



Ohio Administrative Code

Rule 3342-6-05 University policy regarding employment of unclassified staff employees.

Effective: July 1, 2018

(A) Appointment of the president. The president of the university is appointed by and serves at the pleasure of the board without notice other than that noted in the minutes of the board. The university constitution, paragraph (G)(2) of rule 3342-2-01 of the Administrative Code, requires that "the board shall annually elect a president of the university to hold office at the discretion of the board." Compensation of the president is established by the board and continues unless or until it is changed by the board.

(B) Appointment of unclassified employees.

(1) All full-time unclassified staff employees shall be employed by the university upon the recommendation of the president and the approval of the board of trustees, serve at the pleasure of the appointing authority, and are subject to the policies, rules, and regulations of the university and to the laws and regulations of the state of Ohio.

(a) During the period of the appointment, unclassified staff employees shall render fully the service to the university required by the terms of the appointment and other appropriate policies, rules, and regulations, as published in the Administrative Code and this register.

(b) The university shall make deductions from salary payments to any unclassified staff employee as required by law, regulations, or policy and may make other deductions as requested by the appointee and authorized by the university.

(c) A full-time unclassified staff appointment is ordinarily made on a continuing basis; that is, an appointment is made with the expectation that it will continue until notice is given by either the employee or the university that it will terminate.

(2) Appointments for part-time unclassified staff positions or for specific periods may be issued with the approval of the appointing authority. As applicable, an employment agreement covering an



unclassified staff position shall be executed by the president and appointing authority (with regard to unclassified staff) and the provost (with regard to faculty) on behalf of the university, and be offered to the prospective employee (appointee). Each agreement shall contain the following:

- (a) Term of appointment that is, continuing, full or part-time, temporary, or for a specific period;
- (b) Title of position;
- (c) Annual salary and/or salary for the period to be covered; and
- (d) Any special conditions relating to the appointment.

(3) Upon receiving the employment agreement, the appointee shall have ten working days after the date of issuance to sign and return the employment agreement to the division of human resources, unless this period is extended by mutual agreement. All prospective appointees shall be informed that all offers of employment under this rule are subject to and contingent upon the final confirmation by the Kent state university board of trustees at the next scheduled meeting. If the signed employment agreement is not returned within the time allowed, the university shall consider the appointment refused and the tender of appointment shall be voided.

(C) Termination of appointment of unclassified staff. With regard to an appointment under this policy, termination of the current appointment may be initiated through resignation or retirement; it may be initiated by mutual agreement of the employee and the university for reasons of promotion or transfer; it may be initiated by the university for demotion or may be initiated for reasons of disability leave pursuant to rule 3342-6-11.3 of the Administrative Code and this register, by authority of paragraphs (C), (D), (E)(1), and (E)(2) of this rule or by expiration of the term of an appointment issued for a specific period. An employee under this rule does not acquire tenure rights in his/her appointment or position.

(D) Non-continuation of unclassified staff appointees. Employees appointed under this policy not to be continued in their positions shall be so informed at least ninety days prior to the date established in the notice as the terminal date of the appointment. The appointing authority of the employee shall be the informing agent. In an instance where the appointment was issued for a specified term, no



notice is required and the last day to that term shall be the terminal date of the employee's appointment. University policy regarding nonacademic grievance, rule 3342-6-01.1 of the Administrative Code is not applicable in cases of administrative termination.

(E) Suspension and termination of an unclassified staff appointment for cause.

(1) The university may terminate the appointment of an unclassified staff employee under this policy for these reasons: insufficiency of funds; modification of the university's mission or elimination of programs; or significant changes in the organizational structure of the university. At least thirty days' notice will be given, in writing, to the unclassified staff employee for a termination under the provisions of this paragraph.

(2) An employee holding a position under this policy may be reduced in pay or position, suspended, or terminated for cause for violation of law, regulation, directive, or university policy and for, including but not limited to, incompetency, inefficiency, dishonesty, drunkenness, possession or use of illegal drugs, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, or any acts of misfeasance, malfeasance, or nonfeasance in office.

In the event of suspension leading to possible termination for the reasons stated herein, the administrative or staff appointee shall receive written notice of his/her proposed termination and be provided an opportunity to respond in writing within fifteen days of the date upon which the suspension commences.

(F) Continuation of faculty appointment. In the case of the termination of an appointment under this policy of an employee also holding rank and tenure in an academic department, the employees faculty rights and privileges are preserved, but may be subject to a separate disciplinary or employment process pursuant to the collective bargaining agreement between the university and faculty collective bargaining agreement.