

**FLORIDA BOARD OF GOVERNORS  
NOTICE OF PROPOSED REGULATION REPEAL**

**DATE:** June 19, 2008

**REGULATION TITLE(S) AND NUMBER(S):** 6C-5.915 Compensation

**SUMMARY:** The Board of Governors has delegated authority to the board of trustees to develop university personnel programs. Therefore, the obsolete Board of Regents rule regarding compensation needs to be repealed.

**FULL TEXT OF THE REGULATION:** The full text of the regulation proposed for repeal

**5.915 Compensation.**

~~(1) Pay actions shall be administered consistent with the following provisions.~~

~~(2) The Board shall establish and maintain the pay ranges for A&P and USPS. Legislatively approved pay range additives or competitive area differentials (CAD) shall be added to the pay range for those USPS classes within the geographic area specified in the approval. Pay shall not exceed the maximum of the pay range including the CAD without the approval of the Chief Administrative Officer.~~

~~(3) Base rate of pay is the pay provided employees not including any additives as provided for in Section (6)(h), below. Regular rate of pay is an employee's base rate of pay plus any other pay which may be necessary to meet the requirements of the Fair Labor Standards Act (FLSA). Hourly pay is computed based on 2088 work hours annually. A factor of 26.1 is used for annualizing biweekly pay.~~

~~(a) An employee must be in pay status in order to receive a pay increase of any kind.~~

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- ~~\_\_\_\_\_ (a) \_\_\_\_\_ Increased responsibilities.~~
- ~~\_\_\_\_\_ (b) \_\_\_\_\_ Market conditions including counter-offers and retention due to specialized or extensive investment or training.~~
- ~~\_\_\_\_\_ (c) \_\_\_\_\_ Salary compression or inversion.~~
- ~~\_\_\_\_\_ (d) \_\_\_\_\_ Increases to resolve a pay disparity considering education, experience, or duties and responsibilities of other employees.~~
- ~~\_\_\_\_\_ (e) \_\_\_\_\_ Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement including a group incentive program. Such payment for employees subject to the FLSA shall not exceed the greater of ten percent of the employee's annual base pay or \$3,000 (before taxes.) For other employees, such payment shall not exceed 15 percent of the employee's annual base rate of pay, unless approved by the Chief Administrative Officer.~~
- ~~\_\_\_\_\_ (f) \_\_\_\_\_ Increases to recognize sustained superior performance.~~
- ~~\_\_\_\_\_ (g) \_\_\_\_\_ Approved career development /apprenticeship programs.~~
- ~~\_\_\_\_\_ (h) \_\_\_\_\_ Pay additives including those for asbestos-related activities, lead abatement activities, leadworker pay, shift differentials, on call pay, field training officer activities, and other approved activities.~~
  
- ~~\_\_\_\_\_ (7) \_\_\_\_\_ Other pay adjustments.~~
  - ~~\_\_\_\_\_ (a) \_\_\_\_\_ An employee who is demoted shall receive pay commensurate with the responsibilities assigned. The demotion may be with or without a reduction in base rate of pay.~~
  - ~~\_\_\_\_\_ (b) \_\_\_\_\_ The removal of pay additives, correction of overpayment, or reduction to the maximum of the pay range do not constitute a reduction in pay action.~~
  - ~~\_\_\_\_\_ (c) \_\_\_\_\_ When the assignment of Faculty serving in an administrative position such as Vice President, Dean or Director is changed, the pay and appointment period shall be adjusted to reflect the new responsibilities. If the adjusted pay of an administrator, whose appointment is being changed to a ranked Faculty, will be greater than 90 percent of the range of pay for Faculty in the same rank in the college or school in which the employee is to be appointed, the new pay must be approved by the Chancellor or designee. The Chief administrative Officer shall submit a recommendation for approval to the Chancellor, including a justification for the proposed pay, the employee's experience, qualifications, academic discipline, and other relevant factors. The Chancellor will advise the Board of such approvals.~~
  - ~~\_\_\_\_\_ (d) \_\_\_\_\_~~

~~\_\_\_\_\_ (a) \_\_\_\_\_ Pay for appointments up to the available established FTE for the position shall be from funds designated as Salaries.~~

~~\_\_\_\_\_ (b) \_\_\_\_\_ Pay for the portion of an appointment in excess of the established FTE position and for activities of limited duration where no FTE is assigned shall be from funds designated as OPS.~~

~~\_\_\_\_\_ (c) \_\_\_\_\_ Employment by another State agency shall be processed consistent with its requirements.~~

~~\_\_\_\_\_ (10) \_\_\_\_\_ Perquisites/Sale of Goods and Services. The Chief Administrative Officer shall approve providing perquisites to employees, the sale of goods and services to employees, and the payment of moving expenses associated with a current or perspective employee. The provision of such items shall be job or class related and documented to demonstrate that the approval is in the best interest of the University.~~

~~\_\_\_\_\_ Approval is not required when sales to employees are at the same rate as they are ordinarily sold to the public.~~

~~\_\_\_\_\_ (b) \_\_\_\_\_ Moving expenses shall ordinarily be limited to the cost of packing, shipping, and storage of household goods, not to exceed 15,000 pounds, and reasonable expenses incurred for moving an automobile.~~

~~Authority: Section 7(d), Art. IX, Fla. Const., History—New 1-24-96, 2-1-98, 8-17-99.~~