

Exit Reviews

Purpose:

To administer a program to collect data regarding working conditions and other qualitative information from exiting employees as well as to ensure retrieval of University assets when an employee separates-from employment.

Policy:

All employees separating from the University are required to comply with the Exit Review Program which includes the:

- Exit Review Questionnaire, and
- Separation Clearance Form

All outstanding debts of departing employees, including the face value of any University asset not returned upon separation, will be deducted from final funds due to the employee upon giving the employee written notification of the amount to be deducted and the reason thereof. If the final salary and accrued leave, if any, are not sufficient to satisfy the amount owed, any outstanding balance will be placed in Accounts Receivable with the Controller's Office.

Fast and Impartial Resolution (FAIR) Process

Purpose:

To establish and maintain a process which provides for the equitable resolution of complaints, misunderstandings, and issues for University employees.

Definition:

Complaint - A complaint is an expression of dissatisfaction or concern related to a workplace situation. It does not apply to discrimination or sexual harassment as other processes are available to address such issues.

Policy:

The University encourages open communication between employees and their supervisors to address concerns. While most differences can be worked out amicably between the employee and his/her supervisor, it is important to have a process by which employees can seek to resolve what they consider to be unfair or inequitable application of University policies and procedures.

Employees must meet with their supervisors to discuss and resolve issues that they believe have adversely affected their employment. Human Resources must be consulted to ensure that no violation of applicable University regulation, policy or process has occurred.

1-9 Requirements

Purpose:

To enforce the federal requirements for certification of employment eligibility within the United States.

Policy:

All employees must complete an 1-9 (Employment Eligibility Verification) form within the first three days of employment.

Nepotism

Purpose:

To ensure that no preferential treatment will be afforded to individuals based on relationships that may place undue or inappropriate influence on terms and conditions of employment.

Definition:

For the purpose of this policy, "relationship" is defined as individuals related by blood, marriage, adoption [e.g. father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister, Florida Statute Section 112.3135(1)(d)]; a person a public employee intends to marry, or with whom the public employee intends to form a household, or any other natural person having the same legal residence as the public employee, Florida Statute Section 112.312, Code of Ethics; domestic partnership, dating, or other personal relationship in which objectivity might be impaired. "Line of authority" is defined as authority extending vertically through one or more organizational levels of supervision or management.

Policy:

Relationship to another individual employed by the University shall not constitute a bar to hiring, promotion or reappointment, provided, that no employee shall be under the direct or indirect supervision or control of a related individual. The University retains the right to refuse to appoint a person to a position in the same department, division or facility, whereby his/her relationship to another employee can create an adverse impact on supervision, safety, security, morale, or involves a potential conflict of interest.

Individuals should not be employed in a department or unit, which will result in a subordinate-supervisor relationship between such individuals and any related individual as defined above through any "line of authority".

Related individuals, as defined by this policy, may not be supervised or work in the same division, department, or unit without prior approval from the Assistant Vice President of Human Resources and the Vice President in charge of Human Resources.

New Employee Experience

Purpose:

To welcome new employees to the University and to acclimate them to our mission, vision, values, policies and procedures.

Policy:

All non-faculty employees are required to attend New Employee Experience on their first day of employment, which is a Monday. Faculty members are to attend on the first available session following their first day of employment.

Performance Development Process

Purpose:

To establish a Performance Development Process, (PDP), aligned with organizational objectives that provide consistent criteria for enhancing and assessing employee performance on an annual basis.

Policy:

PDP provides individual employees with an opportunity for the development of their potential, continued learning and career development, and provides input for merit pay and reward programs.

In preparing the Performance Discussion Document, the supervisor/manager may solicit feedback on the employee's performance from a variety of sources: peers/colleagues, direct reports, students and other constituents.

An employee's overall rating on the PDP is one factor that will contribute to determining eligibility for the University's Operational Excellence Award as well as any local recognition and reward.

This is a year-round process which shall culminate in the annual Performance Discussion. Supervisors will be evaluated on whether the Performance Development Process was conducted annually for their subordinates.

Both supervisors and employees must attend mandatory training on the PDP itself, as well as on the use of the PerformanceImpact™ software tool.

PDP for Faculty Employees:

Each department/unit shall develop and maintain procedures by which to evaluate faculty employees according to the following criteria:

- Demonstrates teaching effectiveness, i.e., presenting knowledge, information and ideas via lectures discussions, assignment and recitation, demonstration, laboratory exercise, practical experience and direct consultation.
- Contributes to the discovery of new knowledge, development of new educational techniques, and other forms of creative activity.
- Engages in public service that extends professional or discipline-related contributions to the community.
- Participates in the governance process of the University through significant service on committees, beyond the expected participation in regular departmental or college meetings.
- Participates in other assigned University duties, such as attending commencement ceremonies, councils and senates.
- Contributes to development of the University or community enterprise by identifying, developing and bringing vision to life, with an end result of creating a new venture.
- Demonstrates proficiency in spoken English.

In addition, each faculty employee shall be annually evaluated using FIU's Values and Core Competencies. The following are the Values and Core Competencies applicable to faculty employees:

FIU VALUES

Diversity & Respect

- Displays empathy and tolerates diverse viewpoints
- Shows respect and sensitivity for cultural differences
- Educates others on the value of diversity
- Promotes a harassment-free environment

Honesty & Integrity

- Exhibits ethical and moral behavior in everyday business conduct
- Earns trust of others by disclosing information and admitting mistakes
- Recognizes and resolves ethical questions
- Ensures University ethics are widely understood
- Encourages open discussion of ethical issues
- Creates an environment that rewards ethical behavior
- Inspires the trust of others
- Works ethically and with integrity
- Upholds University values

Knowledge Excellence

- Recognizes and acts on opportunities
- Measures self against standards of excellence
- Changes approach or method to best fit situations
- Keeps abreast of developments of profession
- Meets challenges with resourcefulness
- Keeps abreast of developments of profession

Operational Excellence

- Measures key outcomes
- Fosters quality focus in others
- Improves processes, products, and services
- Understands implications of decisions
- Aligns work with strategic goals

Service Excellence

- Builds rapport
- Ask questions to discover needs
- Presents solutions that meet service objectives
- Manages difficult and emotional service situations
- Solicits feedback to improve service

CORE COMPETENCIES

Communication Skills

- Expresses ideas and thoughts orally
- Expresses ideas and thoughts in written form
- Exhibits good listening and comprehension
- Keeps others adequately informed
- Selects and uses appropriate communication methods

Critical Thinking Skills

- Displays original thinking and creativity
- Incorporates analysis in making decisions
- Exhibits sound and accurate judgment

- Identifies problems in a timely manner
- Resolves problems in early stages
- Makes timely decisions

Efficiency Management

- Works within approved budget
- Promotes conservation of University resources
- Develops and implements cost saving measures
- Uses time efficiently
- Prioritizes and plans work activities

Leadership Skills

- Exhibits confidence in self and others
- Inspires respect and trust
- Reacts well under pressure
- Shows courage to take action
- Creates a motivating environment for others to perform well
- Prepares for and supports change initiatives

Personal Effectiveness Skills

- Takes responsibility for own actions
- Undertakes self-development activities
- Exhibits tact and consideration
- Uses authority appropriately to accomplish goals
- Pursues and wins support for ideas
- Understands FIU structure, culture, and dynamics
- Adapts to change in the work environment
- Understands FIU structure, culture, and dynamics

Team Skills

- Fosters team cooperation
- Defines team roles and responsibilities
- Supports group problem solving
- Ensures progress towards goals
- Acknowledges team accomplishments
- Puts success of team above own interests
- Balances team and individual responsibilities
- Establishes collaborative relationships to achieve objectives

Observation and Visitation:

The faculty employee, if assigned teaching duties, shall be notified at least two (2) weeks in advance of the date, time and place of any direct classroom observation or visitation made in connection with the faculty employee's annual evaluation.

Additional Faculty Employee Evaluations:

Sustained Performance Evaluations. Tenured faculty members shall receive a sustained performance evaluation once every five (5) years following the award of tenure or their most recent promotion. The purpose of this evaluation is to document sustained performance during the previous five (5) years of assigned duties to evaluate continued professional growth and development. Where performance falls below acceptable standards, the faculty will be given appropriate counseling and an opportunity for improvement. Failure to achieve such improvement shall result in appropriate disciplinary action, up to and including termination.

Third-Year Review. Faculty on tenure-earning status shall be evaluated during their third year of employment, in accordance with review procedures developed by each college and approved by the Provost. Following the third-year review, a faculty will either be offered further assignments or receive notice of termination.

Each unit/college will develop procedures for the third-year review process that will provide a recommendation to the dean as to whether the faculty will be offered continued employment or will be given a notice of termination.

The third-year review will take into consideration the faculty's assignment; all information provided in the evaluation file; as well as an appraisal regarding the faculty's realistic chances to be awarded tenure.

Internal Recruitment, Promotions, Demotions & Transfers

Purpose:

To allow hiring departments to provide employees with internal career-pathing opportunities.

Policy:

Internal recruitment will be utilized to support career mobility of qualified existing employees, consistent with equal employment and affirmative action objectives. If a suitable candidate is not found internally, the department will recruit outside FIU to obtain the best, qualified candidate for the position.

Decisions regarding the career mobility of employees will be based on job-related factors such as their ability to meet the minimum requirements of the position, perform the essential functions of the position, past performance in their current position and the level of experience within the current position.

The following career-pathing opportunities encompass the methods by which employees may move from one position to another:

Promotion

The upward mobility of an employee from one position to another position having a greater degree of responsibility and a higher salary range maximum.

A promotion can be within the same division/department or from one division/department to another.

An employee being promoted will have his/her salary set in accordance with FIU's Compensation Manual.

Demotion

The downward mobility of an employee from one position to another position with a lesser degree of responsibility and a lower salary range maximum.

A demotion can be voluntary or involuntary within the same division/department or from one division/department to another.

An employee being demoted will have his/her salary adjusted in accordance with FIU's Compensation Manual.

Transfer

The lateral movement of an employee from a position in one class, to a different position within the same class or in a different class, having the same degree of responsibility and the same salary range maximum.

A transfer can be voluntary or involuntary.

An employee being transferred usually maintains their current salary.

Applies to Faculty Employees:

Promotion

In order to be considered for promotion, a faculty employee shall meet the minimum qualifications for initial appointment to the proposed rank and successful performance at

the level of the qualifications corresponding to that rank. In addition, promotion shall be justified by the faculty employee's increased skills in the performance of duties, increased knowledge in the field or specialty, and increased recognition of the faculty member as an authority in his/her field. Satisfactory teaching performance at the level corresponding to the higher faculty ranks is an indispensable condition for promotion. Satisfactory performance in research and service at the level corresponding to the higher rank is necessary.

Beginning with the second year of employment, a faculty member may request in writing an appraisal regarding his/her progress toward promotion. The promotion appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates in order to qualify for promotion. The promotion appraisals are not binding upon the University.

Promotion decisions shall be a result of meritorious performance and shall be based upon established criteria and procedures. The University shall make available the criteria for promotion on line.

The Provost or designee shall award promotion and notify the faculty member in writing of the decision.

Solicitation, Distribution & Posting

Purpose:

To provide means for individuals to conduct activities on campus without undue interruption of normal University business.

Policy:

With the exception of university sponsored campaigns, or other periodic university sponsored activities, solicitations, and/or distribution by employees of printed matter, or solicitations in any manner including e-mail, for funds, products, services, memberships, or for any other reason on university property is not permitted, except in non-work areas during the non-work time of all involved. Work time does not include meal periods, authorized rest breaks or any period when employees are properly not engaged in the performance of their work tasks.

The distribution of any literature or other written material within work or customer areas is prohibited. Non-employees are prohibited from soliciting or distributing literature on university premises.

The posting of materials on approved official bulletin boards are permitted with approval from the Division of Human Resources.

Solicitors, including students, University personnel, and the general public, shall be prohibited from entering the grounds or buildings of the University for the purpose of transacting business with students or other University personnel, unless they have been issued a permit for this purpose by the Vice President of Administration or the appropriate official of the Student Center.

Violations of this policy should be reported to the Division of Human Resources.

Separations of Employment

Purpose:

To administer a uniform process for employee separations.

Policy:

Terminations based on discriminatory reasons are prohibited under this policy.

Separations from University employment may include the following:

Termination - Occurs when an employee is permanently separated from University employment. Termination may be preceded by corrective action, unless unsatisfactory performance or misconduct warrants immediate dismissal.

Resignation- Occurs when an employee initiates a termination by notifying the immediate supervisor of his/her intention to resign.

Abandonment - Occurs when an employee is absent without approved leave for three (3) or more consecutive scheduled workdays. Such action represents an abandonment of position, and the employee will be automatically terminated. If the employee's absence is for reasons beyond the control of the employee and the employee notifies the University as soon as practicable, the University will review the circumstances surrounding the absence on an individual basis to determine if it is to be considered abandonment of position.

Layoffs - For terminations of employment due to layoff please refer to University policy # (Layoffs).

Non-Tenured Faculty Employees:

Faculty members, except those described in (a), (b) and (c) below are entitled to the following written notice of termination:

- Within their first three (3) years of continuous University service, one semester;
- With three (3) or more years of continuous University service two semesters;

These notice provisions do not provide rights to:

a) Summer appointments;

b) Faculty members who are funded from contracts, grants and/or sponsored research funds as they are governed by the terms and conditions of employment of their contract or grant.

c) Faculty members who are appointed as visitors [or who are appointed to multi-year appointments] are not entitled to notice that they will not be offered further appointment.

Tenured Faculty Employees:

A tenured or faculty employee may be terminated for just cause. Such faculty employee shall be given written notice at least six (6) months in advance of the effective date of such termination, except in cases where the Provost or his/her representative determines that a faculty employee's actions adversely affect the functioning of the University or jeopardize the safety or welfare of any employee, or students, the Provost or his/her representative may give less than six (6) months notice.

Access to Personnel Records

Purpose:

To establish what constitutes the University's official personnel records and provide means for individuals to inspect such records.

Policy:

The only official personnel records are maintained in the Division of Human Resources.

When any personnel decisions are made, other than for faculty tenure and promotion, the only documents which may be used are those contained in the official personnel file. There will be separate files solely for tenure and promotion which will be kept by the departments or colleges.

Generally, University personnel records are public records and under the Sunshine Law are open for public inspection.

All requests for employee information, including both, current or former employees, must be submitted in writing to the Division of Human Resources for production.

Copies of the records may be furnished upon request, at a cost of \$0.15 per page.

Employees' social security numbers are not public records. An individual's social security number must be removed from any record inspected or released in response to a public records request.

Personal information of law enforcement personnel and their immediate family members are not considered public records and are exempt from the General State Policy on Public Records under Section 119.07, F.S.

Advertising

Purpose:

To create a systematic and consistent process by which we notify the internal/external community of the job opportunities available within the University.

Policy:

All employment advertisement shall be centrally coordinated through the Division of Human Resources (DHR)

Hiring departments must advertise in various media (i.e. JobsLink, newspapers, trade journals, industry circulars, electronic media, etc.) depending on the level of the position.

Hiring departments can elect to advertise non-required positions in the various media provided they have the budget.

Advertising can be done locally and/or nationally depending on the level of the position.

DHR provides guidance and recommendations to the hiring department to ensure consistency and compliance in advertising.

Background, Fingerprinting & Reference Checks

Purpose: To ensure that the University conducts thorough investigations of prospective employees.

Policy:

Background Checks

- All prospective employees may be subject to background checks upon an offer of employment. Employment is contingent upon the satisfactory results of the investigation.
- Checks will include federal, state, and local criminal background. Those positions that require operation of a motor vehicle will include a driver's license check.
- The Division of Human Resources (DHR) reviews the reports and makes decisions regarding suitability for employment based on findings and the particular job.

Fingerprinting

- The DHR conducts fingerprinting checks through the Federal Department of Law Enforcement (FDLE) for all positions in Law Enforcement, Child Care and those with responsibility for handling cash, or working in the Residence Halls.
- The DHR reviews reports and makes decisions regarding suitability for employment based on findings and the particular job.

Reference Checks

- Hiring departments must conduct reference checks on all prospective employees to establish suitability for employment using the guidelines established by the DHR.
- The DHR reviews the written findings and makes decisions regarding suitability for employment based on information obtained and the particular job.

Language Proficiency

- All faculty employees with teaching assignments must be proficient in speaking English.

Confidentiality Agreements

Purpose:

To prohibit the unauthorized exchange of confidential information between the employee and any other party who does not have the right to receive the information.

Policy:

Any written or oral statement containing confidential, personal information related to business, financial or medical transactions, including name, birth date, address, telephone number, social security number, personal photograph, amounts paid or charged on University charge cards is to be safeguarded.

It is the legal and ethical responsibility of all Florida International University faculty, staff employees, students, and volunteers to preserve and protect the privacy, confidentiality and security of all confidential information, written or verbal, acquired during their course of work at Florida International University. Use of confidential information for any personal gain, or offer of such information to any individuals or publications to the detriment of Florida International University during or subsequent to employment is forbidden.

Willful violation or unauthorized activities compromising the Confidentiality Agreement made between the employee and employer (Florida International University) will constitute just cause for disciplinary action up to and including termination of employment.

Conflict of Interest

Purpose:

The University is required by the Florida Statutes and the University Code of Conduct to ensure that its employees follow a code of conduct which avoids any conflict of interest, or appearance of conflict of interest, between the performance of the employee's public duties and any outside personal interests.

Definitions:

Outside activity - shall mean any private practice, private consulting, additional employment, teaching or research, or other activity, whether compensated or uncompensated, which is not part of the employee's assigned duties and for which the University provides no compensation.

Conflict of interest - shall mean any conflict between the private interests of the employee and the public interests of the University, the Board of Governors, or the State of Florida, or any activity which interferes with the performance of the employee's professional or institutional responsibilities or obligations.

Policy:

- Conflicts of interests, including those arising from University or outside activities are prohibited. Employees are responsible for resolving such conflicts of interest, working in conjunction with their supervisors and other University officials.
- Any University employee considering outside activity/interest is required to complete the Report of Outside Activity Form prior to engaging in such activity and may not engage in such activity until the outside activity has been approved.
- The Report of Outside Activity Form must be completed on an annual basis and/or when an outside activity begins or substantially changes, or has not been previously reported. Faculty employees must make this report each year even if they are not engaged in an outside activity.
- The reporting provisions shall not apply to activities performed wholly during a period in which the faculty employee has no appointment with the University.
- Employment at other educational institutions of higher education is generally defined as a conflict of interest. Therefore, barring special circumstances as outlined below, full-time faculty employees and administrators should not commit themselves to compensated employment at other colleges, universities or serve in any capacity on the Board of Trustees of any other colleges or universities.
- Special circumstances for permitting employment at another educational institution may include:
 - (a) emergency need at another institution caused by accident or illness;
 - (b) summer teaching, if not appointed at FIU;
 - (c) a vocational instruction;
 - (d) unpaid leave of absence;
 - (e) acceptance into a faculty/administrator development program;
 - (f) approved faculty/administrator exchange with another institution;
 - (g) programs approved as part of an inter-institutional agreement;
 - (h) sabbatical leave when such employment is part of the approved sabbatical proposal;

- (i) instruction of a course which is not offered at FIU and in a program that does not exist at FIU.

Definitions:

Adjunct Faculty: Adjunct status applies to temporary appointments extended to persons of satisfactory professional qualifications who perform temporary teaching functions in connection with established programs. Time spent in such an appointment shall not be counted as tenure-earning service.

Clinical Appointment: An appointment in conjunction with a professional position.

Courtesy Appointment: A courtesy appointment may be extended by an academic unit to persons who meet the unit's professional qualifications but whose primary assignment is outside the unit. Courtesy appointments do not include compensation, but may include special privileges and are made in accordance with normal general faculty qualifications.

Eminent Scholar: Eminent Scholars are selected based on their national prominence in their scholarly field. Candidates for Eminent Scholars may or may not be currently employed at FIU.

Emeritus Faculty: The title of "Emeritus" may be bestowed by the President upon a retired faculty or librarian as evidenced by a record of outstanding University teaching, research or service after a minimum of five (5) years of employment at FIU. Academic administrators shall become Emeritus in their academic rank and/or their administrative classification.

Research Appointment: An appointment in which the person is engaged primarily in research.

Visiting Appointment: An appointment extended to a person having appropriate professional qualifications, but who is not expected to be available for more than a limited period of time, or an appointment to a position which is not expected to be available for more than a limited period of time. A visiting appointment should not be provided for more than three (3) consecutive years, unless approved by the Provost or appropriate vice-president.

Direct Deposit

Purpose:

To outline and enforce a mandated process for the disbursement of compensation.

Policy:

As a condition of employment, all employees are required to authorize their paychecks to be electronically submitted to their financial institutions.

Failure to comply with this requirement will result in termination of employment.

Disciplinary Actions

Purpose:

To establish a policy and provide guidelines for the application of disciplinary actions for University employees.

Definitions:

Severe Disciplinary Actions - defined as suspensions, demotions and involuntary terminations.

Suspension -occurs when an employee is taken off duty for a day or more without pay.

Involuntary Demotion- occurs when an employee is involuntarily subjected to a reduction in pay and higher functioning duties are permanently removed resulting in a lower level position.

Involuntary Termination -occurs when an employee is permanently separated from University employment.

Policy:

A Pre-Disciplinary Review (PDR) must be conducted in conjunction with Human Resources before severe disciplinary action is imposed. The PDR shall provide a level of review for severe disciplinary actions recommended by supervisors.

Human Resources will ensure that all pertinent information is obtained so that employee behavior which necessitates disciplinary action shall be determined by the employee's supervisor in consultation and with the approval of the Assistant Vice President for Human Resources his/her designee, or the Provost in the case of a faculty member.

The University reserves the right to impose discipline at any level, including immediate termination.

Employment Offers

Purpose:

To provide new employees with information regarding the terms and conditions of employment at the University and to ensure consistent personnel records indicating their acceptance.

Policy:

All offers of employment will be centrally administered by the Division of Human Resources.

The signed, original Offer of Employment becomes a permanent part of the employee's personnel file.

APPLIES TO FACULTY EMPLOYEES:

A faculty employee's professional obligations in teaching, research/scholarship/creative activity, and service, are comprised of both scheduled and non-scheduled activities. Upon initial appointment, a faculty member shall be issued a letter of offer detailing specific terms and conditions of employment and his/her assignment of responsibilities. The professional obligation undertaken shall ordinarily be broader than the twelve (12) contact hours of instruction or equivalent research and service required by the Legislature. However, no appointment shall create any right, interest, or expectancy in any other appointment beyond its specific terms, except as noted in the provisions governing tenure, and layoff.

Each faculty member shall be given assignments that provide equitable opportunities, in relation to other faculty members in the same department/unit, to meet the required criteria for promotion, tenure, and merit salary increases.