Florida State University
Online New Employee Orientation
Office of Human Resources

Employee and Labor Relations

Agenda

• Pay Plans

• Performance Evaluations

• Guidelines for Disciplinary Action

• Other Personal Services (OPS) Terminations

Getting to Know Each Other

• Administrative and Professional (A&P) Pay Plan

• University Support Personnel System (USPS) Pay Plan

• Faculty Pay Plan

• Other Personal Services (OPS) Pay Plan
Administrative and Professional (A&P) Exempt

- One whose duties and functions are primarily professional or administrative in nature
- Is not covered by the Fair Labor Standards Act/Wage and Hour Laws
- Not restricted to a 40 hour work week
- For hours worked over 40 in one work week, the employee is not entitled to overtime pay or compensatory time off

Salaried Employee Pay Plans

University Support Personnel System (USPS) Non-Exempt
- Covered by the Fair Labor Standards Act
- Restricted to a 40 hour work week
- For hours worked over 40 in one work week, the employee is entitled to overtime pay or compensatory time off

University Support Personnel System (USPS) Exempt
- Not restricted to a 40 hour workweek
- Overtime and compensatory time is calculated hour for hour at the employee’s regular rate of pay

Faculty Pay Plan

The Office of Faculty Development and Advancement handles matters related to the Faculty Pay Plan.
Other Personal Services (OPS)

- Other Personal Services (OPS) pay plan is at-will temporary employment. Employees may be separated from employment at any time. Notice or reason for termination is not required. Layoff rights do not apply.
- 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 Unemployment Compensation benefits after separation.

Purpose

The Employee and Labor Relations (ELR) Office is committed to promoting a cohesive, effective and high performing workplace. It is with this goal in mind that the ELR office provides guidance and assistance to non-faculty employees and managers in administering FSU policies and procedures, in support of the University's mission, vision, and strategic initiatives.

E/LR Areas of Responsibility

- Performance Evaluations
- Exit Interviews
- USPS and A&P personnel issues
- Layoffs/Reductions in Force
- Disciplinary Guidelines
- Voluntary Demotions
- Collective Bargaining
- Reductions in FTE
- USPS and A&P employee Complaints/Appeals
A&P Performance Evaluations

- A&P employees are evaluated annually, every August by their immediate supervisor.
- A&P evaluations are completed by using the online performance evaluation module:
  - ePerformance is available in OMNI.

Rating Factors
- Exemplary
- Above Satisfactory
- Satisfactory
- Below Satisfactory

A&P Employees (E&G Contract)

Contract Cancellation of E&G “hard money” funded A&P employees:
- More than five (5) years of service in the A&P Plan = 20 weeks’ notice.
- Between one (1) to five (5) years of service in the A&P = 12 weeks’ notice.
- Less than one (1) year of service in the A&P Plan = 4 weeks’ notice.

A&P Employees (Soft Money Contract)

Contract Cancellation of Soft Money funded A&P employees:
- More than five (5) years of service in the A&P Plan = 20 weeks’ notice or the remainder of the appointment period, whichever is less.
- Between one (1) to five (5) years of service in the A&P = 12 weeks’ notice or the remainder of the appointment period, whichever is less.
- Less than one (1) year of service in the A&P Plan = 4 weeks’ notice or the remainder of the appointment period, whichever is less.
USPS Performance Evaluations

- USPS employees are evaluated according to the date of hire in his/her current classification
- Completed by immediate supervisor
- Forms
  - USPS Performance Evaluation
  - USPS Performance by Exception
- Rating Factors
  - Superior Performance Standards
  - Above Performance Standards
  - Meets Performance Standards
  - Below Performance Standards

USPS Probationary Evaluations

Probationary Evaluation
- 6 month period (police officers 1 year period)
- Extension of hiring process
- At-Will Employee

Probationary Evaluation Completed
- 30 days prior to end of the probationary period
- Obtain status in the system
- Obtain status in the classification

A USPS employee’s Probationary Period may be extended for up to 6 additional months in 60 day intervals.

Each time a USPS employee changes classifications, another probationary period for that classification must be completed.
USPS Annual Evaluations

An annual evaluation is completed 30 days after the date of hire, date in classification or new classification.

USPS Special Evaluations

Special Evaluation Completed:
• At any time in which the employee’s performance has changed from the current evaluation rating
• Period covers from the last rating period date until the evaluation is discussed with the employee
• Exception is Below Performance Standards

USPS Performance Evaluations

Higher level supervisors
• Review and sign, may attach comments
• Exceptions are Deans, Directors, Department Heads

Absent an evaluation
• No evaluation on file (meets)
• Evaluation on file (rolls over)
• Written request to your supervisor within 30 days of evaluation due date to complete evaluation
Guidelines for Disciplinary Action

Florida State University practices the concept of Progressive and Cumulative discipline:
- Progressive provides that discipline will be administered in a progressive manner
- Cumulative provides that offenses do not have to be identical to impose a more severe penalty

Example:
- Penalties shall be appropriate to the circumstances of the offense and some offenses are more serious than others thus they will impose a more serious penalty

Oral Reprimand
- Least serious, but not a verbal warning
- Bring the problem to the attention of employee
- Placed in employee’s personnel file
- Valid for at least 1 year

Written Reprimand
- Help employee recognize errors made and that they need to correct them
- Placed in employee’s personnel file
- Valid for at least 2 years

Predetermination Procedures (Regular Status Employees)

Suspensions
- Predetermination Conference
- Predetermination Letter
- Final Action Letter
- 5 Work Days
- 10 Calendar Days

Dismissals
Employee and Labor Relations

IS YOUR ALLY

Appeal of Disciplinary Action

Internal Complaint Procedures
- Oral Reprimand
- Written Reprimand

Arbitration Procedures
- Suspension
- Dismissal
- Demotions
- Reduction in Pay
- Transfers (>50 miles)

Other Personal Services (OPS) Terminations

- There are often misconceptions regarding the separation process for employees falling into this category.
- University policy does not speak specifically to “how” and “why” we separate OPS employees, but ELR has some general guidelines that we follow.
- Our goal is to ensure consistency in our approach when separating employees from employment without establishing a process equivalent to the University’s disciplinary process or eroding the benefits of the at-will employment status.
OPS Involuntary Terminations

• Involuntary terminations for misconduct should be discussed with ELR before any action is taken.
• It is recommended that supervisors consult with ELR on any misconduct or performance issues early on to determine the best approach to take in documenting and addressing the issues.
• The supervisor’s technique for documenting the issues should not “shadow” the University’s progressive disciplinary process. Rather, it should summarize events that have occurred or describe specific performance and/or misconduct related issues and the corrective action/feedback provided to the employee.

OPS Involuntary Terminations

• Departments should also document the reason for separation for terminations not involving misconduct (i.e., lack of funding, appointment ended, project completion). These are still considered involuntary terminations because the University is the moving party in the separation of employment; however, a consultation with ELR is not required.
• If a decision is made to terminate an OPS employee, after consultation with ELR, no notice period or reason for termination is required or recommended. Layoff rights do not apply. However, OPS employees may be eligible for unemployment compensation benefits after separation depending on the reason for separation.

Contact Information

Employee and Labor Relations

644-6475
THE END