

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED REPEAL OF REGULATION

REGULATION NO.: FIU-1701

REGULATION TITLE: Bargaining Unit Employee Disciplinary Actions

SUMMARY: This regulation pertains to disciplinary actions concerning University bargaining unit employees other than faculty and certified law enforcement personnel, listing offenses and disciplinary actions. The regulation is being repealed as it was superseded by the applicable collective bargaining agreement and the policies contained therein.

TEXT OF REGULATION: The full text of the Proposed Regulation Repeal can be viewed below and on the website of The Florida International University Board of Trustees, <http://bot.fiu.edu/regulations/>. If you would like a copy of the Proposed Regulation Repeal, please contact Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, (305) 348-2103.

AUTHORITY: Resolution of the Florida Board of Governors dated January 7, 2003.

NAME OF PERSON INITIATING PROPOSED REPEAL: Cristina Mendoza, Vice President and General Counsel.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REPEAL OF THE REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REPEAL OF THE REGULATION: Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu. Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: August 12, 2008.

THE FULL TEXT OF THE PROPOSED REGULATION REPEAL IS PROVIDED BELOW:

FIU-1701—Bargaining Unit Employee Disciplinary Actions.

(1) ~~Definition: For purposes of this Regulation “employee” means all bargaining unit employees who are not faculty and who are not certified law enforcement personnel.~~

(2) ~~The University shall administer a uniform procedure covering disciplinary actions for bargaining unit employees. The following general guidelines, are intended to provide supervisors with procedures to deal with various types of offenses that will ensure a bargaining unit employee’s fair, impartial, and uniform treatment in administering disciplinary actions.~~

(3) ~~On the job offenses or deficiencies, and disciplinary actions for offenses or deficiencies, include but are not limited to, the following:~~

GAMBLING:

~~First occurrence: Written reprimand to suspension~~

~~Second occurrence: Suspension to dismissal~~

ABSENCE WITHOUT AUTHORIZED LEAVE:

~~First occurrence: Written reprimand~~

~~Second occurrence: Suspension~~

~~Third occurrence: Dismissal~~

HORSEPLAY:

~~First occurrence: Written reprimand~~

~~Second occurrence: Suspension~~

~~Third occurrence: Dismissal~~

SLEEPING ON DUTY:

~~First occurrence: Suspension to dismissal~~

EXCESSIVE ABSENTEEISM:

~~First occurrence: Oral reprimand~~

~~Second occurrence: Written reprimand~~

~~Third occurrence: Suspension~~

~~Fourth occurrence: Dismissal~~

LOAFING:

~~First occurrence: Oral to written reprimand~~

~~Second occurrence: — Written reprimand to suspension~~
~~Third occurrence: — Suspension to dismissal~~
~~Fourth occurrence: — Dismissal~~

~~FAILURE TO REQUEST SUPERVISOR'S PERMISSION TO LEAVE THE JOB:~~

~~First occurrence: — Oral reprimand~~
~~Second occurrence: — Written reprimand to suspension~~
~~Third occurrence: — Suspension to dismissal~~
~~Fourth occurrence: — Dismissal~~

~~UNAUTHORIZED SALES, DISTRIBUTION OF WRITTEN OR PRINTED MATERIAL OF ANY KIND, OR SOLICITATION ON UNIVERSITY PROPERTY:~~

~~First occurrence: — Oral to written reprimand~~
~~Second occurrence: — Written reprimand to dismissal~~
~~Third occurrence: — Dismissal~~

~~MISUSE OR CARELESS OPERATION OF STATE PROPERTY OR EQUIPMENT:~~

~~First occurrence: — Written reprimand to suspension~~
~~Second occurrence: — Suspension to dismissal~~
~~Third occurrence: — Dismissal~~

~~EXCESSIVE DEVIATION FROM ESTABLISHED WORK SCHEDULE:~~

~~First occurrence: — Oral reprimand~~
~~Second occurrence: — Written reprimand~~
~~Third occurrence: — Suspension~~
~~Fourth occurrence: — Dismissal~~

~~FIGHTING AND/OR AGGRESSIVE BEHAVIOR:~~

~~First occurrence: — Suspension to dismissal~~
~~Second occurrence: — Dismissal~~

~~INSUBORDINATION:~~

~~First occurrence: — Written reprimand to suspension~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal~~

~~NEGLIGENCE;~~

~~First occurrence: — Written reprimand to suspension~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal~~

~~VIOLATION OF SAFETY PRACTICES:~~

~~First occurrence: — Oral reprimand~~

~~Second occurrence: — Written reprimand~~

~~Third occurrence: — Suspension to dismissal~~

~~Fourth occurrence: — Dismissal~~

~~THREATENING, ABUSIVE OR OFFENSIVE LANGUAGE:~~

~~First occurrence: — Written reprimand to dismissal~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal —~~

~~THEFT OR STEALING:~~

~~First occurrence: — Suspension to dismissal~~

~~Second occurrence: — Dismissal~~

~~USE AND/OR POSSESSION OF INTOXICANTS OR NON-PRESCRIBED DRUGS:~~

~~First occurrence: — Suspension to dismissal~~

~~Second occurrence: — Dismissal~~

**~~POSSESSION OF UNAUTHORIZED WEAPONS AND/OR FIREARMS
ON UNIVERSITY PROPERTY:~~**

~~First occurrence: — Dismissal~~

~~CONDUCT UNBECOMING A PUBLIC EMPLOYEE:~~

~~First occurrence: — Written reprimand to suspension~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal~~

~~CONVICTION OF A MISDEMEANOR OR FELONY:~~

~~First occurrence: — Suspension to dismissal~~

~~Second occurrence: — Dismissal~~

~~FALSIFICATION OF RECORDS:~~

~~First occurrence: — Written reprimand to dismissal~~

~~Second occurrence: — Dismissal~~

~~WILLFUL VIOLATION OF A WRITTEN REGULATION AND/OR POLICY:~~

~~First occurrence: — Written reprimand to dismissal~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal~~

~~UNFAIR LABOR PRACTICES:~~

~~First occurrence: — Written reprimand to suspension~~

~~Second occurrence: — Suspension to dismissal~~

~~Third occurrence: — Dismissal~~

~~DISCRIMINATION:~~

~~First occurrence: — Written reprimand to dismissal~~

~~Second occurrence: — Dismissal~~

~~SEXUAL HARASSMENT~~

~~First occurrence: — Suspension to dismissal~~

~~Second occurrence: — Dismissal~~

~~(4) — Applicability. This Regulation does not apply to any faculty, non-bargaining unit employees, and bargaining unit employees who are certified law enforcement personnel.~~

~~Authority: Resolution of the Florida Board of Governors dated January 7, 2003; 1001.74(19), FS.~~