

USF System   USF   USFSP   USFSM

**Number:** USF10.111  
**Title:** Faculty Separations from Employment and Layoff  
**Responsible Office:** Administrative Services/Human Resources

Date of Origin: 10-5-03

Date Last Amended: 11-17-09

Date Last Reviewed:

---

(1) Separations from employment will be conducted consistent with the following provisions and administered by the Provost or appropriate Vice President or CEO:

(a) A faculty member who resigns from employment has no rights of appeal.

(b) Faculty members absent without authorization for twelve (12) days will be deemed to have abandoned the position, unless they provide information about an emergency that made them unable to contact a supervisor.

(c) The CAO may dismiss a faculty member for “just cause” in accordance with Regulations of the USF System and relevant law. For the purposes of this Regulation, “just cause” is defined as incompetence or misconduct. In keeping with principles of shared faculty governance, tenured faculty members who receive notice of actual or intended termination of employment for “just cause” will have the right (though not the obligation) to have the case heard before a committee of faculty peers. If they choose to use this option, they will notify the Faculty Senate President, under whose authority the committee will be constituted. The committee’s decision will be advisory, not binding, and it will not affect either the faculty member’s or the Administration’s rights and responsibilities under any existing laws, these Regulations, or Collective Bargaining Agreements.

(2) Layoffs shall be conducted consistent with the following provisions and in accordance with the USF System’s Regulations. Furthermore, in the spirit of shared governance, decisions regarding layoffs must be made with participation of a committee designated by the Faculty Senate.

(a) Faculty may be laid off as a result of: adverse financial circumstances; reorganization of degree or curriculum offerings or requirements; reorganization or abolition of academic or administrative structures or programs.

(b) The layoff unit will be at an organizational level such as a campus, division, college, school, department or program.

(c) A tenured faculty member will not be laid off if there are non-tenured faculty members in comparable positions in the layoff unit. The CAO will determine the priorities for retaining faculty in consultation with faculty representatives in appropriate units, taking into account faculty members' length of continuous service in the USF System and other appropriate factors.

(d) The CAO will make a reasonable effort to locate appropriate alternative/equivalent employment for laid-off faculty members within the USF System, and will inform them of the results of such efforts.

(e) The following employees do not have layoff rights:

1. Faculty members appointed for less than one (1) academic year;
2. Faculty members appointed to a position funded solely from contracts and grants, auxiliaries or local funds;
3. Faculty members whose appointments expire after receiving timely notice of non-renewal/non-reappointment; and
4. Faculty members whose appointments expire when the position did not require written notice of reappointment, including those serving on an appointment with an appropriately documented fixed term or a multi-year contract.

(f) Faculty members are to be informed of layoff as soon as practicable, and with no fewer than thirty (30) days' notice, and Instructional and Research Faculty will not be laid off until the end of the semester in which they receive notice. A notice of layoff will be sent by certified mail, return receipt requested, with a copy delivered in person to the faculty member. The notice will include reasons for layoff; statement of recall rights; statement of appeal/grievance rights.

(g) Faculty members have recall rights in the USF System for two (2) years following layoff, if they have been employed for more than two (2) years, and for one (1) year if they have been employed for less than two (2) years. They will be offered reemployment/recall rights in the same or similar position for which they meet the qualifications and experience.

(3) Reemployment offers will be made in accordance with USF System-procedures.

*Authority: Art. IX, Sec.7, Fla. Constitution, Fla. Board of Governors Regulation 1.001.*

*History: New (BOT approval) 10-05-03. Formerly 6C4-10.111, F.A.C., Amended 11-17-09.*