

ADMINISTRATIVE PROCEDURES

Title: LEAVES OF ABSENCE	Identification:	3.25
		1 of 6
	Effective Date:	October 13, 2009
Authority: SBE 6A-14.0261 FS 1001.64; 1001.65; 1012.865	Signature/Approval: Dr. Gwendolyn W. Stephenson	

PURPOSE

This administrative procedure establishes guidelines concerning leaves of absence that are available to full-time College personnel.

PROCEDURE

A leave of absence is authorization for a full-time employee to be absent from assigned duties for a specified purpose over a set period of time with the right to return to work, without prejudice, at conclusion of leave.

1. General Conditions Regarding Leaves of Absence:

- A. Leave must be authorized in advance except for unforeseen sick leave and other emergencies. Personnel are responsible for reporting their absence to their supervisor.
- B. Leave will not be authorized for more than one (1) year, except for military leave or at the discretion of the College President.
- C. Leave without pay may not be used in lieu of using accrued leave in order in order to receive holiday pay.
- D. A leave of absence without pay in excess of thirty-one (31) consecutive days requires approval by the Board.
- E. A request for a leave of absence will be evaluated by the supervisor, with approval based on the request and a determination that there will not be undue interruption to the department. Leave granted for extended active military leave shall be according to Sections 115.09; 115.14 and 295.09, Florida Statutes.
- F. Personnel who do not report to work on the work day following the end of approved leave will be deemed to have abandoned their position.
- G. Employees are responsible for submitting leave forms at the end of the appropriate pay period. If the employee is not available, the supervisor will submit the leave form by the same pay period.
- H. Sick and vacation leave will continue to accrue while on paid leave, except while on donated sick leave.

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- I. All accrued leave time must be used prior to an employee requesting a leave of absence without pay. Utilization of accrued leave will occur in the following order: compensatory time, sick time, frozen sick time and vacation.
2. **Types of Leave**-The College is authorized to grant the following types of leaves:

A. Sick Leave

- (1) **Accrual** - Each full-time employee will be credited with nine (9) days of sick leave with pay on the first day of employment and one additional day with pay per month, or major fraction of a month, beginning with the tenth (10th) full month of employment. The total number of accrued sick days per year will not exceed twelve (12) days. This shall not apply to former employees rehired within one (1) year. If rehired after one (1) year, the employee shall receive a credit of three (3) days of sick leave; if rehired after two years, the employee shall receive a credit of six (6) days; and after three years or more, the employee shall receive a credit of nine (9) days.
- (2) **Usage** - The following requirements apply to the use of sick leave:
 - (a) An employee may request sick leave due to either personal illness or injury, or the illness or death of employee's father, mother, brother, sister, husband, wife, child or a member of the employee's own household.

(b) When an employee finds it necessary to be absent, the employee will notify the immediate supervisor prior to the employee's scheduled starting time. The employee will submit a request for sick leave form to the immediate supervisor on the first regular workday of return from personal sick leave if the notice was not requested prior to the start of sick leave (*i.e.*, for pre-scheduled surgery or bereavement leave under paragraph A).
 - (c) A written doctor's certification of illness or injury may be required for all sick leave in excess of three (3) consecutive days for non-faculty or five (5) consecutive days for faculty or at other times in which there is reasonable suspicion of the abuse of sick leave. The College, at its own expense, may require a second medical opinion.
 - (d) Sick leave hours will be cumulative from one year to the next.

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- (e) The College may, at its option, accept accumulated sick leave from qualified public sector institutions within the State of Florida, provided at least one-half of the sick leave accumulated at any time must have been established at HCC. To be eligible, an employee must provide certification from the specific institution to determine if accumulated sick leave is transferable to the College.
 - (f) Sick leave may not be used to extend employment in an employee's separation process, unless the employee otherwise qualifies for sick leave as supported by appropriate medical documentation.
 - (g) Sick leave may not be used in lieu of vacation leave, unless the employee otherwise qualifies for sick leave as supported by appropriate medical documentation.
 - (h) Rounding Sick Leave - For non-faculty, a sick leave absence will be rounded to the nearest quarter hour, with a minimum of 15 minutes. For faculty, leave will be rounded in accordance with the Collective Bargaining Agreement.
- (3) Benefit Continuation During Leave:
- (a) The College will continue to pay the College-paid "employee only" health insurance premiums during any approved FMLA leave and will continue to pay the College-paid "employee only" health insurance premiums for employees on a Board-approved medical leave of absence without pay for up to twelve (12) consecutive months. Employees on any other type of leave without pay will be responsible for full payment of all insurance premiums, including all those normally paid by the College, if the employee desires to continue individual/dependent coverage while on leave. Premium payments must be received by the College five (5) work days in advance of the date of the College is required to transmit premiums to the various insurance carriers. If timely payments are not made and the employee is dropped from insurance, eligibility for new coverage/reinstatement will be determined by the appropriate carrier.
 - (b) The employee will not accrue any leave nor be eligible for holiday pay or any other paid leave while on leave without pay.
- (4) Termination of Employment

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- (a) If an employee separates from the College prior to earning advanced sick leave (see paragraph 2A (1) for information), any used advanced sick leave that was not earned will be deducted from the final calculations of terminal pay.

(b) Compensation for unused sick leave in each employee's sick leave bank accrued at Hillsborough Community College on or before June 30, 1997 will be paid upon termination as provided by Board policy.
- (c) Sick leave accrued on and after July 1, 1997 will not be paid when the employee leaves the employment of the College.

B. Vacation Leave

- (1) Accrual - Full-time employees shall earn vacation leave with pay based on the following accrual rate:
 - (a) For the first five (5) full years of continuous service, one (1) day for each Calendar month or major fraction of a month.
 - (b) Beginning with the first full month in the employee's sixth (6th) year of continuous service through the tenth (10th) full year of continuous service, one-and-one quarter (1-1/4) days per month or major fraction of a month.
 - (c) Beginning with the first full month in the employee's eleventh (11th) year of continuous service, one-and-one-half (1-1/2) days per month, or major fraction thereof. A day under this section is 7-1/2 hours.
- (2) Maximum Credit - Unused vacation leave credits may accumulate, but credits in excess of forty-four (44) days (330 hours) on December 31st will be reduced to forty-four days (330 hours) on January 1st of each year. There will be no payout of hours of days in excess of the maximum accrual of this section. For non-Administrator positions, a payout for the hours in excess of the maximum accrual as of December 31st will be made only if the following circumstances exist:
 - (a) The employee has approved vacation scheduled in a sufficient amount so that the employee's accrual as of December 31 would have been 44 days (330 hours) or less.
 - (b) The College requires the employee to work on a day that was scheduled as a vacation day.

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- (c) When asked to work on a scheduled vacation day, the employee advises the College non-bargaining unit supervisor that the employee has vacation scheduled on the day requested.
 - (d) The College is unable to schedule a replacement vacation day(s) for the employee. The College will take into consideration the day(s) requested by the employee; however, the College may schedule the employee for vacation on any days available to the College between the date of cancellation and the end of the year.
 - (e) If as a result of (a) through (d) above, the employee exceeds the 44-day (330-hour) maximum on December 31, to the extent the employee's vacation accrual exceeds the maximum accrual as a direct result of (a) through (d) above, the employee will be paid only for those days. The payment will be made during January.
- (3) Scheduling - Vacation leave will be scheduled to prevent any disruption in the operation of the College. All requests for vacation leave must be submitted prior to the requested leave date. For vacation leave of one week or more, employees must submit their request form at least two (2) weeks prior to the requested date. All requests for vacation leave must be approved by the employee's unit supervisor or Campus President or designee.
- (4) Minimum - The following employee positions will be required to take an annual vacation leave for at least two consecutive weeks: Bookstore Supervisor, Cashier, Senior Cashier and Senior Cashier/Bursar.
- (5) Additional Leave - An employee may request a personal leave of absence without pay for additional vacation leave when accrued vacation leave is insufficient. Additional leave without pay may be granted at the discretion of the College.
- (6) Separation - Upon separation of employment with the College, employees will be compensated for all accrued vacation leave, up to a maximum of thirty (30) days (225 hours).
- C. **Military Leave** - This leave shall be granted in accordance with State and Federal guidelines. Refer to Administrative Procedure 3.26.

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- D. Sabbatical Leave** - This leave may be granted to faculty, professional/managerial employees and administrators to pursue professionally-related personal objectives. Employees are required to return to work following a sabbatical or reimburse College for compensation earned from the College during the sabbatical. Refer to the FUSA collective bargaining agreement and Administrative Procedure 3.27, Sabbatical Leave for Administrators and Professional/Managerial Employees.
- E. Administrative Leave** - may be granted at the discretion of the President or designee to protect the health, welfare or safety of the College community.
- F. Administrative Leave for Court Purposes**
- (1) Jury Duty - Administrative leave can be used for jury duty unless the employee accepts compensation from the jury duty. In that case, the employee must take compensatory, personal or vacation leave for the absence.
 - (2) Generally, witness fees will be retained by the employee. If an employee will receive expert witness fees or consulting fees from a court appearance, a vacation leave, a personal leave with pay, or a personal leave without pay must be requested.
 - (3) An employee who is a party in a non-College related lawsuit may not request administrative leave with pay for court purposes. The employee must request vacation leave or personal leave.
 - (4) An employee who is a party or a witness in a lawsuit due to College employment will be considered on duty and need not submit a request for leave of absence.
- G. Family and Medical Leave** - This leave will be granted pursuant to the provisions of Federal law (refer to Administrative Procedure 3.31 and Administrative Rule 6HX-10-3.12
- H. Illness-In-the-Line of Duty Leave** - This leave will be used for full-time personnel who are absent from duties because of a personal injury received at work or because of illness from contagious or infectious disease contracted at work.

History: Replaces Procedure 2.017, Leave of Absence, dated November 24, 1998.

