
The Plain-Language Project

Article 18



ARTICLE 18

OTHER EMPLOYEE RIGHTS

18.1 Work Space. If the University requires that the assigned duties of an employee be performed in a specific on-campus location, other than the computer center or the library, the University shall provide space for such assignment. If practicable, space shall be provided where private consultations with employees' students may be held, if such consultations are required by the graduate assistant's assignment. Before an employee's work space location is changed, or before there is a substantial alteration to an employee's work space to a degree that impedes the employee's work effectiveness, the affected employee shall be notified, if practicable, at least one (1) month prior to such change. Work space must include a desk, a chair, a computer, adequate lighting, and a secure space for storing student records, if applicable.

A. Such secure space, including lockable drawers or cabinets included in desks, must be maintained by the department, insofar as these secure spaces are required by the graduate assistant's assignment. In the event that departmental issued keys to the secure space are lost or stolen, the department is responsible for providing the employee with an alternative secure space.

Article 18 Other Employee Rights

Covers other employee rights not specified elsewhere in the contract. Stuff like work space, resources, safe and unsafe working conditions, &c.

18.1 Work Space

18.1 Work Space. If the University requires that the assigned duties of an employee be performed in a specific on-campus location, other than the computer center or the library, the University shall provide space for such assignment. If practicable, space shall be provided where private consultations with employees' students may be held, if such consultations are required by the graduate assistant's assignment.

If FSU assigns you work that requires an on campus location (office hours, research, &c.) then they need to provide that space for you.

Exception: if your work assignment is the library or computer center. Then they do not have to provide you a workplace separate from the library or computer center.

If holding private meetings with students is part of your job, this space should be as private as possible so that you can have those meetings.

18.1 Work Space (con't)

Before an employee's work space location is changed, or before there is a substantial alteration to an employee's work space to a degree that impedes the employee's work effectiveness, the affected employee shall be notified, if practicable, at least one (1) month prior to such change. Work space must include a desk, a chair, a computer, adequate lighting, and a secure space for storing student records, if applicable.

If FSU is going to change your workspace on you, they will notify you, **HOPEFULLY** 1 month prior to the change, but that's not necessary.

Work space must include: a desk, a chair, a computer, lights, and a secure space for storing student records (if you have student records to store).

18.1 A

A. Such secure space, including lockable drawers or cabinets included in desks, must be maintained by the department, insofar as these secure spaces are required by the graduate assistant's assignment. In the event that departmental issued keys to the secure space are lost or stolen, the department is responsible for providing the employee with an alternative secure space.

Secure space to store student records
= lockable drawers or lockable cabinets
in desks.

If FSU gives you this space, then your
department is responsible for
maintaining it.

If there are keys to these secure spaces
and those keys are lost or stolen, your
department is responsible for getting
you a new secure space.

18.1 B

B. An employee shall be considered to be provided with a computer so long as the department maintains an accessible computer(s), and other technology resources needed to complete the employee's work assignment, that is/are located within reasonable distance of the employee's assigned workspace. Departments shall also provide resources to the employee for use of one's personal computer including, but not limited to, power outlets in working condition and wireless or Ethernet internet access within a reasonable distance of the employee's assigned workspace.

Your department doesn't need to provide all of you with individual computers; it just needs to have a computer available to everyone within a “reasonable” distance of your individual work spaces.

FSU is responsible for making sure you can use your personal computer by providing outlets and wireless or ethernet internet access in/around your work space.

18.2 Mail

18.2 Mail. Employees shall be entitled to receive employment-related mail at their work location. Each employee shall be notified of a location where such mail may be picked up.

You can receive (snail) mail related to your job at your work. Your department is supposed to tell you where you can pick up this mail.

18.3 Safe Conditions

18.3 Safe Conditions. The University shall make every reasonable effort to provide employees a safe work environment, as defined in Section 22.14.

FSU will try to provide you with a safe work environment (as defined in Article 22). Within reason.

18.3 A

A. Employees are responsible for immediately reporting situations involving unsafe working conditions to appropriate administrators. Appropriate administrators include, but are not limited to, the employee's immediate supervisor, graduate coordinator, department chair, or Dean. The employee may also report the condition to the University's safety officer. Whenever an employee reports a condition which the employee feels represents a violation of safety or health rules and regulations or which is an unreasonable hazard to persons or property, such conditions shall be promptly investigated.

YOU are responsible for immediately reporting if there's an unsafe working condition around you. Report this to the “appropriate” administrators.

“Appropriate” administrators = your supervisor, the graduate coordinator, your department chair, your Dean. Can include other people as well, this list isn't exhaustive.

You can also report to FSU's safety officer.

When you report these unsafe working environments, FSU is supposed to investigate “promptly.”

18.3 A (con't)

The appropriate administrator will reply to the employee. Where the employee's report was in writing, the response shall be in writing. An employee acting in good faith may refuse to accept an assignment when the employee has reasonable grounds to believe an unsafe or unhealthy working condition exists in the work area which poses an immediate and serious threat to the employee's physical well-being.

An appropriate administrator will report back to you what's going on.

If you reported this in writing in the first place, the response back will be in writing.

If you're acting in "good faith", AKA, not using this as an excuse to get out of work but in fact are genuinely afraid for your safety, you can refuse to work.

18.3 B

B. In the event the employee desires to make an anonymous report of a department's failure to provide safe working conditions, the employee may make a confidential report utilizing the University's anonymous reporting system, Ethicspoint, at the below web address:
<https://secure.ethicspoint.com/domain/media/en/gui/32441/index.html>

If you want to report your department for failing to provide you safe working conditions, you can totally do that anonymously and confidentially. FSU has an anonymous reporting system, “Ethicspoint” that you can use, here:
<https://secure.ethicspoint.com/domain/media/en/gui/32441/index.html>

18.3 C

C. No employee shall be subjected to retaliatory action for reporting or inquiring in good faith about potential breaches of FSU safety policies, or seeking guidance on how to handle suspected breaches.

You can NOT be retaliated against for reporting or asking about unsafe working conditions, as long as you were genuinely concerned for your safety/worried/unsure/&c.

Ditto about asking about how to handle unsafe working conditions.

18.4 Limitation on Personal Liability

18.4 Limitation on Personal Liability.

This section explains what limits there are on employees (you) of FSU being sued while acting as employees.

18.4 A

A. In the event an employee is sued for an act, event, or omission which may fall within the scope of Section 768.28, Florida Statutes, the employee should notify the President's office as soon as possible after receipt of the summons commencing the action in order that the University may fulfill its obligation. Failure to notify the employer promptly may affect the rights of the parties.

If YOU get sued for doing something, something happening that involved you, or your failing to do/say something, you need to tell FSU President's office ASAP, as soon as you get that summons. If you don't notify FSU ASAP it might affect your rights or FSU's rights.

18.4 B

B. For informational purposes, the following pertinent language of Section 768.28(9)(a), Florida Statutes (2015), is reproduced herein:

They're gonna just go ahead and quote the relevant part of the Florida Statutes (2015) below:

18.4 B (con't)

No officer, employee, or agent of the state or any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton or willful disregard of human rights, safety, or property.

No employee of the state will be held personally responsible in lawsuits. You can't be sued as a defendant for something you did, failed to do, that happened near you, &c. while you were on-the-job for FSU.

Exception: if you were acting in bad faith, purposefully trying to hurt people/property, or were acting super recklessly and not caring about the safety or rights of people or property around you.

18.5 Access to Resources

18.5 Access to Resources. Employees who are assigned instructional or research duties shall be provided reasonable access to departmental laboratories, studios, computer centers, photocopy services, and the like used in connection with assigned responsibilities.

If your work involves either instructing or research, you should be provided with “reasonable” access to labs, studios, computer centers, photocopy services, &c.--whatever stuff makes sense to use in connection with your job.

“Reasonable” means that it might not be 24/7 access, you might have to rotate/schedule with other GAs, &c. But it should be enough access for you to get your job done.