

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 14, 2011

REGULATION TITLE:

Affirmative Action; Complaints and Appeal Procedures for Academic Personnel (AP), Technical, Executive, Administrative And Managerial Support (TEAMS) Staff Members, and University Support Personnel System (USPS) Employees

REGULATION NO.:

1.0063

SUMMARY: The amendment removes outdated language to clarify that employees do have the ability to file an internal complaint of discrimination, as has been the practice.

AUTHORITY: BOG Regulation 1.001.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Paula Fussell, Vice President for Human Resource Services

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

1.0063 Affirmative Action; Complaints and Appeal Procedures for Academic Personnel (AP), Technical, Executive, Administrative and Managerial Support (TEAMS) Staff Members, and University Support Personnel System (USPS) Employees.

(1) The following procedures are available to Academic Personnel (AP), Technical, Executive, Administrative and Managerial Support (TEAMS) staff, and USPS employees to seek resolution of alleged discrimination in the employment practices of the University. The existence of these appeal procedures do not preclude use of the formal grievance procedures for Academic Personnel and TEAMS staff set forth in University of Florida Regulations 7.041 and 3.051, and applicable grievance procedures for USPS employees; however, such grievance procedures must be initiated within applicable time limits, subject to authorized extensions. ~~In no event will any individual be entitled to or permitted to institute proceedings under this regulation and University of Florida Regulations 7.041, 7.042, or 3.051, as filing under any one of these regulations constitutes a waiver of any right the individual might otherwise have to another University grievance procedure.~~

(2) AP and exempt TEAMS employees, and applicants for these positions, alleging discrimination in employment practices should seek resolution of any such grievance by contacting the Director of Institutional Equity and Diversity or by filing a grievance under an applicable collective bargaining agreement. The Director of Institutional Equity and Diversity shall investigate any such written complaint and forward a final investigatory report to the head of the college or unit in which the alleged discriminatory act occurred. If the head of the college

or unit in which the alleged discriminatory act occurred is the alleged violater, the final investigatory report will be forwarded to the appropriate hiring authority.

(3) USPS employees and non-exempt TEAMS employees and applicants for these positions, alleging discrimination in the employment practices of the University, should seek resolution by contacting the Director of Institutional Equity and Diversity which shall determine the nature of the alleged discrimination. The Director of Institutional Equity and Diversity shall review the complaint with the complainant to assure that it is fully understood and conduct an investigation into the complaint and forward a final investigatory report to the hiring authority in which the alleged discriminatory act occurred. If that hiring authority is the alleged violater, the final investigatory report will be forwarded to the next higher administrator. The Director of Institutional Equity and Diversity shall issue the final decision on behalf of the University of Florida.

(4) This complaint shall not prevent the aggrieved party from seeking resolution of a complaint through procedures available in other State and Federal agencies.

Authority: BOG Regulation 1.001.

History--New 2-23-82, Amended 3-6-85, Formerly 6C1-1.063, Amended 3-2-87, 11-13-90, 1-7-03, 3-17-09, Formerly 6C1-1.0063, Amended 3-16-10 (technical changes only), 9-20-10 (technical changes only), [_____](#).