

**THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES
NOTICE OF PROPOSED REGULATION**

REGULATION TITLE: University Personnel Program
REGULATION NO.: FPU-6.001

SUMMARY OF THE REGULATION: The regulation provides the parameters and delegation of authority for establishing, administering and maintaining the University's Personnel Program.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the website of The Florida Polytechnic University Board of Trustees, <http://floridapolytechnic.org/board-of-trustees/university-policies-and-regulations/>. If you would like a copy of the Proposed Regulation, please contact Bacogie Luke, Administrative Assistant to the VP and General Counsel at (863)583-9061.

AUTHORITY: Board of Governors Regulations 1.001(3)(j) and 1.001(5)

NAME OF PERSON INITIATING PROPOSED REGULATION: Gina DeIulio

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

THE CONTACT PERSON REGARDING THIS REGULATION IS: Bacogie Luke, Administrative Assistant to the VP and General Counsel at 439 South Florida Avenue, Suite 300, Lakeland, Florida 33810, Email: bluke@floridapolytechnic.org, Phone: (863)583-9061, Fax: (863)583-9070.

DATE OF PUBLICATION: May 17, 2013

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FPU-6.001 University Personnel Program

- (1) The purpose of this regulation is to establish parameters and delegation of authority for establishing, administering and maintaining the University's Personnel Program.
- (2) The Board of Trustees is responsible for establishing, and the University President/Chief Operating Officer ("University President") is responsible for administering and maintaining, the Personnel Program. These policies and regulations are supplemented by internal management communication informing administrators of procedures or guidelines for implementing the policies contained herein. However, the procedures and guidelines shall not change substantive rights of employees or terms and conditions of employment.
- (3) The University President may delegate the authority and responsibility to take the following personnel actions within the area for which the designee is responsible:
 - (a) Appoint all employees.
 - (b) Approve the transition of University employees to the appropriate status (probationary, regular, etc.).
 - (c) Approve the domestic travel of University employees.
 - (d) Approve disciplinary actions affecting University employees. All recommendations for demotion, suspension and termination of faculty shall be reviewed by the Vice President for Academic Affairs prior to taking such action.
 - (e) Approve compensated and uncompensated leaves of absence for all employees.
- (4) For purposes of the Personnel Program, University employees are those persons who have been hired by the University, receive financial compensation to perform services for the University, and whose work is directed and controlled by the University. The term "employee" includes those identified in Section (8) below and does not include volunteers or independent contractors.
- (5) University employees are required to adhere to the University's Code of Conduct and Ethics policies.
- (6) The provisions of this Personnel Program are subject to all applicable Florida laws and Federal laws.
- (7) Personnel Programs
 - (a) For the purposes of the Personnel Program, the word "University" means the Florida Polytechnic University and includes the Board of Trustees. The phrase "University President" includes the University President's designee.
 - (b) The University is committed to equal employment opportunity and nondiscrimination towards applicants and employees with respect to race, color, religion, age, disability, sex, sexual orientation, marital status, national origin, and veteran status consistent with Federal and State law. Unlawful discrimination, harassment, and retaliation are prohibited by the University. Behavior that constitutes unlawful discrimination, harassment, or retaliation is unacceptable.

- (8) University employment consists of the following defined categories:
- (a) **Executive Service:** Executive Service positions ordinarily report directly to the University President, unless otherwise specified in writing, and may include the vice presidents and other positions responsible for policy-making at the executive level. Employees in the Executive Service serve at the will of the University President, do not have tenure, and have no expectation of appointment beyond a 60 days' notice period.
 - (b) **Faculty:** defines positions assigned the principal responsibility of teaching, research, or public service activities or for administrative responsibility for functions directly related to the academic mission.
 - (c) **Administrative:** defines positions assigned administrative and management responsibilities or professional duties at the department/unit level, or above.
 - (d) **Support:** defines positions assigned paraprofessional, clerical, secretarial, technical, skilled crafts, service, or maintenance duties.
 - (e) **Other Personnel Services (OPS):** defines temporary employment with no guarantee of continued employment.

(9) The University Personnel Program is not a contract or a guarantee of employment and is subject to change in accordance with appropriate procedures.

Authority: FBOG regulation 1.001(3)(j) and 1.001(5)

History: NEW ____