

FLORIDA A&M UNIVERSITY BOARD OF TRUSTEES



NOTICE OF AMENDED REGULATION

DATE: April 23, 2007

REGULATION CHAPTER TITLE: Human Resources

REGULATION TITLE AND NUMBER: 10.303 Complaint Procedures for University Support Personnel System Employees

SUMMARY OF REGULATION: The amended regulation deletes all references to the Board of Regents and its rules which are no longer applicable to the University, defines a complaint and provides that suspensions, dismissals, reductions in pay, demotions, layoffs, job abandonment and transfers shall not be considered as complaints. The regulation also provides that employees without permanent status in USPS, non-bargaining employees, OPS employees or temporary or visiting employees may only bring a complaint concerning nondisciplinary matters and may not file a complaint concerning enumerated actions.

AUTHORITY FOR REGULATION: Article IX, Florida Constitution, Board of Governors Regulation Development Procedure dated July 21, 2005; Sections 1001.74 and 1001.75, Florida Statutes.

UNIVERSITY OFFICIAL INITIATING THIS REGULATION: Dr. Janie Greenleaf, Assistant Vice President for Human Resources.

PROCEDURE FOR COMMENTS: Written comments concerning this amended regulation must be submitted within 14 days of the date of this notice to the person identified below.

THE PERSON TO BE CONTACTED REGARDING THE AMENDED REGULATION IS: Dr. Janie Greenleaf, Office of Human Resources, 211 Foote-Hilyer Administration Center, Tallahassee, Florida 32307, (850) 599-3611 (phone), (850) 561-2080 (fax), janie.greenleaf@famu.edu.

FULL TEXT OF THE AMENDED REGULATION: The full text of the amended regulation follows:

Regulation of Florida A&M University



10.303 Complaint Procedures for University Support Personnel System Employees.

(1) Definition of a complaint.

(a) A complaint is defined as the allegation by the employee that any condition affecting the employee's terms and conditions of employment is unjust, inequitable, or creates a problem, except that an employee shall not have the right to file a complaint concerning evaluations of Performance unless the employee alleges that the evaluation is based on factors other than performance. In nondisciplinary matters, a complaint is defined as the allegation by the employee that a University regulation or policy has been wrongfully applied or applied in a manner that violates the regulation or policy.

(b) Suspensions, dismissals, reductions in pay, demotions, layoffs, job abandonment and transfers shall not be considered as complaints. A review of such actions shall be reviewed in accordance with the provisions of ~~subsection 6C-5.950(4), F.A.C., USPS Arbitration Appeal Procedures, or in accordance with the grievance procedures contained in an applicable collective bargaining agreement.~~

(e2) Employees who have not obtained permanent status in the USPS, non-bargaining unit employees, OPS employees and temporary or visiting employees may bring a complaint concerning only nondisciplinary matters to their immediate supervisor. If the decision of the immediate supervisor is not satisfactory, the employee may discuss the complaint with the next level supervisor, whose decision shall be final.

(3) Employees without permanent status, non-bargaining unit employees, OPS employees and temporary or visiting employees may not file a complaint concerning the following actions:

- (a) Administrative Leave;
- (b) Voluntary reduction in pay;
- (c) Voluntary demotion;
- (d) Oral and written counselings;

- _____ (e) Removal of pay additives or temporary pay increases;
- _____ (f) Correction of overpayments;
- _____ (g) Separation with Advance Notice;
- _____ (h) Termination of an employment contract or appointment that states, in substance, that employment shall cease on the date indicated in the appointment with no further notice of cessation of employment required;
- _____ (i) Voluntary resignation by an employee; and
- _____ (j) Notice of layoff or layoff.

~~(2) — A complaint may be filed, by an employee with permanent status, in accordance with University Complaint Procedures for University Support Personnel System Employees, dated July 1, 1986 and amended July 1, 1996, which are incorporated herein by this reference. A copy of said procedures may be obtained from the Office of University Personnel Relations.~~

Specific Authority Board of Governors Regulation Development Procedure Dated July 21, 2005, 1001.74, 1001.75, 120.53, 240.227(1) FS. Law Implemented Board of Governors Resolution Adopted January 7, 2003—240.227(1), (5), (19) FS. History—New 6-27-96, Amended _____-07.