

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

DATE: June 19, 2008

REGULATION TITLE(S) AND NUMBER(S) 6C-5.955 Separations from
Employment and Layoff

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 Therefore, the obsolete Board of Regents rule regarding separations from employment and layoff needs to be repealed.

FULL TEXT OF THE REGULATION: The full text of the regulation proposed for repeal is posted on [JD.0004 Tc 0.4f epeal](#)

5.955 Separations from Employment and Layoff.

(1) Separations from employment shall be administered consistent with the following provisions.

(a) An employee who resigns from employment shall not have any rights of appeal.

(b) An employee who is absent without approved leave for three or more consecutive workdays shall be considered to have abandoned the position.

(c) The Chief Administrative Officer may dismiss an employee for just cause in accordance with University rules, policies or procedures.

(d) OPS and USPS employees without permanent status in any class may be separated from employment at any time without any requirements of notice or reason and without rights of appeal.

(e) Nontenured or nonpermanent Faculty and A&P whose appointments expire after receiving notice of nonrenewal or nonreappointment or whose appointment expires without the requirement of a written notice of nonreappointment may be separated without further notice.

(2) Layoff shall be administered consistent with the following provisions.

(a) Employees may be laid off at anytime as a result of adverse financial circumstances; reallocation of resources; reorganization of degree or curriculum offerings or requirements; reorganization of academic or administrative structures, programs, or functions; curtailment or abolishment of one or more programs or functions; shortage of work; or a material change of duties. The Chief Administrative Officer shall notify the appropriate employee organizations when layoffs are to take place.

(b) The layoff unit may be at organizational level such as a campus, division, college, school, department, area, program, or other level of organization as the

~~_____ 6. A USPS employee appointed to a contract and grant, auxiliary or local funds position which has been designated time-limited.~~

~~_____ 7. An OPS employee.~~

~~_____ (f) Within the layoff unit, USPS employees with permanent status in the affected class shall be ranked on a layoff list based on retention points derived from length of service and evaluations. Employees who work less than full-~~

University of South Florida, the offer of reemployment shall be limited to the same or similar position at the New College.)

~~2. USPS employees have recall rights for one year following layoff. When a vacancy occurs or a new position is established in the same class within the same layoff unit from which the employee was laid off, the employees with the highest number of retention points and who meets the specific qualifications for the position, shall be offered reemployment.~~

~~3. Reemployment offers shall be made to USPS employees laid off in the order of their total retention points. Reemployment of such employees may be with permanent status in that class at the discretion of the Chief Administrative Officer.~~

~~4. An employee who refuses offer of reemployment shall forfeit further recall rights.~~

Authority: Section 7(d), Art. IX, Fla. Const., History—New 1-24