

Florida Atlantic University

Regulation 5.008 Notice of Separation.

(1) Applicability

(a) A Notice of Separation may only be issued to a regular non-tenured or non-permanent status Faculty, and Administrative, Managerial and Professional employees who are not subject to a collective bargaining agreement.

(b) A Notice of Separation may be issued with or without cause for any reason, and without right of appeal or grievance.

(2) Notice Periods

(a) Service in pay plans or positions other than those described above, or with any entity other than Florida Atlantic University, does not count toward length of employment or hiring date for purposes of this Regulation.

(b) Employees issued a Notice of Separation shall receive the following advance notice periods prior to separation:

1. Employees hired prior to August 29, 2001: twelve months
2. Employees hired on or after August 29, 2001, but prior to November 15, 2005: six months
3. Employees hired on or after November 15, 2005:
 - a. In their initial year of covered employment: one month
 - b. In their second year of covered employment: two months
 - c. With two or more years of covered employment: three months

(c) Employment shall terminate without right of appeal or grievance after the advance notice period.

(3) Terms and Conditions of During Notice Period

(a) The employee's current rate of pay shall remain unchanged through the end of the advance notice period. The employee shall not receive any pay increases during the advance notice period.

(b) The University's right to reassign the employee to other duties and responsibilities remains in effect during the notification period. The University's right to terminate the employee for just cause, layoff or furlough remains in effect during the advance notice period.

(c) The President, Provost or Vice President may offer the employee a payout in lieu of

continuing to work through the end of the notice period.

(4) Notice of Separation Requirements

(a) Notices of Separation shall be issued by the President, Provost, Senior Vice President, Vice President or designee to whom the employee reports.

(b) Notices of Separation shall specify the dates of the notice period.

Specific Authority: Article IX of the Florida Constitution, Florida Board of Governors Resolution dated January 7, 2003, 1001.706 FS., 1001.74(5) FS, History–New 7-6-81, Formerly 6C5-5.10, Amended 11-11-87, 8-29-01, 11-9-05, 3-15-06, 3-18-09.