

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

**FIU Emergency Reg. 2005-06      Disciplinary Actions for Non-Bargaining Unit  
Employees and Certified Law Enforcement Personnel**

(1) Definition: For purposes of this Regulation “employee” means all non-bargaining unit faculty, all non-bargaining personnel, and all certified law enforcement personnel in a bargaining unit.

(2) Policy.

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

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

(c) The University reserves the right to impose discipline at any level, including immediate termination, consistent with University policies and Regulations.

(d) The rights and protections provided by this Regulation are in addition to any rights and protections provided by applicable law, University regulations and policies to non-bargaining unit tenured faculty, and to non-bargaining unit tenure-earning faculty when terminated or suspended for just cause.

(e) The rights and protections provided by this Regulation are in addition to any rights and protections provided by applicable law, University regulations and policies to certified law enforcement personnel with permanent status. This Regulation must be construed consistently with the University Policy on Permanent Status for Certified Law Enforcement Personnel (Policy No. 66).

(3) Definitions.

(a) Severe Disciplinary Actions – defined as suspensions, involuntary demotions and involuntary terminations.

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

(c) 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 demotion for tenured non-bargaining unit faculty shall apply only to the administrative duties that may have been assigned to such faculty.

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

(4) Applicability. This Regulation does not apply to bargaining unit faculty and bargaining unit employees except that it does apply to certified law enforcement personnel in a bargaining unit.

Authority: 1001.74(19), FS