June 30) which shall be calculated proportionate to the hours worked.

V. Payroll Certification/Leave Reporting

A. Payroll Certification

1. The departmental designee must certify the total number of hours for which an employee is to be paid; this amount includes leave with pay hours, holiday hours, and hours worked. This is recorded on the Payroll Certification of Hours with Pay (Exhibit D). The only time the total number of hours should differ from the employee’s contracted hours would be if the employee were in without pay status or if the employee is to be paid for more than 80 hours at straight time.

2. Overtime hours worked are not to be shown on the payroll certification.

3. Certifications must be signed by the departmental designee, (preferably the department head) and submitted to the Payroll Section in the Controllers Office as noted on the Human Resources/Payroll Calendar (Exhibit E).

B. Leave Reporting

1. All USPS employees must complete and sign an "Employee Bi-weekly Attendance and Leave Report" (Exhibit B). Blank Attendance and Leave Reports are available from the Payroll Section in the Controllers Office.

2. Leave is to be requested by completing the "explanation" of Leave Used and Earned section on the Attendance and Leave Report. There may be internal departmental policies regarding taking leave.

3. Corrections of the report must include the initials of both the employee and the supervisor and be submitted to Human Resources on the pink departmental copy.

4. Due dates for all Attendance and Leave Reports are listed on the Personnel/Payroll Calendar (Exhibit E).
5. Signatures to the time sheets follow the guidelines listed in Exhibit F.

6. If anyone other than a higher level supervisor signs the time sheets, written delegation of authority must be on file in the Office of Human Resources.

VI. State Sponsored Health, Life, and Supplemental Insurance

A. Health and life insurance for salaried employees is provided by the Division of State Group Insurance (DSGI). Premiums are a combination of pre-tax employee deductions (unless an official exception is requested) and employer contributions.

Supplemental insurance plans are provided by the DSGI. This is an employee pay-all program. For a list of current plans, contact the Office of Human Resources (OHR) Benefits Section, or look at web site in NAUTICAL or Administrative Affairs/Human Resources.

State sponsored health, life, and supplemental insurance plans may be added at the time of new hire, annual open enrollment or when a qualifying status change event occurs. Changes in plan coverage may be made only during open enrollment or when a qualifying status change occurs. A qualifying status change includes: marriage, adoption, birth of a child, divorce, death, change in employment status, or significant change in health coverage attributable to the spouse’s employment. This list may not be inclusive of all qualifying status changes so check with OHR for additional information.

B. Procedures

1. Human Resources’ Responsibility:

   a. Provide each new hire with a New Employee Packet. The packet contains marketing materials outlining the plans/programs available to University employees.

   b. Conduct new employee orientation on a regularly scheduled basis. The orientation session includes a detailed overview of all plans/programs including coverage, participant eligibility, enrollment/dis-enrollment procedures, and premium information.

   c. Provide assistance in the completion of required forms and documents. OHR maintains records of forms reflecting the employee’s enrollment or dis-enrollment in the plans/programs, as well as all mandated supportive documentation.

   d. Obtain employee authorization and initiate the collection/and or deduction of premiums. OHR processes refund requests when necessary. All actions shall be completed in a timely manner.

   e. Maintain edit reports to monitor employee participation and the deduction of premiums. OHR initiates corrective actions, if applicable.

   f. Advise employee of continuation of coverage options.
2. Department’s Responsibility:

   a. Ensure employee attends new employee orientation.

   b. Complete required Personnel action sheet in a timely manner to establish the appointment and facilitate payroll deduction of insurance premiums. The department should provide new employee with a copy of the appointment papers and send him/her to Insurance and Benefits for insurance enrollment. The employee should bring the following documents:

      New employee packet; copy of marriage certificate; copies of birth certificates for all children to be claimed as dependents, list of dependents' Social Security numbers, and birth dates.

      The effective date of coverage for supplemental insurance plans is established approximately two months after the appointment appears in the payroll system. A delay in appointment processing may impact the employee's ability to obtain coverage.

3. Employee's Responsibility

   a. Attend New Employee Orientation and enroll in insurance plans prior to sixty (60) day insurance enrollment deadline or schedule an appointment with OHR Benefits Staff to initiate enrollment in the insurance program.

   b. Monitor insurance deductions to ensure accuracy.

   c. Notify OHR immediately when a qualifying status change (QSC) event occurs. All "QSC" events must be processed within thirty (30) days from the date of occurrence.
VII. Retirement

A. The State University System currently provides two active retirement plans for employees; the Florida Retirement System and the Optional Retirement Plan. Current participants may also retire from the Teachers’ Retirement System.

Retirement contributions are paid by the employer for all salaried employees. A brief description of the plans are provided below.

These procedures provide a cursory retirement guide for University employees. For additional information, official Division of Retirement and BOR guidelines should be consulted.

B. Retirement Programs

1. The Florida Retirement System (FRS) is a defined benefit pension plan sponsored by the State of Florida. Upon completion of ten (10) years of creditable service, members are vested in the plan and are eligible to receive a lifetime income benefit upon retirement. The amount received is based on the member's age, years of creditable service, the value of each year of service, and the average final compensation. The University pays the full cost of the plan.

2. The Optional Retirement Plan (ORP) is a defined contribution pension plan sponsored by the State of Florida. Each pay period, the University contributes a percentage of earnings into an annuity for the employee. Regardless of the length of service, participants receive a lifetime monthly annuity income at retirement that is based on the amount of funds contributed, the investment earnings of those funds, and the type of annuity selected. Employees may choose to contribute to their selected annuity in accordance with Internal Revenue Code regulations.

3. The Teacher's Retirement System (TRS) is available for retirement purposes to existing members only. A detailed description of the retirement options may be obtained from the Division of Retirement or the University Insurance and Benefits staff.

4. The University also offers two early retirement incentive options. They are the Deferred Retirement Option Program (DROP) and the Phased Retirement Plan.

   a. DROP became effective July 1, 1998. All eligible FRS members may elect to participate in the DROP. The DROP is an alternative method for payout of retirement benefits for up to sixty (60) months after a member reaches age sixty-two (62) or has completed thirty (30) years of employment with an FRS employer. The DROP allows members to have their retirement benefits deposited monthly into an annuity account, which earns interest, while the employee simultaneously continues to work. The purpose of this program is to provide a means for retirees to accumulate additional savings while continuing employment.

      1. Eligibility Criteria (Regular): Employee must be either age sixty-two (62) and vested (minimum 10 years service), OR -complete thirty (30) years of service.
Note: If 30 years service is obtained prior to attaining age 57, DROP participation may be deferred until attainment of age 57. Employee has full sixty months to participate.

2. Eligibility Criteria (Special Risk): Employee
   - must be either age fifty-five (55) and vested OR
   - complete twenty-five (25) years of service.

3. Length of Participation is:
   - maximum of sixty (60) months following date employee first reaches normal retirement age or satisfies the eligible years of service date. Failure to terminate on time results in the loss of the accumulated DROP account, retirement is canceled, membership in FRS will be retroactively reestablished to reflect the start date of DROP, and the University assumes responsibility for payment of any additional contributions to the employee's FRS account.

4. Account Earnings and Payment Options: DROP accounts earn interest compounded monthly at an effective annual rate of 6.5%. No interest is earned on benefits on deposit for less than one (1) month. Payment is received upon termination as either lump sum, direct rollover, or combined partial lump sum and rollover. Eligible rollover plans include an individual retirement account, an individual retirement annuity, a qualified trust, and an annuity.

5. Leave options: DROP participants may elect to be paid for unused annual leave and any overtime or special compensatory leave (if earned within the last eleven months).

Annual leave and compensation payments are included in the calculation of the highest five years. A participant may receive payment up to the maximum allowed for the class. Any annual leave hours in excess of the maximum (240 hours for USPS; 352 hours for faculty and A&P; 480 hours for Executive Service) remain as annual leave to be used during the five year DROP period.

Leave payments may also be tax sheltered. The employee must arrange for deferment by contacting an annuity company representative and completing a DROP Leave Election form prior to receiving payment.

b. Phased Retirement Program: This program allows faculty who are members of the Florida Retirement System or Teachers Retirement System to retire and resume employment with the University for a five (5) year period. Faculty members receive their monthly retirement benefits while participating in Phased. During this re-employment period, retired faculty have the option of working full time for one academic term each year or half time for two (2) terms. They may earn salary at one half of their thirty-nine (39) week academic year salary without affecting their retirement status. At the end of the five (5) year period, retirement is effective.

5. FRS and ORP Enrollment Procedures
a. Human Resources’ Responsibility:

1. Conduct New Employee Orientation and provide an overview of the retirement plans and options.

2. Provide required forms in the new employee packet distributed by the hiring department to all newly hired employees.

3. Counsel employees on the retirement program.

4. Enter data into payroll system.

5. Process enrollment forms and forward to Division of Retirement.

b. Employee’s Responsibility

1. Complete required enrollment forms in the specified time frame and submit to the OHR benefits staff.

2. If participating in the ORP, contact a tax sheltered annuity (TSA) representative and complete an annuity contract within the first ninety (90) days of employment. Monitor deductions for accuracy. Notify TSA company and OHR benefits staff if changes or corrections are needed. Have TSA company calculate maximum exclusion allowance (MEA) and verify with tax accountant.

c. Department’s Responsibility

Initiate appointment papers in a timely manner and forward to Human Resources for processing.

6. Phased Retirement Program Enrollment Procedures

Employees must obtain an application and procedures from the Provost/Dean’s Office.

7. FRS Retirement Procedures

a. Employee’s Responsibility:

1. Complete a FRS Audit Summary Request which is available from OHR benefits staff or on the OHR web site. Confirm years of creditable service on record, benefit payment eligibility, and length of military or refunded service, if requesting information to purchase this time.

2. Provide proof of age of self and joint annuitant, if applicable. Proof of age may be birth certificate, delayed birth certificate, census report more than 30 years old, letter from Social Security Administration stating the date they established the payment of benefits, or a certificate of naturalization. If none
of these can be provided, a document from two of the following categories is required: 1) birth certificate of a child giving the employee’s or joint annuitant’s age, 2) baptismal certificate more than 30 years old, 3) hospital record of birth, 4) school record at time the employee (or joint annuitant) entered grammar school. NOTE: If a birth certificate is not available, OHR recommends a letter from Social Security; since this is quick and easy to obtain.

3. Complete the FRS retirement application available from OHR benefits staff. The form should be completed at least thirty (30) days prior to the expected retirement date. Schedule an appointment with the University retirement counselor (benefits staff) and submit retirement forms for processing.

4. Notify supervisor of retirement plans and request termination checklist from OHR or on OHR web site.

5. Meet with OHR benefits staff to complete necessary forms to continue or cancel insurance during retirement.

b. Department's Responsibility for FRS and ORP:

Prepare required forms to terminate employee appointment and pay for accumulated leave.

c. Human Resources’ Responsibility for FRS and ORP:

1. Assist employee in the termination process as indicated on the termination checklist.

2. Process termination notice provided by department.

3. If applicable, counsel employee on continuing benefits and cancel deductions in the payroll system.


8. ORP Retirement Procedures

a. Employee's Responsibility:

1. Contact annuity company representative.

2. Notify supervisor of retirement plans and request termination checklist.

3. Meet with OHR benefits staff to complete necessary forms to continue or cancel insurance coverage.

b. Department's Responsibility:
Prepare required forms to terminate employee appointment and to process applicable leave payoffs.

c. Human Resource's Responsibility for FRS and ORP:

1. Assist employee in the termination process as indicated on the termination checklist.

2. Process termination notice provided by the department.

3. If applicable, counsel employee on continuing benefits and cancel deductions in payroll system. ORP retirees receive counseling from their annuity agent.

4. Process retirement application for FRS participants. ORP applications will be completed through annuity agent.

9. Phased Retirement Program Retirement Procedures

Obtain, from Dean’s Office, an application for Phased Retirement. Complete and give to Chair for processing.

VIII. Tax Deferred Annuities

A. All University of West Florida employees (A&P, Faculty, USPS, OPS, and adjuncts) are encouraged to establish additional savings for retirement through participation in tax deferred programs. Enrollment may occur at any time; however, experts suggest the sooner the better, in order to supplement income and to ensure the most comfortable life possible after retirement. There are no taxes assessed on annuity contributions or earnings, until funds are withdrawn.

B. Included in the University's tax deferred programs are several 403(b) Tax Deferred Annuities (TDA) and 457 Deferred Compensation plans. These vehicles include money markets, stocks, bonds, and fixed and variable annuities.

Specifics on each of the available plans may be obtained from the plan representatives: VALIC, TIAA/CREF, The Equitable, Prudential, State Deferred Compensation Program, and ORP. Specific information is listed on the OHR web site.

C. Procedures

1. Human Resources’ Responsibility:

The Assistant Director in Benefits acts as liaison with the employee and Tax Sheltered Annuity (TSA) representative and assures that required paperwork is completed, including Salary Reduction Agreement, and submits it to the Controller’s Office for entry.

2. TSA Representative's Responsibility:
a. Advises employee of investment options. Calculates all employee investment amounts as either dollars or percentages, whichever is applicable. Completes required forms to initiate payroll actions and forwards notification of contributions and copies of the completed contract to the retirement coordinator for processing.

b. Adheres to the University’s Solicitation Policy.

3. Employee’s Responsibility:

   a. Initiates request for annuity prospects or other information with appropriate annuity representative.

   b. Monitors personal account(s) to ensure compliance with IRS guidelines. The amount an employee may annually contribute to a tax shelter as outlined in the IRS guidelines is referred to as a maximum exclusion allowance (MEA).

   c. Notifies annuity representative of enrollment interest and/or reduction actions.

IX. Long Term Disability

A. The State University System’s Long Term Disability Plan is an employee pay all supplemental policy which provides limited income replacement should an employee experience a disability.

   This is an employee pay all benefit; the employee pays the full cost of the premium through payroll deduction.

B. Procedures

   1. Employee’s Responsibility:

      Obtain disability application from OHR, complete the application, and follow processing instructions, including obtaining information from physicians. Submit appropriate form(s) to OHR benefits staff.

   2. Department’s Responsibility:

      Complete the disability application employer information, review employee sections for completeness, and forward to OHR benefits staff for finalization.

   3. Human Resources’ Responsibility:

      The OHR benefits staff acts as liaison for the employee and Liberty Life Assurance Company. Enrollment applications are processed by the Insurance Coordinator with premium deduction entered into the payroll system. A copy of the enrollment application is forwarded to The Gabor Agency. Applications for disability benefits are three (3) part: employee, employer, and physician’s statements. Benefits are paid directly to the employee.
X. Deceased Employee Guidelines

A. This procedure is a guide for departmental representatives to utilize when providing assistance to the surviving spouse and/or other beneficiaries of deceased employees.

B. Procedures

   a. Department's Responsibility:

      1. Notify OHR benefits staff of employee's death. Provide the date of death and information on how to contact the surviving spouse.

      2. Initiate appropriate personnel action sheet to effect termination.

      3. Contact OHR staff regarding the payout of any leave accrued for which the employee may be eligible.

   b. Human Resources’ Responsibility:

      1. Prepare letter(s) to appropriate beneficiaries advising them of all benefits due and the steps necessary for receiving benefits.

      2. Notify appropriate agencies of the employee’s death.

      3. Process all required forms for payment or continuation of benefits.

      4. Meet with the surviving spouse and/or other beneficiaries to fully explain forthcoming life insurance benefits as well as insurance coverage available for surviving spouse.

XI. Miscellaneous Benefits

A. The following programs are offered to employees with the convenience of payroll deduction: Savings Bond, Pre-Paid College, Nautilus Card, and Credit Union. Forms and applications may be obtained from OHR benefits staff.

B. Recreational and Cultural Opportunities

   1. The University sponsors social clubs, public lectures, art exhibits, movies, plays, concerts, and sports events that are available to its employees. The facilities of the University are also available to employees; these include the library, student union, bookstore, food service facilities, golf course, tennis courts, and the swimming pool.

   2. Discount cards and information brochures are available in the Office of Human Resources for many Florida attractions.

XII. Benefits for Retirees
A. In addition to retention of insurance plans, the following benefits are provided to University of West Florida retirees. These benefits are provided on the same basis as other employees, subject to applicable university policies:

1. Use of a retired employee identification card;
2. Use of university library;
3. Listing in the university directory;
4. Placement on designated university mailing lists;
5. Use of a free university parking decal;
6. Use of university recreational facilities, applicable fees apply;
7. The right to enroll in courses without payments of fees on a space available basis in accordance with Section 240.235 (3), F.S. This section permits fees to be waived for persons 60 years of age or older who are residents of the State of Florida and who are attending classes for credit. No academic credit shall be awarded for attendance in classes for which fees are waived under Section 240.235 (3) F.S.
8. Use of a mailbox in the department from which retired, subject to space availability.
UNIVERSITY POLICY HR-04.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 400 - EVALUATION

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.925, 240.209(1),(3)(r) FS.
Law Implemented 240.209(1),(2),(3)(p), 240.2111,
and 240.245 FS
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT:

The University of West Florida will utilize employee evaluation programs to acknowledge
performance, to communicate performance effectiveness, to aid in improving
performance in assigned duties, and if necessary, to develop a performance plan to assist
in correcting deficiencies.

CONTENTS:

I. USPS and A&P Evaluation Program
II. Faculty Evaluation Program

EXHIBITS:

A. USPS Appraisal Form and Instructions
B. A&P Appraisal Form
I. USPS & A&P Evaluation Program

A. USPS Probationary Appraisal

1. Employees should be provided with a current position description and a list of goals, objectives, and/or standards at the time of appointment to the class.

2. All USPS employees should be appraised before the established probationary period ends (ordinarily 6 months).

3. USPS employees not appraised before the completion of the probationary period will automatically attain permanent status and be rated at “satisfactory” performance level.

4. It is recommended that a discussion be held with the probationary employee at the three-month mark to discuss the employee’s progress toward meeting the probationary requirement.

5. It is the supervisor’s responsibility for ensuring the appraisal is done in a timely manner.

6. Rating period(s) may be extended by the Human Resources’ Director upon recommendation of the department head/dean.

B. USPS & A&P Annual Evaluation

1. An appraisal should be conducted at least once annually. A special appraisal may be done at any time.

2. Ratings will be as follows:

   a. **Exceeds.** This is the highest performance rating and should be used only when an employee consistently exceeds the performance standards, goals and/or objectives set for the position.

   b. **Satisfactory.** This rating indicates a good solid performance. The employee successfully performs the duties assigned and is an asset to the University.

   c. **Unsatisfactory.** This rating indicates that the employee is not meeting standards, goals, and objectives established for the position.

3. USPS employees rated at a below or unsatisfactory level will be subject to the provisions of I.C. of this procedure, HR 400, Evaluation.

4. Supervisors of USPS employees will be notified each September that an appraisal should be conducted with each supervised employee and returned to OHR by November of each year. Supervisors of A&P employees will be notified in May that an appraisal is due by July 31 of each year.
a. Failure to complete an appraisal will result in the employee being rated at the level previously rated.

b. An employee not appraised by the established deadline for each pay plan may request in writing to the Director of Human Resources that an appraisal be conducted.

c. The OHR Director will notify the supervisor that an appraisal should be conducted with the employee within 30 days of the notice.

d. Failure to complete such an appraisal could result in disciplinary action.

C. **Unsatisfactory** Evaluation

If an employee who has attained permanent status in the class receives a special appraisal of **Unsatisfactory**, the rater, with the cooperation of higher level supervisors, shall communicate in writing to the employee necessary improvements to address the identified deficiencies.

1. If, at the time of receiving such an appraisal, the employee is retained, the length of the next appraisal period (s) shall be determined and shall be no less than six (6) weeks.

2. The department head/dean may recommend to the Human Resources Director the removal of the employee from the class if adequate improvement is not made in the employee’s performance at any time during the subsequent appraisal period(s) following the initial Unsatisfactory rating.

3. An employee shall usually not remain at the **Unsatisfactory** level for more than one hundred and twenty (120) days. If an employee’s performance has not improved to at least a Satisfactory Performance Standards rating level within the designated improvement period(s), the university shall initiate action to remove the employee from the class. Such action shall usually be completed within forty-five (45) days of being initiated.
UNIVERSITY POLICY HR-4.5.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 450 EMPLOYEE RECOGNITION PROGRAM

EFFECTIVE: January 1, 2000

AUTHORITY: 240.2111 FS Employee Recognition Program
            6C-5.925 BOR Rule SUS Employee Recognition Program
            6C-8.010 BOR Rule Incentive/Efficiency Program (PIE)
            Applicable Collective Bargaining Agreements
            CM-D-27.01-06/97 Chancellor’s Memorandum for Incentive Efficiency Program

PROCEDURE STATEMENT:

This policy establishes the guidelines by which the University shall recognize eligible employees or other persons as authorized herein through the Employee Recognition Program.

CONTENTS:

I. Statement of Policy
II. Components
III. Awards

EXHIBITS:

A. PIE Form
I. Statement of Policy

A. The University is authorized to expend state funds for awards in compliance with this policy. Any award, however, will be contingent upon the availability of funds.

B. All full-time or part-time employees under the General Faculty, Administrative and Professional including the Executive Service, and University Support Personnel System pay plans shall be eligible for recognition under this program.

C. An employee who has received an award under the State University System Incentive/Efficiency Program (UWF’s Program of Incentive for Efficiency - PIE) shall not be granted a Superior Accomplishment Award for the same suggestion.

II. Components

Eligible employees shall be acknowledged or otherwise recognized for their achievement under the following components:

A. Superior Accomplishment - for employees who have contributed outstanding and meritorious services in their fields, including those who have made exceptional contributions to efficiency, economy, or other improvements in the University’s operations.

B. Incentive/Efficiency Program - provides incentives to all employees to identify and implement procedures or ideas that generate new revenue or eliminate or reduce expenditures without reducing the quality of essential services. This program at UWF is the Program of Incentive for Efficiency or PIE.

C. Silver ARGO - (Award of Recognition for Great Outcomes) an opportunity for departmental supervisors to recognize specific accomplishments or unique contributions to departmental effectiveness and outstanding performance. This award may apply to an individual or a group.

D. Service Awards - for employees who have achieved increments of five (5, 10, 15, 20, 25, etc.) continuous years of service to the State of Florida.

E. Retirement Recognition - for retiring employees of the University.

III. Awards

A. Superior Accomplishment

Recipients have made significant contributions which may include proposals adopted by the University that yield no tangible, measurable benefit but do enhance safety, convenience, efficiency, or otherwise improve the quality of work life at the University. Awards are based on eligible nominees and available funds. Saving bonds may be awarded in lieu of a cash award. Employees may receive more than one award within one year. The awards may be combined and issued in the most efficient manner for the University.
**Nominations:** may be made at any time by an Administrative and Professional, Executive Service, Faculty, or University Support Personnel System employee. Nominations must be made on each division’s Superior Accomplishment forms (except for the Presidential Awards, which do not require a form). Nominations for the various awards will be forwarded to the appropriate selection committee.

**Responsibilities:** Upon receipt of the nominations, the appropriate committee screens the material for completeness and compliance with specified criteria or guidelines. The President and divisional Vice Presidents shall render the final decisions regarding these awards based on each committee’s recommendations and availability of funds.

1. Superior Accomplishment Award Categories

   a. *Presidential Awards*

   Awarded for substantial contributions having beneficial University-wide impact. The award may apply to individuals or a group. Contributions in this category may include but are not limited to non-recurring exceptional contributions, exemplary accomplishments, or acts of valor which have been recognized and warrant further recognition. This is not an annual award.

   b. *Divisional Awards*

   Awarded for substantial contributions having divisional or single department impact. The award may apply to an individual or a group contribution. Accomplishments in this category may include but are not limited to accomplishments impacting operations, procedures, inter-departmental effectiveness, innovations within a University division or intangible suggestions. The different divisional awards are:

   - APlus (Administrative Affairs)
   - APEX (Academic Affairs)
   - APPLE (President’s Office & University Advancement)
   - Professional Excellence (Student Affairs)

   c. *Distinguished Service Awards*

   Distinguished Service Awards shall be administrated by current established committees having delegated authority to perform all the functions associated with criteria, selection, award preparation, and presentation.

   - Marion Viccars Award for Administrative and Professional Employees is selected by the President, Vice Presidents, and past recipients.
   - USPS Outstanding Employee awards are selected by a committee of past recipients.
   - Gabor Awards for Excellence are presented to one (1) Administrative and Professional employee, one (1) Faculty member, and two (2) USPS employees. These individuals are selected by the Gabor Awards Committee.
B. Incentive/Efficiency Program or PIE

The University of West Florida’s Program of Incentive for Efficiency (PIE) encourages improvement in the quality of the University through the reallocation of existing resources and/or the generation of new revenue by providing incentives to all employees to identify and implement procedures or ideas that result in eliminating or reducing expenditures or in generating new revenues without reducing the quality of essential services.

**Nominations:** Suggestions must be submitted to the PIE Steering Committee on appropriate PIE forms (Exhibit B). The PIE Steering Committee will forward their recommendations to the President who will approve/disapprove the committee’s recommendation. Allocation of awards shall be in compliance with the Chancellor’s Memorandum.

**Responsibilities:** The PIE selection process shall begin when the completed suggestion form is received by the Office of Human Resources. Copies of these forms are sent to the supervisor and/or department head for verification of accomplishments. A memo citing specific corroborating evidence from the supervisor is necessary for committee review. Upon receipt of the suggestion form and corroborating evidence, the OHR personnel representative screens the material for completeness and compliance with guidelines. The nomination materials are then forwarded to the Program of Incentive for Efficiency Steering Committee for evaluation and recommendation. The President shall render final decisions regarding these awards based on the committee’s recommendation and the criteria outlined in the Chancellor’s Memorandum.

C. Silver ARGO (Award of Recognition for Great Outcomes)

This non-monetary recognition is for specific accomplishments or unique contributions to departmental effectiveness meriting recognition. Recognition may apply to individuals or a group. Supervisors and directors may recommend employees to the divisional Vice President or the President. Appropriate areas for recognition may include but are not limited to the following noteworthy attributes:

1. determination, persistence, extra effort, courage, pride, attitude, exceptional customer service;

2. going above and beyond assigned tasks to accomplish departmental goals.

**Nominations:** Supervisors and directors recommend recipients by sending a testimonial letter or memorandum to the divisional vice president or president who then forwards his recommendation to the Office of Human Resources.

**Responsibilities:** The supervisor shall review special accomplishments and recommend recognition when appropriate within the department. The OHR staff responsible for coordinating awards will keep a record of those receiving recognition and their accomplishments, prepare the appropriate recognition, and forward it to the nominating department head for presentation to the recipient.
D. **Service Awards**

Faculty, Administrative and Professional including the Executive Service and University Support Personnel System employees who have completed increments of five (5, 10, 15, 20, 25, etc.) continuous years of service to the State of Florida shall receive a certificate and a selected expression of recognition within approved funding resources. U.S. Savings Bonds may substitute for award. A Service award may be granted concurrently with any other award of employee recognition stipulated in this policy.

**Nominations:** There is no nomination process.

**Responsibilities:** The Office of Human Resources shall perform all functions associated with the selection of recipients for Service Awards.

E. **Retirement Recognition**

Retiring employees of the University may be recognized by this award, as specified above. The Office of Human Resources shall provide a framed certificate or a selected expression of recognition within approved funding resources.

**Nominations:** There is no nomination process.

**Responsibility:** The Office of Human Resources shall perform all functions associated with the selection of recipients for Retirement Recognition.
UNIVERSITY POLICY HR-05.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 500 LEARNING OPPORTUNITIES

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.930, 240.209(1), (3)(r)FS. 115.09, 240.209(1), (3)(f) (7), 240.227(11)FS.
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT:

The University supports and encourages employee development and provides a variety of learning opportunities for career growth and professional development.

CONTENTS

I. Staff Development & Training
II. Tuition Fee Waiver
III. USPS Educational Leave with Pay
IV. A&P Professional Development Leave
V. Minority Grant-in-Aid
VI. Sabbaticals
VII. Operational Services Unit (OSU) Vocational Technical Training
VIII. Leadership Enhancement And Development (LEAD)

EXHIBITS

A. Eligibility for Enrollment in Tuition Free Courses at UWF, UWF Employee Tuition Fee Waiver Information, and Application for Tax Exemption for Graduate Level Courses
B. Request for Educational Leave
C. Endorsement of Nomination for Educational Leave with Pay
D. Employee Agreement for Educational Leave with Pay: Employee’s Statement and Agreement
E. Approval/Disapproval for Educational Leave with Pay (USPS)
F. USPS Educational Leave with Pay Presidential Committee Charter
G. Educational Leave with Pay Promissory Note
H. Professional Development Leave with Pay for A&P Employees Policy & Procedure
I. Request for Professional Development Leave
J. Chancellor’s Memorandum: CM-G-03.00-02/97 - Grant-in-Aid (GIA) Program
K. UWF Faculty Handbook, Section 14, Faculty Development
L. Leadership Enhancement And Development (LEAD)
I. Staff Development & Training

UWF shall provide time to employees and encourage them to attend professional development related to specific work assignments and/or promotional opportunities.

A. Workshops are presented for the purpose of staff development and are open to all employees with their supervisor’s approval.

B. Time spent in workshops is considered “time worked.” (See HR-300 “Hours of Work and Benefits” Section)

C. Registration priority is given to permanent employees, but OPS staff, students and others may attend on a space-available basis.

D. Some training, such as Sexual Harassment, is mandatory training for employees.

E. Those who wish to have a record of their attendance at training are responsible for getting this information into their personnel file and verifying accuracy of training transcripts.

II. Tuition Fee Waiver

A. Approval of courses for tuition waiver must be completed on the Eligibility for Enrollment in Tuition Free Courses form in accordance with the attached instruction sheet (Exhibit A).

B. Changes in work schedules are to be approved by the immediate supervisor and department head, or their designee.

C. A Student Registration Schedule and Drop/Add form, which is available from the Registrar, must be attached to the Eligibility for Enrollment in Tuition Free Courses form.

D. Only credit courses at SUS institutions may be taken. Tuition fee waivers will be granted only for credit courses on a space-available basis.

E. Tuition fee waivers are not granted for courses in thesis, dissertation, individual directed study, practicum, internship, music and theatre performance, cooperative education, and other one-on-one teaching or research situations.

F. “Student” status does not apply to employees with fee waivers; they, therefore, are not eligible for student privileges (e.g. Student Health Center, Natatorium, free/discounted tickets to campus events, etc.).

G. The value of tuition-free courses under Internal Revenue Code Section 127 is subject to taxation for graduate level courses. The Internal Revenue Code contains an exemption from this tax liability if the course work can be justified as job-related. If courses taken are directly related to the employee’s current job, the employee should fill out an “Application for Tax Exemption for Employer-Provided Educational Assistance” (Exhibit A).
III. USPS Educational Leave with Pay

The Educational Leave with Pay Program is designed to assist selected USPS employees in their career development by providing paid time-off for the pursuit of approved academic or vocational/technical study programs. This program will benefit the University by improving the employee’s present job performance and/or by preparing the employee for anticipated promotional opportunities.

A. Eligibility

1. The employee must have permanent status in the University Support Personnel System and must have been continuously and satisfactorily employed for at least three (3) years prior to application deadlines by the University of West Florida.

2. The employee must be eligible to enroll in the planned academic or vocational/technical program for which he/she is applying.

3. The employee must have a current “satisfactory” rating of performance.

B. Application Process

1. The employee must initiate a “Request for Educational Leave” form (Exhibit B), “Endorsement of Nomination for Educational Leave” form (Exhibit C), and the “Employee’s Statement and Agreement” (Exhibit D). The immediate supervisor must complete the lower portion of the “Request Form,” endorsing the request.

2. The “Request Form,” “Endorsement Form,” and “Employee Agreement” must then be forwarded to the appropriate dean or director who forwards the entire application to the appropriate Vice President for review and endorsement. Likewise, it is the Vice President’s responsibility to forward the application package to the Director of Human Resources, or designee, who shall serve as the permanent ex-officio chair and member of the USPS Educational Leave with Pay Committee.

3. The Director of Human Resources shall review the application package to ensure that the application is complete and meets all requirements for approval. The Director shall also determine the appropriate time-frame for committee meetings to review applications and schedule the same.

4. At the Director’s request the Committee shall review all applications using the criteria specified below and shall determine the priority ranking for each application.

5. The committee shall forward their priority ranking to the Vice President of Administrative Affairs who will approve the applications based on available funding.

C. Committee Membership
The committee membership shall be in accordance with this standing committee’s charter (Exhibit F).

D. Criteria to be Evaluated by the Committee

The committee shall consider the following criteria realizing that the primary intent of the Educational Leave Program is to develop an employee’s abilities and knowledge to more effectively meet the current or future employment needs of the University of West Florida.

1. Longevity of service with the University of West Florida.

2. Current and past educational advancement efforts made or being made by the employee. If currently working toward a degree, the time needed for completion.

3. Whether an employee is currently having experience substitute for educational requirements, or other required certificates, licenses, etc., required for their position as outlined in State specifications.

4. Whether the educational leave will enhance the employee’s ability to compete more effectively for promotional opportunities within the University.

5. Whether the educational leave can be reasonably expected to enhance the employee’s performance in his/her present and/or future assignments.

6. The employee’s performance record, including disciplinary records. (These records will be considered only by the Director of Human Resources and will not be evaluated by the committee. In essence, satisfactory performance and conduct shall be considered as a basic eligibility element.) A “clear disciplinary record” is no disciplinary action during the past three years.

E. Time Requirements

1. Requests for educational leave with pay must be initiated by submitting a completed “Request Form” and “Employee Statement and Agreement Form” to the Director of Human Resources for the following Fall, Spring, and Summer terms.

   a. The applications must be received by the Director of Human Resources by March 15;

   b. The Educational Leave with Pay Committee will complete their evaluations and make selections by April 30. Recommendations will be forwarded to the Vice President, Administrative Affairs, by May 31.

   c. Employees granted educational leave with pay will be advised by June 15 and must accept or decline the award to the Director of Human Resources by June 30.
2. The applications will then be forwarded to the Vice President of Administrative Affairs who will approve or disapprove the application based on the availability of funds (not to exceed 1% of USPS authorized positions) using the form “Approval/Disapproval for Educational Leave with Pay (USPS)” (Exhibit E). Applicants who were recommended to the Vice President, but disapproved based on the lack of resources shall receive priority consideration during the next application process.

Those employees’ applications approved by the Vice President for Administrative Affairs will be granted educational leave with pay, subject to the availability of funds and needs of the University. Alternates will be granted educational leave with pay if selected candidates are unable to attend their approved course of study.

F. Conditions of Leave

1. Educational leave with pay may be granted to attend an accredited college, university, or vocational/technical school for normally not more than one academic period or term for the purpose of receiving training that is clearly of foreseeable benefit to the University. (An academic period is defined as a semester, quarter, or trimester.)

2. An employee who is granted educational leave with pay must agree to continue employment with the University for a period of time equal to twice the length of the educational leave. He/she must also agree to reimburse the University for expenses incurred, including gross salary, fringe benefit costs, plus interest at the legal rate as established by Florida Statute, should the employee fail to complete his/her obligations stated below. A promissory note outlining these obligations as stated below and repayment time frames must be signed by the employee prior to being placed on educational leave (Exhibit G). This promissory note will be binding should the employee fail to meet any of the following conditions:

   a. Satisfactory completion of the approved academic or training program for which the educational leave was granted. Satisfactory completion for the purpose of this program is defined as “student in good standing with a minimum cumulative GPA for the academic period of 2.0.”

   b. Satisfactory completion of the minimum required service obligation of twice the length of the educational leave with pay.

3. The University of West Florida may terminate an employee’s leave at any time for failure to make satisfactory progress in the approved educational program.

4. An employee who fails to satisfactorily complete their leave as a result of “just cause” will not be required to repay any costs incurred, but will be required to fulfill his/her service obligation. “Just cause” includes, but is not limited to: severe personal illness or injury, critical illness, or extended illness of an employee’s spouse or dependents, death, call to military duty, or action taken by the University which prohibits the completion of
the obligation. Special instances will be reviewed by the committee on a case-by-case basis.

5. Repayment of the service obligation will begin immediately upon return to work. If the employee does not return to work, or fails to complete the course work without just cause, repayment of the University’s financial expenditures shall start within 30 days after termination of the course work and must be completed within twice the time period that the educational leave was granted.

6. An employee will be returned to the same position from which the leave was granted or to a vacant position in the same class.

7. To be eligible to re-apply, the work requirement specified in the promissory note (i.e., two times the educational leave taken) should be met prior to permitting an employee to re-apply.

G. Rights and Responsibilities

1. An employee granted educational leave with pay will be considered employed during such leave and will retain all benefits, salary rights, performance ratings, leave balances and status, and will remain enrolled in his/her selected retirement system.

2. Time spent on educational leave with pay will not be counted toward the completion of a probationary period (i.e., when employees are promoted into a new class).

4. An employee will have his or her annual appraisal date advanced for the period of educational leave.

5. An employee on educational leave will be granted any pay adjustments in the same amount and at the same time as those granted to all other employees in the same class. If special geographic appointment rates are approved for a class in which an employee is on educational leave, that pay adjustment shall apply only if the special appointment rate applies to the geographic area in which the employee’s position was located prior to being placed on educational leave with pay.
IV. A&P Employee Professional Development Leave

The Administrative and Professional (A&P) Employee Professional Development Leave program is to provide paid leave for A&P employees for up to one semester or one summer term. The purpose of A&P professional development leave is for: professional renewal, study, academic course work, individual research, writing, educational travel or observation, or other experiences of professional value. It is not to be used as a reward for services. See “Policy and Procedures for Professional Development Leave with Pay for A&P Employees” (Exhibit H).

A. Eligibility

All A&P employees with three (3) or more years of service may apply for the A&P Professional Development Leave (Exhibit I). For the purposes of meeting the three (3) or more years of service requirement, an equivalent number of years in the USPS pay plan qualify toward meeting this requirement.

B. General Provisions

1. An employee granted A&P Professional Development Leave must agree to continue UWF employment for a period equal to twice the length of the professional development leave taken. (e.g. If an employee takes one semester, then the employee must agree to work two subsequent semesters.) A promissory note is required stating the employee agrees to reimburse the university for any expenses incurred, including gross salary, fringe benefits costs plus interest at the legal rate as established by Florida Statute, should the employee fail to complete his/her obligations. The promissory note stating these obligations and repayment time frames must be signed by the employee prior to being placed on A&P Professional Development Leave.

2. Employees shall not be eligible for a second development leave until the continued UWF employment requirement for the first leave has been fulfilled.

3. Application deadlines will be publicized annually in a memorandum sent to all eligible A&P employees.

C. Procedures

1. Prepare an application packet. This packet must include:

   a. A letter to the A&P Professional Development Leave committee stating why the individual would like to be granted the leave;

   b. An outline of the project or work to be accomplished during the leave;

   c. A description clearly stating the benefits anticipated that would improve the productivity of the department or functions, of which the employee is a member; and
d. An estimate of the cost of a temporary replacement, if a temporary replacement is needed for the A&P employee’s position.

2. Submit the application packet through the administrative channels to the appropriate Vice President. The Vice President will forward the application to the Office of Human Resources Director; the OHR Director will forward it to the A&P Professional Development Leave committee.

3. Review of all applications by the A&P Professional Development Leave committee and selection of the recipients. The recipients will be notified via a letter from the committee. The recipient will have 30 days from the date of the letter to accept or decline the leave.

4. Submit a written report of activities to the appropriate Vice President and the A&P Professional Development Leave committee upon return to work.

V. Employee Grant-In-Aid Program

The State University System Grant-In-Aid (GIA) program is designed to address the problem of under representation of minority and female faculty and staff by facilitating advanced educational opportunities for people in these classes. The UWF Equal Employment Opportunity and Diversity Office administers this program (Exhibit J).

A. Eligibility: Minority and female employees holding permanent or continuing full-time positions for at least six months prior to making application.

B. Application Process: Employees must submit an application signed by their supervisor, accompanied by post high school transcripts, a resume, and two (2) reference letters by the advertised deadline date.

C. Committee Membership: The GIA Committee reviews applications for this program and selects the successful candidates. Composition of the committee includes individuals with knowledge about the under representation of minorities and women. The University President appoints committee members.

D. Criteria To Be Evaluated By The Committee: The committee will make selections based on the application, academic record, and goal statements of the applicants. The committee will also consider employee longevity, letters of reference, and race and gender relative to how the employee’s academic goals might effect the University’s representation.
E. Conditions of Leave:

1. GIA is granted to allow employees to complete post secondary education for the purpose of receiving academic training that will have some foreseeable benefit to the State University System.

2. GIA awards for one USPS and one A&P or Faculty member are granted annually based on authorization from the Governor and State Legislature.

3. Employees granted GIA must agree to continue employment with the University for a period of time twice the length of time of the GIA leave.

4. Submission of documentation of their satisfactory academic progress to the EEO/AA and Diversity Office is required by GIA recipients.

5. He/she must sign a promissory note agreeing to reimburse the University for expenses incurred for his/her salary and fringe benefits, plus costs at the legal rate established by Florida Statute if the employee fails to meet his or her service obligations or satisfactorily complete the academic program as agreed.

6. Failure to meet these requirements without “just cause” will require the employee to reimburse the University as stated on the signed promissory note.

7. An employee who fails to satisfactorily complete his/her leave with “just cause” will not be required to repay any costs incurred but will have to fulfill the service obligation. “Just cause” includes, but is not limited to: severe personal illness of the employee, spouse, or dependent, call to military duty or an action by the University that prevents the employee from completing the service obligation.

8. Repayment of the service obligation will begin on the first work day following the end of the leave or discontinuation of the program of study, whichever comes first.

VI. Sabbaticals

Please refer to Article 22 of the BOR/United Faculty of Florida (UFF) Collective Agreement for more information (Exhibit K).

VII. Operational Services Unit Vocational/Technical Training

The Operational Services Unit (OSU) Vocational/Technical Training Program is designed to assist persons in non-supervisory positions to obtain education and/or training to increase their chances for career advancement. This program provides for tuition and book costs associated with approved study programs. Employees may begin studies at any point pursuing GED, College Preparation Courses, A.S. Degree Programs, or Vocational training programs at Pensacola Junior College or George Stone Vocational/Technical Center.
A. Eligibility - Persons in full-time, line item positions in classifications of: Custodial Worker, Senior Custodial Worker, Laborer, Groundskeeper, and Maintenance Worker.

B. Program Entrance - Employees should contact Human Resources’ Staff Development and Training if interested in entering this program. Employees will then schedule an appointment with the Program Coordinator on-site at the institution which they wish to attend.
VIII. Leadership Enhancement And Development (LEAD)

LEAD is a professional educational development program designed to bring employees face-to-face with higher education leaders. The program was created to serve UWF employees who "want to make a difference" and who are motivated to learn more for personal growth. The program is sponsored by the President, who has ultimate authority and responsibility for the program, in cooperation with the Vice Presidents, who serve as LEAD's governing board. Symposiums will be held with various UWF and higher education leaders.

A. Eligibility

1. Participation is open to all divisions and ranks of the university. Employees with three (3) or more years of service at UWF are eligible to apply. Divisional Vice Presidents may waive the service requirement.

2. Employees must have demonstrated career interest or progressive responsibilities at UWF.

B. Procedures

1. Nominations may be made by any UWF employee or through self-selection.

2. Complete the LEAD application (Exhibit L) and obtain supervisor approval.

   a. Individual career focus: provide a short statement describing professional career goals, specifically identifying area(s) of interest. Attach a resume or VITA.

   b. Leadership experience: provide some statements regarding leadership experiences; the resume or VITA will serve as supporting documentation for the statements.

   c. Obtain a mentor and identify this on the LEAD application.

C. Selection Process

1. All nominations should be forwarded to the LEAD program coordinator.

2. Following review, the UWF LEAD Board (President and Vice Presidents) will make final selections.

D. Activities

1. Participants:

   a. Familiarize themselves with the UWF mission and strategic goals. The team project will be based on one or more of these goals.
b. Attend ten, eight-hour sessions; one session per month will be held over a period of ten months.

c. Keep a developmental log to help determine the impact LEAD has had on the individual’s focus about the university. This log will form the basis for discussions between participants and mentors.

d. Complete the LEAD team project.

2. Mentors:

a. The mentor and the participant will meet to develop a team relationship to optimize the learning outcomes.

b. Mentors will help participants establish program outcomes and provide participants with regular feedback. This is to encourage conversations among participants and mentors.
UNIVERSITY POLICY HR-06.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 600 PROMOTION, CHANGE IN ASSIGNMENT, DEMOTION, AND TRANSFER

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.935
240.209(1),(3)(r)FS. Law Implemented 240.209(1),(3)(f),240.227(1),(5), (19),
240.245.FS.
Chancellor’s Memorandum M-05-00-08/96 Transfer of a University President or an
Academic Administrator to a Faculty or A&P position.
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT

The University shall fill a vacant position with the applicant who, in its judgment, is most
qualified to perform the duties of the position. The University of West Florida will use the
filling of vacant positions to provide career mobility whenever possible. Nothing contained
in this procedure shall be construed to prevent the university, at its discretion, from
effecting the change in assignment of any employee according to the needs of the
university.

CONTENTS

I. Change in Assignment
II. Promotions
III. Demotion
IV. Reassignment and Transfer

EXHIBITS:

A. A&P Promotion, Change in Assignment, Demotion and Transfer
B. Faculty Promotion, Change in Assignment, Demotion and Transfer
C. USPS Promotion, Change in Assignment, Demotion and Transfer
D. Faculty Handbook - Section 10
E. Law Enforcement Promotion, Change in Assignment, Demotion and Transfer
F. Requisition to Fill Position Vacancy Form
G. A&P Search Procedures
H. Request for Promotion/Change in Assignment/Demotion/Transfer Form
I. Classification Manual
J. Essential Documents
I. Change in Assignment - USPS, A&P and Faculty

A. A change in assignment for the purpose of this section is defined as an employee moving from one position to another position in the same class or to a position in a different class with the same paygrade. Procedures for determining pay upon change in assignment are outlined in UWF Procedure HR200, Compensation, and BOR Rule 6C-5.195, F.A.C. Compensation.

Additional procedures for USPS employees covered by the PBA and AFSCME contracts are found in the contracts. See Exhibits A through D for descriptions, by employment classifications, of promotion, change in assignment, demotion and transfer actions.

1. USPS employees with permanent status in their current class who meet the minimum education and experience requirements of a class may apply for a change in assignment.

2. The USPS employee may submit a Request for Change in Assignment form (Exhibit H) at any time.

3. In order for an employee to be considered for a position prior to general or promotional advertising, a “Request for Change in Assignment” must be on file in OHR.

4. The Employment Section of OHR will determine if the employee meets the minimum requirements of the class and notify the employee.

5. Faculty employees are governed by the Faculty Handbook and UFF contract.

6. A&P employees must meet the minimum training and experience requirements of the class and must comply with the application process required by the hiring department, search committee, and Presidential Memoranda.

B. Responsibilities of the hiring official for USPS positions

1. After submitting a Requisition to Fill Position Vacancy, the hiring official requests a change in assignment list from OHR.

2. The hiring official reviews the list of employees and determines if anyone on the list is an acceptable candidate.

3. If a candidate is selected, the hiring official notifies OHR by completing the Report of Recruitment effort.

4. The OHR offers the position to the candidate.

5. The hiring official notifies all employees on the list who were granted an interview and completes an action sheet and essential documents appointing the employee to the position.
6. If a candidate is not selected, the hiring official notifies OHR by:
   a. Completing the Report of Recruitment effort and rejecting each of the candidates based on the selection criteria or,
   b. Sending a memorandum indicating that the list of candidates has been reviewed and that they will be considered further along with other applicants.

C. Responsibilities of the hiring official for A&P and Faculty appointments.
   1. Search procedures for A&P positions are outlined in Exhibit G and HR 100.
   2. Search procedures for Faculty positions are outlined in the Faculty Handbook and UFF contract.

D. Change in assignment as a result of the reclassification of a position.
   1. USPS and A&P positions are periodically reviewed through the University’s Cyclical Audit Program as outlined in the Classification Manual (Exhibit I). Changes in salary are outlined in the University’s Compensation Policy.
   2. Faculty procedures are outlined in the Faculty Handbook and UFF contract.

II. Promotions
   A. A promotion for the purpose of this section is defined as the appointment of a USPS or A&P employee to a class with substantially increased responsibilities that is not the result of a reclassification action.
      1. A USPS employee with permanent status in any class who meets the minimum education and training requirements may apply for a promotion.
      2. A USPS employee may request a promotion by submitting a “Request for Promotion/Change in Assignment/Demotion/Transfer” form (Exhibit H) at any time.
      3. The submission of a promotion request for a particular class guarantees that the USPS employee, meeting minimum training and education, will be considered for all position vacancies that occur in the class requested without having to apply for each individual vacancy.
      4. Failure to submit a promotion request does not prohibit the USPS employee from applying for a position when it is advertised either internally (promotional) or to the general public on the Career Opportunity Announcement.
B. Promotional appointments for A&P positions are accomplished through a search process, internal or external.

C. A promotion for Faculty employees is defined in the UFF contract and Faculty Handbook.

D. Responsibilities of the Hiring Official for USPS positions

1. The hiring official must interview at least two USPS employees who have permanent status in their current class and who meet the advertised requirements for the position. The required two may come from either the promotional list or from the list that is generated from advertising either internally (promotional) or to the general public.

2. Ordinarily, a total of at least three employees should be interviewed for each position vacancy.

3. If a candidate is selected, the hiring official notifies OHR by completing the Report of Recruitment Effort.

4. The OHR offers the position to the candidate.

5. OHR notifies all applicants who were interviewed or claimed Veterans' Preference.

6. The hiring official completes an action sheet and essential documents (Exhibit J) appointing the employee to the position.

E. Responsibilities of the hiring official for A&P and Faculty positions.

1. Search procedures for A&P positions are outlined in Exhibit G.

2. Search procedures for Faculty positions are outlined in the Faculty Handbook and UFF contract.

III. Demotions

A. A&P demotion is the appointment to a class or position having less responsibility.

B. Faculty demotion is outlined in Faculty Handbook and UFF contract.

C. USPS demotions are authorized and approved by the appropriate Vice President in conjunction with the appropriate Department Head, affected employee(s), and OHR.

IV. Reassignment and Transfer

A. A transfer is the appointment of an employee from one geographic location within the University to a different geographic location within the same University in excess of 50 miles from the employee’s current work location. Specific Authority 240.209 (1), (3)(r)FS. Law Implemented 240.209(1), (3)(f), 240.227 (1), (5), (19), 240.245FS. History–New 1-24-96.
UNIVERSITY POLICY HR-07.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 700 TENURE AND PERMANENT STATUS

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.940
240.209 (1), (3)(r) FS. Law Implemented 240.209 (1), (3) (f), 240.227 (1), (5), (19) FS.
Collective Bargaining Agreement UFF
Chancellor’s Memorandum CM-M-08-00-08/96 Reporting Instructions for Tenure Nominations

PROCEDURE STATEMENT:

The University of West Florida faculty shall adhere to the provisions of the collective bargaining agreement between the SUS of Florida and the United Faculty of Florida (UFF) articles related to tenure and permanent status.

CONTENTS

I. Tenure

II. Permanent Status
I. Tenure

The award of tenure shall provide annual reappointment until voluntary resignation, retirement, removal for just cause, or layoff.

Tenure is awarded upon demonstration of meritorious performance. Tenure criteria shall address the areas of teaching; research and other scholarly activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status. These criteria shall take into account the mission and needs of the institution and shall place appropriate emphasis upon teaching and teaching-related scholarship. In this regard, the institution shall ensure that teaching is evaluated broadly, including assessments by peers and students, and that teaching performance is prominently considered in the award of tenure.

A. Eligibility. Employees with the rank of Assistant Professor, Associate Professor, Professor, and other employees the Board may designate shall be eligible for tenure. Other employees shall be governed by the agreement in force at the time of their original appointment. The Board may designate other positions as tenure-earning and shall notify the employee of such status at the time of initial appointment. Tenure shall be held as ranked faculty in an academic department/unit and shall not extend to administrative appointments.

B. Consideration. An employee shall normally be considered for tenure during the sixth year of continuous service in a tenure-earning position unless:

1. An employee is to be considered prior to the fifth year due to:
   a. an employee’s receipt of prior service credit at the time of initial appointment; or
   b. the university’s written agreement to an employee’s written request for earlier consideration; or

2. An employee has requested in writing consideration during the sixth such year and the university has agreed in writing.

Part-time service of an employee employed at least one semester in any twelve month period shall be accumulated.

Where employees are credited with tenure-earning service at the time of initial appointment, all or a portion of such credit may be withdrawn once by the employee prior to formal application for tenure.

By the end of six years of service at the University, an employee eligible for tenure shall either be awarded tenure by the Board or given notice that further employment will not be offered. Upon written request by an employee within twenty (20) days of the employee’s receipt of such notice, the university shall provide the employee with a written statement of reasons by the President or representative why tenure was not granted.

C. Criteria for Tenure
1. The decision to award tenure to an employee shall be a result of meritorious performance and shall be based on established criteria specified in writing by the Board and the University. The decision shall take into account the following:
   
a. annual performance evaluations;
   b. the needs of the department/unit, college/unit, and university;
   c. the contributions of the employee to the employee’s academic unit (program, department/unit, college/unit; and
   d. the contributions the employee is expected to make to the institution.

2. The University shall give a copy of the criteria for tenure to employees eligible for tenure, and each such employee shall be apprized in writing once each year of the employee’s progress toward tenure. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates to help them qualify themselves for tenure. The employee may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the tenure appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the University.

3. Tenure criteria shall be available in the department/unit office and/or at the college/unit level.

D. Recommendations and Procedures

1. Recommendations for the awarding of tenure shall be made by the employee’s supervisor and shall include a poll by secret ballot of the tenured members of the employee’s department/unit. The performance of an employee during the entire term of employment at the institution shall be considered in determining whether to grant tenure. Recommendations regarding tenure shall include a copy of applicable tenure criteria, the employee’s annual assignments and annual evaluations, and, if the employee chooses, the employee’s tenure appraisals. The reviewers at any stage in the review may request to review the appraisals. Prior to the consideration of the employee’s candidacy, the employee shall have the right to review the contents of the tenure file and may attach a brief and concise response to any materials therein. It shall be the responsibility of the employee to see that the file is complete.

2. After the commencement of consideration of an employee for tenure, material may be added to the file no sooner than five (5) days after the material has been transmitted to the employee by personal delivery or by mail, return receipt requested. The employee may attach a concise response to any such material within five days after it has been transmitted to the employee. The only documents which may be considered in making a tenure recommendation are those contained or referenced in the tenure file.

E. Decision by the Board
The decision of the Board to award or deny tenure shall be made by September 15. The employee shall be notified in writing by the President or representative within five (5) days of the decision of the Board. An employee being considered for tenure prior to the sixth year may withdraw from consideration on or before March 15 without prejudice.

F. Transfer of Tenure

1. Tenured SUS employees who transfer within a SUS university or to another SUS university, and who are employed in the same or similar discipline, may transfer their tenure if a vacancy exists and they are offered employment through the normal hiring process. The amount of prior SUS service creditable toward tenure at another university may, by mutual agreement, be all or part of such service. In the absence of mutual agreement, all such service shall be credited.

2. When a tenured SUS employee is transferred as a result of reorganization or program curtailment within the university and is employed in the same or similar discipline in which tenure was granted, the employee’s tenure shall be transferred to the new department.

G. Tenure upon Appointment

Tenure may be granted to an employee by the Board at the time of initial appointment, upon recommendation of the appropriate administrator. The administrator shall consider the recommendation of the department or equivalent unit prior to making his/her final tenure recommendation.

H. Leave

Authorized leaves of absence may, under the provisions of Article 17, Leave, be credited towards eligibility for tenure.

I. Termination/Layoff

Tenure/permanent status guarantees annual reappointment for the academic year until voluntary resignation, retirement, removal for just cause or layoff, but does not extend to administrative appointments.

J. Guidelines for Tenure

The Dean shall provide to each chairperson in his/her College a list of faculty members eligible for tenure in any given year. The chairperson shall, upon receipt of this list, write a letter recommending tenure, denial, or deferral and a brief rationale for such recommendation to the dean for each eligible member of the faculty. In making said recommendation, the chairperson shall consider the faculty member’s contribution to the University in teaching, creative and scholarly activities, advising, intramural and extramural service.

All full-time tenured faculty in the department or unit shall complete a secret vote. All faculty shall be requested by individual letter from the chairperson to submit an evaluation on tenure for each eligible faculty member within the appropriate unit. The evaluation, which must be
signed, shall be submitted to the chairperson. The chairperson shall solicit at least three evaluation for tenure-eligible candidates from knowledgeable peers. Each faculty member eligible for tenure will be informed by the Chairperson in writing whether he/she will be recommended for tenure.

Other procedures for tenure recommendation follow those outlined in the model for Annual Evaluation of Faculty.

The President shall recommend to the Board of Regents on all tenure matters, taking into account the recommendations of all groups or individuals described in this statement.

Evaluators, chairpersons, deans, and faculty personnel committee members shall keep all recommendations and Committee deliberations in strict confidence. The President shall notify in writing each tenure-eligible member of the final tenure decision in his/her case immediately following appropriate action by the Regents.

II. Permanent Status

Permanent status for USPS employees shall be administered consistent with the following provisions.

A. An employee earns permanent status in the class after successful completion of the designated probationary period and has rights to remain in the class or to contest adverse action taken against the employee while serving in the class.

B. An employee with permanent status filling a time-limited position shall not have retention rights or other rights provided under layoff and recall provisions.

C. An employee without permanent status in any class may be terminated at any time without the right to appeal such action.

D. An employee, as a condition of accepting a disciplinary demotion, relinquishes rights to previously earned permanent status.
UNIVERSITY POLICY HR-08.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 800 - EMPLOYEE ETHICAL OBLIGATIONS AND CONFLICTS OF INTEREST

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.945
240.209 (l) (3) (r) FS. Law Implemented 104.31, 112.313, 112.3145, 240.209 (l), (3)(f), 240.227 (1), (5) FS.
Chancellor’s Memorandum: CM-H-03.00-08/96 Policy Against Fraudulent or Other Dishonest Acts
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT:

It is the procedure for the University of West Florida to strictly adhere to the above cited BOR rules and Florida Law.

CONTENTS:

I. Conflict of Interest & Outside Activity
II. Employment of Relatives
III. Financial Disclosure
IV. Political Activity

EXHIBITS:

A. Report of Outside Activity, Non-Unit A&P and USPS Pay Plan Employees
B. Request for Approval of use of University Resources in Outside Activity
C. Statement of Financial Interests
D. State of Florida Specified State Employees for Financial Disclosure
E. Presidential Memorandum Number 4, Use of University Facilities
I. Conflict of Interest & Outside Activity

A. "Conflict of Interest" shall mean:

1. any conflict between the private interests of the employee and the public interest of the university, the Board of Regents, or the State of Florida, including conflict of interest specified under Florida Statutes, and the Board of Regents; or

2. any activity which interferes with the full performance of the employee's professional or institutional responsibilities or obligations.

Conflicts of Interest are prohibited, under Section 112, Florida Statutes. Employees are responsible for resolving such conflicts of interest, working in conjunction with their supervisors or other university officials.

B. Outside Activity

1. All university employees are to report and receive approval for any outside activity that they participate in that may be a conflict of interest. Reporting is required for any compensated or uncompensated outside activity. This information is reported on the UWF Report of Outside Activity, Non-Unit A&P and USPS Pay Plan employees (Exhibit A).

2. "Outside Activity" shall mean any private practice, counseling, additional teaching or research, or other activity, compensated or uncompensated, which is not part of the employee's assigned duties and for which the university has provided no compensation.

3. Outside Activity and Conflict of Interest of bargaining unit employees shall also be governed by the provisions of collective bargaining agreements governing the same subject. Employees covered by the UFF collective bargaining agreement must report any outside professional activity.

4. An employee engaging in an outside activity shall take reasonable precautions to ensure that the outside employer or other recipient of services understands that the employee is engaging in such outside activity as a private citizen and not as an employee, agent, or spokesperson of the university.

5. An employee engaging in outside activity will not use the facilities, equipment, or services of the university in connection with such outside activity without prior approval of the President or designee. Approval of the use of university facilities, equipment, or services may be conditioned upon reimbursement for the use thereof (Exhibit B and Exhibit E).
II. Employment of Relatives

A. Employment of related persons in a single organizational unit or in work-related organizational units is permitted, provided that such employment will not involve a conflict of interest, including but not limited to participation by the relative in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion or salary of the related person. The Provost/ Vice President responsible for the organizational unit shall determine, and document in writing, prior to employment of related persons, that a conflict of interest will not occur.

B. “Relative” is defined in HR 800 as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandchild, or grandparent.

III. Financial Disclosure

A. Section 112.3145, Florida Statutes, requires that all state officers and specified state employees file a Statement of Financial Interest (Exhibit C) on an annual basis. The employee is to mail this form directly to the Department of State in Tallahassee, Florida.

B. Specified Classes (Exhibit D) shows the state officers and state specified positions that are required to file the Statement of Financial Interests.

C. Submission of these forms is monitored by the Florida Department of State to ensure all who are required to file have submitted the Statement of Financial Interest.

IV. Political Activity

A. Any employee may seek election to and hold public office upon notification and approval of the President or designee.

B. When an employee elects to run for and hold public office, and such action is judged by the President to interfere with the full discharge of the employees duties, then the employee must obtain a leave of absence or submit his/her resignation.
UNIVERSITY POLICY HR-09.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 900 - DISCIPLINARY ACTIONS, COMPLAINTS, AND APPEALS

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.950
240.209 (1), (3)(r) FS. Law Implemented 240.209 (1), (3)(f), 240.227 (1), (5) 240.261, 447.209 FS
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT

University of West Florida employees are expected to adhere to specified professional standards in the performance of their duties and comply with federal, state, and UWF laws, rules, regulations, policies and procedures.

CONTENTS:

I. Introduction
II. Professional Standards and Violation of Professional Standards
III. Disciplinary Actions
IV. Alcoholism, Drug Addiction, and Alcohol and Drug Abuse
V. Complaints and Appeal

EXHIBITS:

A. UWF Guide For Disciplinary Action Penalties
B. Oral Reprimand Form
C. Written Reprimand Form
D. Equal Opportunity and Diversity Complaint Procedures
E. UWF Complaint Form
I. Introduction

The University of West Florida shall take fair and equitable corrective action when an employee has violated professional standards. Progressive discipline will be used for cumulative offenses when an employee has demonstrated, despite warnings, a refusal and/or inability to act in accordance with acceptable and reasonable professional standards.

II. Professional Standards and Violation of Professional Standards

The UWF Guide for Disciplinary Action Penalties (Exhibit A) is a guide and is not intended to cover every possible offense. It is not all inclusive; it is representative. The guide provides to supervisors and managers flexibility in dealing with particular situations, while guiding them toward a measure of uniformity in imposing penalties, consistent with differences in the nature of the position held by the employee. If the reason for the contemplated disciplinary action cannot be described in terms of an offense from the table, it need only be stated in terms of regulations or policies of general conduct that have not been upheld, or damage to or interference with University operations resulting from the employee’s action. Penalties for offenses not listed will be determined consistent with the guidelines contained herein by the Director, Office of Human Resources.

Many of the offenses listed on this table (Exhibit A) combine several offenses into one statement connected by the word "or". The word "or" is not to be used in a charge, as doing so would make the charge non-specific. Therefore, only the section of the charge that describes the employee's actual conduct should be used. Penalties for disciplinary offenses will, in general, range from the minimum to the maximum indicated. Depending on mitigating or aggravating factors, a penalty outside the general range may be imposed.

The table lists first, second, third, and fourth offenses. Previously substantiated offenses can be considered when determining the severity of the penalty, and should be cited in any proposed action and described in sufficient detail. Any past offense may be considered an aggravating factor in determining the penalty. The emphasis is on the employee’s total record and the degree of penalty is determined by the act itself, plus any previous disciplinary actions. Penalties imposed will be those which are necessary to correct the employee and maintain discipline and morale at the University. When considering severity of penalties, factors for consideration should be:

- The nature and seriousness of the offense and its relation to the employee's duties, position and responsibilities, including whether the offense was intentional, technical or inadvertent, was committed maliciously or for gain, or has been frequently repeated;

- The employee's job level and position within the University, including supervisory or fiduciary role;

- The employee's past disciplinary record and when the discipline occurred;

- The employee's past work record, such as length of service, performance on the job, dependability, character, etc.;
• The employee's condition of health, extraordinary personal influences such as death or other crises in his or her family;

• The effect of the offense on the employee's ability to perform at a satisfactory level, its effect upon the supervisor's confidence in the employee's ability to perform assigned duties, and its impact on other employees in the work unit;

• Consistency of the penalty with those imposed upon other employees for the same or similar offense;

• The notoriety of the offense or its impact upon the reputation of the University; and

• Potential for the employee's rehabilitation.

A. Time Management, Work Effort, and Work Station

1. Professional Standard - Employees shall manage their work time for maximum efficiency and effectiveness.

2. Examples of Violations

   a. Excessive Tardiness - when an employee does not adhere to established and approved work hours and/or develops a pattern of lateness that adversely affects an employee's work or the work of others or that is inconsistent with the position description, BOR Rules, or University policies and procedures.

   b. Unauthorized Absence from Work Station - failure of the employee to obtain permission from the supervisor to leave or be away from the work station.

   c. Unauthorized Leave - failure of the employee to obtain approval from the supervisor to take any kind of paid or unpaid leave.

   d. Loafing, Dozing, or Sleeping While at Work - loafing includes wasting time, chatting, and horseplay as well as non-work related activities such as reading non-work related books and other materials, visiting non-work related internet sites, conducting personal business over the telephone or e-mail, completing unauthorized course work assignments, writing personal letters, or playing computer games during work hours.

   e. Strike or Concerted Activity

B. Performance of Duties

1. Professional Standard - employees shall perform the duties and responsibilities set forth in the job description.
2. Examples of Violations

   a. Failure to Follow Instructions - includes failure to carry out oral or written work assignment or instructions within reasonable time or by a specified deadline.

   b. Insubordination - including, but not limited to: deliberate refusal or failure or delay in carrying out any proper order, work assignments, or instruction, including deliberate failure to follow local or higher level policy; disrespectful conduct toward authority or use of obscene language to authority.

   c. Falsification of Records - deliberate misrepresentation or fraud on official documents such as an employment application, travel records, leave records, or work records.

   d. Lying - statements, written or oral, that are deliberately misleading, inaccurate, or incorrect.

   e. Negligence - carelessness, lack of care, caution or attention, diligence, or discretion.

   f. Conduct Unbecoming a State Employee - an act (or acts) performed by the employee within/or outside the University that renders an employee ineffective and/or adversely affects the University’s ability to carry out its assigned mission.

C. Property Rights

1. Professional Standard - employees shall respect the rights of the State, and of others, the use and benefits of property. Unauthorized use, misuse and abuse of state property is strictly prohibited.

2. Examples of Violations

   a. Theft - stealing property belonging to the State, co-workers, contractors, or others while at work or in work situations.

   b. Unauthorized Use of State Property - using a University boat for personal recreation, making personal long distance telephone calls charged to a department telephone, using State property such as copying machines, computers, or typewriters for personal business, or using a State vehicle for personal errands. University equipment may be used for official purposes off-campus. Forms are available from the Property Division, in the Controller's Office, to obtain approval for such use (Exhibit B).

   c. Misuse or Abuse of State Property or Equipment - improper use of equipment, reckless driving or handling of a State motor vehicle or boat, using personal
computers for non-University matters or using Internet/Intranet/E-mail improperly. [NOTE: E-mail messages are public, not private records.]

   d. Negligence Resulting in Damage - instances of carelessness, lack of care, attention, etc., which result in damage to equipment or property or expense to the University.

D. Personal Rights

   1. Professional Standard - employees shall respect the personal rights of others. Employees should refrain from discourteous language or actions directed toward co-workers or any member of the public. Threatening or abusive language ethnic or sexist jokes or actions directed toward co-workers or any member of the public is prohibited. Threatening or abusive language or actions directed toward others is prohibited. Display of a weapon in a careless, reckless, angry, menacing, or threatening manner is prohibited.

   2. Examples of violations

      a. Rudeness - impolite, offensive, or uncooperative language or actions toward employee colleagues, students, and the public.

      b. Threatening or Abusive Language - defamation of character or remarks, offensive language, slander, insults, or threats toward others.

      c. Threatening or Abusive Actions - fighting, physical abuse, incidents in which serious harm is threatened.

      d. Threatening or Abusive Actions Involving a Weapon - fighting, physical abuse, incidents in which serious harm is threatened with a weapon.

      e. Discriminative Harassing Language or Actions

E. Safety Practices

   1. Professional Standard - employees shall conduct themselves in a manner which protects people and property from unsafe actions. Employees shall adhere to University, State and manufacturers' safety rules, policies, regulations, and practices.

   2. Examples of Violations

      a. Violation or disregard of Safety Practices - careless operating or handling of equipment.

      b. Possession or use of Weapons - prohibited on State property or in work-related situations unless specifically authorized for the performance of work assignments, reckless display or threatening with weapons.
d. Horseplay - rough or boisterous play or pranks which do or may cause injury or embarrassment to others or adversely affect productivity or morale.

F. Upholding Laws

1. Professional Standard - employees shall obey all Federal, State, or local laws while on State property or using State vehicles (land, air, and water) in a work-related situation, and/or in a non-work situation. Failure to do so subjects the employee to disciplinary action as well as penalties under the law.

2. Examples of Violations

a. Discrimination or Harassment with Respect to Employment - on the basis of race, color, creed, sex, age, disability, religion, national origin, sexual orientation, or political opinions or affiliations.

b. Giving or Accepting a Bribe - for grades or services.

c. Political Campaigning - during work hours, coercing employees to support or contribute to a political issue, candidate, or party.

d. Conflict of Interest - conflicting contractual relationships, solicitation or acceptance of gifts, or doing business with one's agency.

e. Misuse of Position - abuse of powers of authority that accompany the position for personal reasons, such as to assist friends or family for financial gain.

f. Other Statutory Prohibitions - such as embezzlement, gambling, possession or distribution of illegal drugs, exceeding speed limits, violating local ordinances or federal regulations.

G. Compliance with UWF Rules, Regulations, Policies, and Procedures

1. Professional Standard - employees shall know and follow the written rules, regulations, policies, and procedures of the University which apply to an employee's area of responsibility, as well as the administrative rules, regulations, policies and procedures.

2. Examples of Violations - willful violation of written rules, regulations, or policies, unauthorized distribution or solicitation, unauthorized use of bulletin boards, violation of safety rules, smoking policy, administrative policies and procedures.

III. Disciplinary Actions

A. Immediate supervisor may, as appropriate:

1. Initiate disciplinary action or corrective action as soon as possible after the supervisor has knowledge of the violation, but no longer than five (5) days.
2. Use corrective consultation, or a letter of counseling, to ensure that the subordinate understands work rules and standards, assignments, policies, procedures, and rules before disciplinary action is taken. This is **not** considered disciplinary action.

3. Determine level of disciplinary action - supervisor must decide that disciplinary action will be taken (see III.C below) and shall take such action in accordance with the Guide for Disciplinary Action Penalties (**Exhibit A**). This will depend on consideration of all pertinent facts and circumstances including, but not limited to: employee's past records of performance, length of service, prior violations, severity of the violation; and/or past disciplinary action for similar infringements.

4. Make the employee aware that disciplinary action is being taken and why. It is the supervisor's duty to impress the seriousness of the offense upon the employee.

5. Investigate reported or observed violation; determine if the severity of the violation warrants an oral reprimand; issue oral reprimands without prior review or approval of a higher level supervisor.

6. Ensure that oral reprimands are brief, but complete, and should be documented by using an Oral Reprimand Form (**Exhibit C**); or, if in memo form, includes the professional standard violated, the date of reprimand, and all factual information/circumstances concerning the event. After issuance, a copy of the oral reprimand is provided to Human Resources and placed in the employee’s file. After one calendar year, the oral reprimand may be sealed upon written request by the employee.

7. Investigate reported infraction; determine if the severity or frequency of the violation warrants a written reprimand and should be documented by using a Written Reprimand Form (**Exhibit D**), or, if in memo form, includes the professional standard violated, the date of reprimand, and all factual information/circumstances concerning the event giving rise to the disciplinary action. Prior to issuing a written reprimand, the immediate supervisor must discuss with the next higher-level supervisor and consult with the President, or appropriate Vice President and the Director of Human Resources. After issuance, a copy of the written reprimand is provided to Human Resources and placed in the employee's personnel file. After two (2) calendar years, the written reprimand may be sealed upon written request by the employee.

B. Next Higher-level Supervisor may, as appropriate:

1. Approve the issuance of a written reprimand after consultation with Director of Human Resources.

2. Take disciplinary action upon the absence of the employee's immediate supervisor.

3. Take disciplinary action against an employee when the immediate supervisor of that employee refuses to take disciplinary action.

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C. Director of Human Resources may:

1. Place an employee on administrative leave up to ten (10) days pending the outcome of an investigation of an alleged violation which may result in dismissal or when the employee's absence from the work location is essential to the investigation.

2. Suspend or dismiss an employee after investigation and upon recommendation from the immediate supervisor or next higher-level supervisor.

3. Conduct predetermination conferences.

4. Suspend or dismiss employees.

D. Predetermination Procedures for Employees with Permanent Status

1. Written Notice - prior to the dismissal, suspension, or disciplinary reduction in pay of a permanent employee, the Human Resources Director shall give the employee written notice as follows:

   a. This written notice of the proposed action shall be sent/delivered at least 10 days prior to the date the action is to be taken.

   b. If the employee is available, the notice shall be hand-delivered to the employee and duly receipted by the employee. Otherwise, the notice shall be mailed to the employee by certified mail, return receipt requested. The mailed notice shall constitute full and complete notice, even if the mail is refused or ignored by the employee.

2. Contents of Notice - the notice shall be signed by the Human Resources Director or designee and shall include the following:

   a. The effective date of the University's proposed action;

   b. The specific charges or reasons for the action;

   c. A list of documents on which the charges or other reasons are based and a statement that the documents are available to the employee upon request;

   d. A statement that the employee may, within 5 workdays of receipt of the notice, submit a written request for a conference at which the employee may make an oral or written statement, or both, to refute or explain the charges or reasons for the action; and the name, address, and telephone number of the person to whom the request for a conference shall be directed;

   e. A statement that the requested conference must be held prior to the proposed effective date of the action, at a time and place to be determined by the Human
Resources Director or designee, normally during regular business hours and that the employee may bring a representative to advise and assist;

f. A statement that the employing university desires to reduce the risk of error in taking the action against the employee and to avoid damaging the employee's reputation by untrue or erroneous charges, and therefore, the employing university is interested in receiving and considering the employee response; and

g. A copy or summary of the predetermination procedures shall be enclosed with the notice.

3. Conference - if a conference is requested by the employee, it must be conducted by the Human Resources Director or designee as follows:

a. The person(s) conducting the conference shall: (1) convene the conference at the time and place set by the University, (2) identify all participants, and (3) explain that the conference's purpose is to hear the employee's response to the charges, to protect the employee from erroneous or arbitrary adverse action, to afford the university an opportunity to re-evaluate its position after reviewing the information presented by the employee, and to thereafter affirm or alter the disciplinary action as may be warranted.

b. The conference shall be informal and shall not be in the nature of an evidentiary hearing. The employee may bring a representative to assist or advise him/her, but discovery, cross-examination, and similar legal procedures are not permissible.

c. The employee shall be permitted to submit relevant information, orally, in writing, or both, with the privilege being reserved to the employing university to give such information the weight it deems proper. The employee shall be informed that if he/she chooses to make no response, the university will proceed on the basis of the best information it can obtain without such response.

d. After the conference is conducted, the employee shall be notified, as soon as practicable, that the proposed final action will be effective on a specific date, that the proposed final action has been revised, or that no action will occur.

4. Decision - if the University determines after the conference that it will proceed with the reduction in pay, suspension, or dismissal of the employee, the employee shall be notified in writing within five (5) workdays from the date the action is effective, by personal delivery or by certified mail, return receipt requested. The employee's right to appeal to an arbitrator is under the provision of Rule 6C-5.950. If the employee occupies a position included in a certified bargaining unit, the employee shall be further notified that he/she may, in the alternative, use the unit's grievance procedures as provided in the applicable collective bargaining agreement. Furthermore, the University must assure that the provisions of Part VI of Chapter 112, Florida Statutes, Law Enforcement Officers Bill of Rights, are followed.
5. During the period between the first notice and the effective date of the action, one of the following options may be used by the University: (1) retain the employee in his/her usual duties; (2) temporarily assign the employee to other duties; or (3) place the employee on administrative leave with pay.

E. Procedure for Suspension Without Pay or Dismissal

1. Immediate supervisor investigates reported infraction including the interviews of witnesses and employee; determines that the severity or frequency of the violation warrants a suspension without pay; discusses with next higher level supervisor, recommends action to either the Director of Human Resources (in the case of USPS employees), or appropriate Vice President (in the cases of Faculty and A&P employees), including the number of days to be suspended and the rationale behind the decision to suspend or dismiss the employee.

2. The Human Resources Director notifies the employee in writing of the proposed suspension and has the employee sign the notification as acknowledgment of the proposed action.

3. The appropriate Vice President or the Human Resources Director conducts a presuspension/dismissal meeting to hear the employee's side and to affirm or alter the action proposed.

4. Suspension without pay or dismissal is grievable under the collective bargaining contract or university complaint procedure.

5. Presuspension or predetermination conferences shall be conducted by the Human Resources Director, appropriate Vice President, or appropriate designee.

6. Notice of suspension or dismissal shall be signed by the Human Resources Director or other individual, such as the President or appropriate Vice President authorized to make the final decision, and addressed to the employee and sent by certified mail, return receipt requested. In addition, the notice may be delivered by hand to the employee. The mailed notice shall constitute full and complete notice even if the mail is refused or ignored by the employee.

F. Extraordinary situations may call for procedures which may be invoked only with approval of the Director of Human Resources and with the appropriate Vice President in the cases of Faculty and A&P employees.
IV. Alcoholism, Drug Addiction, and Alcohol and Drug Abuse

A. Manifested by problem drinking, alcoholism and habitual drunkenness shall not be handled as a disciplinary problem, unless the employee refuses to attempt to resolve the problem or efforts toward rehabilitation fail.

B. Through the Employee Assistance Program (EAP), the employee will be asked to enroll in a treatment program. The employee may be placed on compulsory disability leave during this time if the employee has enough accrued leave credits; otherwise, the employee may be placed on leave without pay.

C. Any employee reporting to work under the influence of alcohol such that the employee cannot satisfactorily carry out his/her duties, or who uses alcohol on the job, will be sent home and charged leave (sick leave charged first then regular compensatory, annual, special compensatory, and leave without pay). Disciplinary action will be taken on factors such as the severity of the violation of the professional standard and impact on the University and work unit.

D. An absence without authorized leave shall be handled in accordance with 6C-5.955.

E. If the employee refuses to attempt to resolve the problem or efforts fail, the employee shall be terminated.

V. Complaints & Appeals

A. Scope and Application

1. This rule is applicable to all Faculty, A&P and USPS staff members. Complaints of bargaining unit Faculty and A&P staff are governed by the BOR/UFF Collective Bargaining Agreement and applicable Board of Regents rules and University policies and procedures. USPS employee complaints are governed by the AFSCME/BOR Collective Bargaining Agreement and applicable Board of Regents rules and university policies and procedures. Non-bargaining unit Faculty and A&P employee complaints are governed by university complaint procedures.

2. The burden of proof shall be on the university in a complaint alleging violation of a University policy concerning termination for cause and other disciplinary actions for Faculty, A&P, and USPS staff. In all other complaints, the burden of proof shall be on the complainant.

B. Complaints

1. For the purpose of this process, a "complaint" is defined as the dissatisfaction that occurs when an employee believes that any condition affecting the employee's terms and conditions of employment are unjust, inequitable, or creates a problem, except that an employee shall not have the right to file a grievance concerning performance
appraisals unless it is alleged that the appraisal is based on factors other than the employee’s performance.

2. Claims of discrimination and sexual harassment shall be processed in accordance with the procedures contained in the Equal Opportunity/Diversity Office (Exhibit E).

3. Suspensions, reductions in pay, transfers, layoffs, job abandonment, demotions, and dismissals for USPS employees shall not be considered as complaints under this process, and review of such actions shall be handled in accordance with the provisions of the BOR Rule 6C-5.950(4), governing USPS arbitration appeal procedures.

4. The intent of this policy is to promote a prompt and efficient procedure for the investigation and resolution of complaints. All problems should be resolved, whenever possible, before the filing of a complaint, and open communication is encouraged so that the formal complaint procedure will not normally be necessary.

5. It is the intent of the complaint procedure process to provide a complete response to a complainant, but not to encourage multiple processing of the same issue. Therefore, if prior to or while seeking resolution of the dispute under this policy, a complainant seeks resolution of the matter in any other forum, administrative or judicial, the university shall have no obligation to entertain or proceed further with the matter pursuant to this policy, however may choose in its discretion to do so.

6. It is not the intent that this complaint procedure be a device for appellate review. Accordingly, the response of the President or his designee to a recommended order of a presiding officer acting pursuant to Chapter 120, Florida Statutes, or to other individuals or groups having appropriate jurisdiction in any other procedure, shall not be an act or omission giving rise to a complaint under this procedure.

7. All time limits contained in this policy may be extended by agreement of the parties. Upon failure of the university or its representative to provide a decision within the time limits provided in this policy, the complainant may appeal to the next appropriate step. Upon this failure of the complainant or counsel to file an appeal within the time limits provided in this policy, the complainant shall be deemed to have been resolved at the prior step.

C. Definitions

1. The term "complaint" means a dispute concerning promotion, and “just cause” termination of employment contracts, salary, work assignment, annual evaluation, layoff and recall, job abandonment, or conditions as defined in V.B.1. above. An employee with permanent status in the class who receives a performance evaluation of not meeting standards may grieve the evaluation but only through Step Two (2). The review shall be solely to determine whether the performance evaluation was done in an arbitrary or capricious manner.
2. The term "complainant" means an employee who believes his/her rights have been allegedly affected by an act or omission of the university or its representative and who has filed a complaint.

3. The term "days" means calendar days. In the event an action falls due on a Saturday, Sunday, or a State holiday, the action will be considered timely if it is accomplished by 5:00 p.m. of the following business day.

4. The term "substantial interest" means an act or omission involving termination, suspension, or other discipline for just cause, salary, or layoff.

D. Procedure for Permanent Status USPS, Non-Unit A&P, and Non-Unit Faculty Employees

1. Step One -- Vice President or Designee
   a. Complaint must be stated on a UWF Complaint Form and must be filed, in writing, with the appropriate Vice President within 25 days. (Exhibit F)
   b. The UWF complaint form shall include: the complainant's name; name and address of counsel, if any; specific policies or statutes claimed to have been violated; a statement of the complaint, including the acts or omissions which are claimed to have given rise to the complaint; remedy sought; and signature and date.
   c. The original of the complaint shall be given to the Vice President and a copy to the Director of Human Resources.
   d. A Step One meeting must be scheduled by the Vice President or designee no later than 15 days after receipt of the complaint. In advance of the Step One meeting, the complainant has the right upon request to a copy of any identifiable documents relative to the complaint. At this meeting, the complainant has the right to present any evidence in support of the complaint.
   e. Within 15 days after the scheduled meeting, the Vice President will issue a written decision, stating the reason for the decision. The decision will include a finding as to whether the complaint concerns a substantial interest in the complainant and/or whether any issue of fact material to the complaint remains in dispute.

2. Step Two -- President or Designee
   a. If a substantial interest of the complainant is involved, and if the complaint is not satisfactorily resolved, the complainant may file a written request for review to the President within 15 days of the date of receipt of the Step One decision.
   b. The President or designee will schedule a meeting with the complainant no later than 15 days after the request for review was filed. The meeting will offer the opportunity for the complainant to present written or oral evidence in support of the complaint no later than 25 days after the meeting. The President will issue to
the complainant a written decision on the matter, stating the reasons for the decision. The President's decision is final.

E. Disposition of Complaint When Employee Terminates Employment Prior to Final Resolution or Fails to File Timely Complaint at the Next Step

1. If the employee voluntarily resigns from the University, the complaint may be considered resolved. The President, Vice President, or Human Resources Director may decide to pursue the complaint.

2. In this case, the President or his designee may review and investigate the complaint.
UNIVERSITY POLICY HR-10.01 - 08/01

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 1000 SEPARATIONS FROM EMPLOYMENT AND LAYOFF

EFFECTIVE: January 1, 2000

AUTHORITY: BOR Rule 6C-5.955
240.209(1), (3)(r)FS. Law Implemented 240.109(1), (3)(f), 240.227(1), (5)
and (19), 447.209 FS
Applicable Collective Bargaining Agreements

PROCEDURE STATEMENT:

The University of West Florida requires the return of all State of Florida and University
property in the possession of employees upon separation. The University encourages
employees to request Exit Interviews.

CONTENTS:

I. Separation from Employment
II. Exit Interview
III. Layoff

EXHIBITS:

A. Separation Form
B. Exit Interview Questionnaire
I. Separation from Employment

All persons separating from employment with the University are required to return to the University all State of Florida and University property in their possession and settle their accounts with UWF prior to receipt of any final payments due them.

A. The University reserves the right to offset any funds due the employee, (i.e., leave payoff), to compensate for unreturned property or unsettled accounts. In the case of OPS students, issuance of transcripts and or degrees may be delayed.

B. The employee’s immediate supervisor is responsible for ensuring proper separation procedures are followed. Employees must obtain appropriate signatures on the Separation Form (Exhibit A) and return the document to their immediate supervisor before their last day of work. Forms are available through the department or in the Office of Human Resources. Employees should make arrangements through their supervisor for time during the work day to obtain required signatures.

C. The immediate supervisor is responsible for notifying the Department Head if property or keys are not returned or accounts are not cleared. The Department Head will initiate appropriate action, including, but not limited to, offset of funds due the employee.

II. Exit Interview

Each employee who separates from employment is encouraged to complete an Exit Interview Questionnaire (Exhibit B) and/or request a personal exit interview through the Office of Human Resources.

III. Layoff

The University of West Florida shall follow the promulgated Board of Regents Rule 6C-5.955(2) in implementing layoff for all A&P, Faculty, and USPS employees. The University of West Florida shall offer the following services to employees who are laid off in accordance with 6C-5.955(2):

A. Training

1. Job Search - how to do a thorough job search of the current market.

2. Completion of a Resume and/or Application.

3. Interview Techniques - How to make the best impression while interviewing for a job.
B. Benefits

1. Continuance of Health Insurance under Consolidated Omnibus Budget Reconciliation Act (COBRA).

2. Employee Assistance Program

C. Other Services

1. Applications for Assistance - OHR will provide information on how to apply for unemployment, food stamps, medical assistance, and the Displaced Worker’s Program.

2. Credit Assistance - OHR will provide information on agencies that assist the public with extension of credit, specifically utility bills, etc.

3. Verification of Employment - OHR will respond to such requests immediately.