Policy

UNIVERSITY POLICY HR-21.02-06/26

TO: The University of West Florida Community

FROM: President Manny Diaz, Jr.

SUBJECT: Separations from Employment

RESPONSIBLE OFFICE: Human Resources

I. Purpose:

This policy establishes the practices for managing separations from employment at the University of West Florida (the "University"), including ensuring the return of University property. Additionally, the University encourages departing employees to participate in exit interviews to provide valuable feedback and ensure a smooth transition.

II. Definitions:

Division Head - President, Provost, Vice President Advancement, Vice President Finance & Administration, and Vice President Division of Student Affairs.

III. Policy:

A. Separation from Employment

Non-tenured, non-unit faculty or University Work Force appointments shall not create any rights, interest, or expectancy of employment beyond the terms provided in this policy. All involuntary separations must be approved by the Senior Associate Vice President Human Resources. Various forms of separation from employment are addressed as follows:

1. Resignation

Wherever possible, employees should provide at least two weeks advance notice of their resignation from the University. Once tendered, either verbally or in writing, a resignation is deemed accepted by the University and may not be rescinded by the employee without concurrence of the University. An employee who resigns from employment shall not have any rights of appeal.

2. Job Abandonment

   An employee who is absent without approved leave for three or more consecutive workdays shall be considered to have abandoned the position and therefore resigned from the University.

3. Separation During Orientation Year

   Other Personal Services and University Work Force employees within their orientation year in any position class may be separated from employment at any time for any reason. These types of separations do not require advance notice from the University and may not be appealed.

4. Furlough

   A furlough is the placement of an employee in a temporary, unpaid leave from work status for a specified number of hours, days, weeks, or months within a stated time frame. A furlough is not a layoff or a reduction in workforce and may be used to avoid or delay such action. In the event of a furlough, no layoff rights will apply. A mandatory furlough program may be instituted at any time in order to preserve the financial well-being of the University. A furlough can be instituted if the University experiences a significant budget reduction due to a catastrophic event, reduction in state funding, or other loss of revenue that causes a significant operating budget deficit, or in the event that work for an employee is temporarily unavailable.

   a. Any employee may be subject to a furlough, except employees on certain temporary non-immigrant Visas.

   b. In the event that the President determines it is necessary for the financial health and stability of the University, or a specific unit of the University, the President may permit a University unit to implement furloughs. The President will direct the Division Head to create a plan and consult with and obtain approval from the Senior Associate Vice President of Human Resources or designee prior to implementing, modifying, or terminating a furlough.

   c. Benefit Status While on Furlough

      i. Employees may not accrue or use accrued leave (annual, sick, or compensatory leave) during a furlough. Employees who remain in partial pay status during a furlough shall accrue leave on a pro rata basis in accordance with University policy. *See* HR-18 Hours of Work and Benefits.

      ii. The University will pay the employer portion of the State of Florida healthcare and basic life insurance premiums. Employees are responsible for arranging timely payment for the employee portion of premiums for any benefits they wish to maintain during a furlough.

iii. Retirement contributions are based on actual earnings. Contributions by both the University and the employee will be decreased accordingly during a furlough.

iv. An employee's continuous service, length of service, or anniversary hire date will not be affected by any period of furlough.

d. Notice

Where practicable, employees shall receive written notice no less than seven calendar days before being placed on furlough. The notice will include the approximate duration of the furlough and a description of the hours, days, weeks, or months that are the subject of the furlough.

The conditions of the furlough, including termination, are subject to modification upon written notice to the impacted employee. Where practicable employees shall receive written notice no less than seven calendar days before modifications to the furlough conditions. Furloughs may be extended based on the business needs of the University.

e. Work

i. Employees may not perform any work during the furlough period.

ii. Exempt employees must be furloughed in seven-day increments aligned with the University's workweek to comply with the Fair Labor Standards Act (FLSA).

iii. Supervisors may not authorize overtime in a separate non-furlough workweek to permit non-exempt employees to recoup wages lost due to a furlough.

iv. Employees funded by contracts or grants who have work that can be performed toward the sponsored project may be paid for actual time worked on that sponsored project. Employees will not be paid on a sponsored project if there is not work to be performed during the furlough period.

5. Layoff

Employees may be laid off at any time as a result of adverse financial circumstances; reallocation of resources; reorganization of degree or curriculum offerings or requirements; reorganization of academic or administrative structures, programs, or functions; curtailment or abolishment of one or more programs or functions; shortage of work; or a material change of duties. The President or designee shall notify in writing any appropriate employee organizations when layoffs are to take place.

a. The layoff unit may be at an organizational level such as a campus, division, college, department, area, program, unit or other level of organization as the President or designee deems appropriate.

b. In designating the makeup of the layoff unit, the President or designee shall consider the special qualifications and relevant experience required for specific positions and exclude such positions from layoff.

c. The President or designee may make reasonable efforts to locate appropriate alternative or equivalent employment at the University for laid-off employees, where possible.

6. Separation with Advance Notice (SWAN)

Employees, except those noted in subsection (7) below, may be separated from the University without cause after advance notice.

a. Although separations under this subsection do not require cause, the basis for such separation shall not be based upon lawfully impermissible grounds.

b. Advance notice of the separation shall be given in writing as follows:

   i. Non-tenured, non-unit Faculty or University Workforce employees not in their position orientation year with the University shall be given ninety days advance notice of separation.

   ii. The notice shall include the last date of employment with the University.

c. In the event of a break in service for more than one semester in one full year or more than two semesters in two full years, only service following such break shall be counted for purposes of determining length of service.

d. The employee placed on the 90-day advance notice of separation, may be placed on administrative leave with pay for the duration of the notice period.

e. An employee who has received an advance notice of separation shall not receive any pay increases during the advance notice period.

f. An employee who begins employment outside the University during the 90-day notice period must resign from the University prior to the first day of employment with the new employer.

7. Separation Without Notice

The following employees are not entitled to advance notice of separation:

a. Employees holding visiting, acting or temporary appointments;

b. Employees who are appointed for less than one academic year;

c. Employees whose salary is funded through "soft" money, e.g., contracts, grants, auxiliary or local funds;

d. Employees on time limited appointments;

e. OPS employees; and

f. Employees serving a position orientation year.

8. Removal of Administrative Appointment for Non-Unit Faculty

Faculty administrative appointments are "at will" appointments. Non-unit faculty members in administrative appointments serve at the pleasure of the appointing University administrator. Such employees are not entitled to advance notice of removal from the administrative appointment and have no right to appeal or grieve the removal.

9. Termination for Cause

Employees terminated for cause are not entitled to advance notice of separation and may be terminated at any time in accordance with this policy.

a. Just cause includes, but is not limited to, misconduct in office, conduct unbecoming of a University employee, insubordination, willful neglect of duty, incompetence, or conviction of a crime. *See* HR-22 Standards of Conduct.

b. Notice of Intent to Terminate

i. An employee shall be given written notice that the University intends to terminate his or her employment. The notice will advise the employee of the reason(s) for the termination and the right to request a pre-determination hearing.

ii. If an employee does not request a pre-determination hearing, no additional notice is required and the employee will be terminated as indicated in the notice.

iii. If an employee requests a pre-determination hearing, it shall be conducted in accordance with Policy HR-22, Standards of Conduct, as it may be amended.

iv. After the pre-determination hearing, the University shall provide the employee with a notice of determination that advises the employee of the decision of the University and a final termination date, if applicable.

B. Exit Interview

Each employee who separates from employment is encouraged to complete an exit interview questionnaire or request an in-person exit interview through Human Resources.

C. Separation Clearance

All persons separating from employment with the University are required to return all State of Florida and University property in their possession and settle their accounts with the University prior to receipt of any final applicable leave payments due them.

1. To the extent permitted by law, the University reserves the right to subtract any amounts owed to the University or to subtract an amount to compensate for unreturned property from any funds that are due the employee, (i.e., final pay, leave payoff).

2. The employee's immediate supervisor is responsible for ensuring proper separation procedures are followed and that all property and keys are returned.

3. To the extent permitted by law, the Controller's Office shall not process final payments to terminating employees without verification that all outstanding accounts are settled.

Approved by: ______________________ **Date:** 6/10/26
President Manny Diaz, Jr.

Authority: Florida BOG Regulation 1.001, University Board of Trustees Powers and Duties

History: Approved July 2004; revised October 2020, December 2020, and June 2026.

Last Review: June 2026