

Appendix C1

Outside Activities and Financial Interests Review Process and Appeal/Grievance Options

- I. Review and Allowance of Outside Activities and Financial Interests.
 - A. Faculty (including OPS and part-time faculty) and Administrative and Professional Staff: The following persons must review and allow the activities and interests reported on the "Disclosure of Outside Activities and Financial Interests" by faculty and administrative and professional staff members:
 1. Individual faculty or staff member's review and signature.
 2. Chairperson or other immediate supervisor.
 3. Dean or director. (A dean or director's "Disclosure" must be approved by the appropriate vice president or the vice president's designee; a vice president's report must be approved by the president or the president's designee.)
 4. Research and Graduate Programs, if intellectual property rights are to be waived.
 - B. Other Employees, including USPS Employees: Other employees should reveal their outside activities and financial interests that may represent conflicts with their employment to their immediate supervisor. The immediate supervisor shall discuss his or her determination concerning the outside activity with the next level supervisor. If a determination is made by these supervisors that the activity represents an unacceptable conflict with employment, the director, department chairperson, or higher supervisor designee must be consulted prior to a final decision on the matter.
 - C. Under Section 112.313, Florida Statutes, certain outside activities and financial interests of an employee and his or her spouse or child (or relative in some cases) may need to be reported to the university and/or the Department of State when the employee or spouse or child is involved with a business entity doing business with the university. Such a report to the university should be accomplished through the use of the Disclosure of Outside Activities and Financial Interests form by any employee.
 - D. Any employee required to disclose outside activities and financial interests pursuant to federal grant requirements should make such disclosures using the Disclosure of Outside Activities and Financial Interests form.

II. Appeal and Grievance Procedures. The following is a brief outline of appeal and grievance procedures. Procedures specifically involving discrimination complaints are not listed here. An employee should consult the appropriate handbook, collective bargaining agreement, or university rules for more information.

A. Informal Resolution:

Informal resolution is possible through appeal to the supervisor of the person whose action gives rise to the complaint and through the line of supervision (for example, chairperson, dean, appropriate vice president, and vice provost or provost).

Note that applicable time limits for the filing of any grievance procedures are not automatically suspended pending any informal resolution process.

B. Grievance Procedures:

1. Time Limits: A formal grievance procedure must be initiated within the time limits prescribed in the particular grievance process. Please refer to the applicable statute, rule, or collective bargaining agreement provision for this information.
2. Waiver: The choice of one grievance procedure is a waiver of any other grievance procedure.

C. Grievance Procedures for Faculty Members and Administrative and Professional Staff:

1. Faculty members and Administrative and Professional staff in the collective bargaining unit: Article 20 of the Collective Bargaining Agreement between the United Faculty of Florida and the Board of Regents. This process consists of three levels of review: by staff at the university, by staff at the Board of Regents, and by an arbitrator who renders a decision which is binding on the parties.
2. Faculty members not in the collective bargaining unit:
 - a. Rule 6C1-7.042, Florida Administrative Code. This involves a three-step process which may proceed to a review by an arbitrator who renders an advisory opinion to the president of the university, who makes the final decision.
 - b. Faculty Senate Committee Review, Rule 6C1-7.0441, Florida Administrative Code. Under this process a Faculty Senate

committee reviews the grievance and makes a recommendation to the university's president, who makes the final decision.

3. Grievance Procedures for Administrative and Professional Staff not in the Collective Bargaining Unit: Rule 6C1-3.051, Florida Administrative Code. This process involves a two-step review with a final decision by the university's vice president for administrative affairs.
- D. Grievance Procedures for University Support Personnel System employees involve a three-step review process for USPS employees. Please contact your Labor Relations Manager for further details. Those employees in a collective bargaining unit should refer to the grievance procedure in the applicable collective bargaining agreement: American Federation of State, County, and Municipal Employees (AFSCME), the Florida Nursing Association (FNA), or the Police Benevolent Association (PBA).
- E. Student Employees. Rule 6C1-4.012, Florida Administrative Code, also explained in the Student Guide, is available to all student employees. The process involves review under the direction of a supervisor and an appeal to the appropriate university vice president. Those graduate student employees who are members of the collective bargaining unit have available to them the grievance procedure set forth in the collective bargaining agreement between the Graduate Assistants United, United Faculty of Florida, and the Board of Regents.
- F. Proceeding under Section 120.57, Florida Statutes. Any employee whose "substantial interests" have been affected by a university decision may bring a proceeding under the provisions of Section 120.57, Florida Statutes. This generally involves an administrative hearing held by a hearing officer from the state's Division of Administrative Hearings who presents a recommended order concerning the matter to the president of the university. The president issues the final order.