

Other Personnel Services (OPS) Termination Guidelines

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Basic OPS Reminders

- OPS pay plan is at-will, temporary employment. Although FSU can separate OPS employees at any time and without notice or specific reason, the University is required to establish a legally justifiable, non-discriminatory cause for the termination.
- Departments must contact Employee & Labor Relations (ELR) prior to initiating or proceeding with an involuntary termination action.

Basic OPS Reminders

- Eligible OPS employees are covered under the Federal Family and Medical Leave Act, Americans with Disabilities Act, and the Workers Compensation Law.
- OPS employees are subject to the non-discrimination and sexual harassment policies and procedures.
- OPS employees may be eligible for Reemployment Assistance benefits after separation.

Voluntary or Involuntary Separations from Employment

Voluntary Resignations:

- When an OPS employee resigns, a resignation letter should be submitted by the employee to the supervisor, if possible. This confirms the reason for separation is voluntary.
- The supervisor should acknowledge the resignation in writing, if possible.

Voluntary or Involuntary Separations from Employment

Involuntary Terminations:

- ELR must be consulted prior to OPS terminations involving misconduct or performance concerns, and the concerns should be documented by the department. ELR will provide a termination letter for the department to issue to the employee.
- OPS terminations related to lack of funding, appointment ending, and project completion are still considered involuntary actions. Typically, ELR will provide a termination letter for the department to issue to the employee.
- All questions related to OPS involuntary terminations should be forwarded to ELR.

Documentation Guidelines

- Good documentation can be critical in employment disputes and should be written with the assumption that it may be scrutinized by an outside party. Include any discussion had with the employee about the issues and any corrective action/feedback provided to the employee. Retain all documents relevant to employee terminations.

Documentation Guidelines

- Generally speaking, reasons for termination may include:
 - Frequent absences from work, tardiness, or absences without prior approval
 - Inability to work previously agreed upon schedule
 - Tasks that were not completed or did not meet expectations after instruction or coaching (i.e., lack of attention to detail, poor quality work, etc.)
 - Inability to work well with others
 - Inappropriate conduct

Documentation Guidelines

- Avoid common pitfalls of documentation:
 - Be factual, and avoid opinions, assumptions, or conclusions.
 - If applicable, be accurate with dates, times, witness names and a description of the incident or issue
 - Do not consider or mention protected classes such as race, sex, color, religion, national origin, age, sexual orientation, disability, etc., or the employee's FMLA, worker's compensation, ADA reasonable accommodation, or internal or external complaint status.
- If you have any performance or behavioral concerns, please consult with ELR.