



COLLEGE of CENTRAL FLORIDA

POLICY MANUAL

Title: LEAVES OF ABSENCE	Number: 6.14	Page: 1 of 11
See Procedures: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Legal Authority: Florida Statutes 1012.865, 741.28, 741.313, Family Medical Leave Act FAC: 6A-14.042, 6A-14.021, 6A-14.0422, 6A-14.0262	Board Adoption/Revision Approval Dates: 9/3/80, 10/19/88, 11/24/93, 5/28/02, 10/22/02, 05/24/05, 10/25/05, 6/27/06, 9/26/06, 9/25/07, 3/25/08, 9/22/09	

The following types of leave are available in accordance with the Florida Statutes and Florida Board of Education Rules:

SICK LEAVE

Sick leave may be taken by an eligible employee who is unable to perform his or her duties at the College because of personal sickness, accident disability, doctor’s appointment, extended personal illness, or because of illness or death of the employee’s father, mother, brother, sister, husband, wife, child or other close relative, or a member of the employee’s own household. For the purpose of this policy, “close relative” shall include relatives of the employee’s spouse.

Employees shall be eligible for sick leave benefits upon appointment by the District Board of Trustees and assignment to regularly established full-time positions. Eligible employees shall include:

- (1) Full-time employees paid from special and grant-funded programs which provide for the payment of sick leave benefits.
- (2) Full-time Career Service and Professional employees assigned to regularly established positions while serving their initial observation period, pending appointment by the District Board of Trustees.

Accrual. Each eligible full-time employee shall earn and shall have credited to his or her sick leave account one day of sick leave for each calendar month of active service, or major portion thereof, not to exceed 12 days each fiscal year. A day of sick leave is defined as the number of scheduled hours the average employee works in a normal workday. For faculty members, a workday is defined as 7 hours. For all other employees, the normal workday is defined as 7.5 hours.



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Regular faculty members (defined as faculty members with full-time 168-day contracts) who have supplemental contracts for full-time teaching or other responsibilities for summer terms may earn sick leave and use accrued sick leave during summer terms. One day will be earned if the faculty member has a full-time assignment (6 semester hours or equivalent) in Summer Term A and one day will be earned if the faculty member has a full-time assignment (6 semester hours or equivalent) in Summer Term B. One day will be earned if the faculty member has a full-time assignment (6 semester hours or equivalent) in Summer Term C.

Employees temporarily absent on sick leave and not terminated from employment may continue to accrue sick leave, remain eligible for insurance coverage, and accrue vacation leave if eligible.

Transfer. Eligible employees may transfer accumulated unused sick leave from another Florida College System institution, the Department of Education, the State University System, Florida district school board, or a state agency, provided at least ½ the number of sick leave days credited to the employee's sick leave account must have been earned at this College. This means that one day of sick leave may be transferred for each day of sick leave earned while employed by the College.

Former eligible employees of the College may transfer their accumulated unused sick leave balance to another institution or agency as noted above. When unused sick leave is transferred, all sick leave in the individual's account will be transferred and this College shall be released of liability for sick leave compensation.

Absences. An employee should notify his or her immediate supervisor, if possible, before the opening of the day's work on the day of his or her absence. Upon the employee's return to work, the employee shall immediately file a Leave Request and Authorization Form. An employee will be required to provide a certificate of illness from a licensed physician should the leave exceed (10) ten consecutive work days.

Compensation. Eligible employees who have sick leave accrued may request compensation for their authorized absence because of sickness, disability or illness, not to exceed the number of sick leave days accumulated. Sick leave shall be deducted from an accrued balance on a "last-in-first-out" basis (LIFO) as follows:

- For faculty members teaching credit courses --- Sick leave shall be deducted at a rate of 1.4 hours for each hour of scheduled class hours, contact hours and/or scheduled office hours of absence.



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- For faculty members teaching vocational clock hour courses --- One hour of sick leave shall be deducted for each hour of classroom contact or scheduled office hours of absence.
- For all other employees --- One hour of sick leave shall be deducted for each hour the employee is absent. The deduction from accrued leave shall be made in half-hour increments.

Employees shall file a Leave Request and Authorization form for sick leave immediately upon returning to work.

Entitlement Forfeiture. Eligible employees shall forfeit any and all entitlement to compensation for sick leave when:

- (1) They abandon their jobs without just cause attributable to the College.
- (2) They resign their employment without giving proper advance notice.
- (3) They are dismissed or their employment is terminated for misconduct or other just cause not attributable to the College.
- (4) They fail to notify the College of the absence on the day of the absence (except when she or he is absent for emergency reasons recognized by the District Board of Trustees as valid).
- (5) They fail to complete and file a Leave Request and Authorization Form.

PERSONAL LEAVE

Full-time employees may be granted four (4) days (not to exceed 30 hours) leave each fiscal year for personal reasons, including emergencies. Personal leave shall be charged to sick leave. Personal leave is non-cumulative. When possible, a Leave Request and Authorization Form for personal leave should be filed in advance with the employee's supervisor. In cases of emergencies, employees shall file a Leave Request and Authorization Form immediately upon returning to work.

Extended Personal Leave without Pay. Employees may be granted up to 12 months personal leave without pay. The President is authorized to approve personal leave for a period not to exceed 30 consecutive duty days. The District Board of Trustees must approve any time exceeding 30 consecutive duty days.



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FAMILY MEDICAL LEAVE

Under the Federal Family and Medical Leave Act, eligible employees are entitled to a total of 12 work weeks (60 work days) of unpaid, job-protected Family and Medical Leave during a 12-month leave year for any qualifying reason. Family and Medical Leave will run concurrently with paid Sick Leave and/or Vacation Leave. Amendments to the FMLA by the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181, expanded the FMLA to allow eligible employees to take up to 12 weeks of job-protected leave in the applicable 12-month period for any “qualifying exigency” arising out of the fact that a covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. The NDAA also amended the FMLA to allow eligible employees to take up to 26 weeks of job-protected leave in a “single 12-month period” to care for a covered service member with a serious injury or illness. The President, or the President’s designee, shall establish the procedures to request or designate Family and Medical Leave as well as establish any other procedures needed to comply with the Family and Medical Leave Act.

Definitions: For purposes of this policy, the following definitions apply:

Eligible Employee – an employee who is full or part-time and:

- has at least 12 months of cumulative service and has worked at least 1,250 hours at the College during the 12 month period preceding the date the FML begins;
- has a qualifying reason; and
- has FML time available.
- Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption, or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude with 12 months of the birth or placement.

Leave Year – a period of 12 months measured backward from the date the proposed leave is to begin.



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Qualifying Reason – qualifying reasons include:

- birth of the employee’s child and the care of the newborn child;
- placement of a child with the employee for adoption or foster care;
- serious health condition of the employee; and
- care of the employee’s spouse, child (who is either under age 18, or age 18 or older and incapable of self-care because of a documented mental or physical disability), or parent who has a serious health condition;
- leave to care for a wounded service member;
- leave related to active duty or call to active duty.

Serious Health Condition – an illness, injury, impairment, or physical or mental condition involving one of the following:

Hospital Care: in-patient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

Absence Plus Treatment: a period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that involves: (a) treatment two or more times by a health care provider; or (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider.

Pregnancy: any period of incapacity due to pregnancy and prenatal care.

Chronic Conditions Requiring Treatment: A condition which (a) requires periodic visits (at least twice a year) for treatment by a health care provider, (b) continues over an extended period of time (including recurring episodes of a single underlying condition), and (c) may cause episodic rather than a continuing period of incapacity.

Permanent/Long-term Conditions Requiring Supervision: a period of incapacity which is permanent or long term due to a condition for which treatment may not be effective. The employee or family member must be under a health care provider’s continuous supervision.

Multiple Treatments (Non-Chronic Conditions): any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or injury, or for a condition that would result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.



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Leave to care for wounded service member. Eligible employees may take up to 26 weeks of leave to care for spouses, children, parents or next of kin who are service members with serious illnesses or injuries incurred during active duty in the Armed Forces. “Covered servicemember” means a servicemember who is “undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.” “Serious illness or injury,” in turn, is defined as a condition that may render the servicemember “medically unfit to perform the duties of the member’s office, grade, rank, or rating.” This leave is available only during one 12-month period and is combined with all other FMLA leaves in that period, resulting in a maximum total leave entitlement of 26 weeks. As with all FMLA leaves, the time is unpaid, although employers may require employees (and employees may elect) to use any accrued paid time off.

Leave related to active duty or call to duty. Eligible employees may take up to 12 weeks of FMLA leave in a 12-month period to deal with “any qualifying exigency” that arises from a spouse’s, child’s, or parent’s active duty in the Armed Forces, including an order to call to duty. When an employee requests leave for a qualifying exigency and the necessity for the leave is foreseeable, the employee must provide the College with “reasonable and practicable” notice. The College requires that a request for leave for a qualifying exigency be supported by a certification that the service member is on active duty or has been called to active duty. This leave is not confined to a single 12-month period. The 12 weeks is reduced by leave for any other qualifying FMLA event during the 12-month period.

VACATION LEAVE

The Board authorizes vacation leave, exclusive of holidays, for employees employed on a twelve (12) month basis.

Accrual: Vacation leave is earned at the following rate:

- One (1) day for each calendar month or major fraction thereof of service during the first five (5) years.
- One and one-fourth (1 ¼) days for each calendar month or major fraction thereof of service from five (5) to ten (10) years.
- One and one-half (1 ½) days for each month or major fraction thereof of service after the tenth (10th) year.



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No employee shall accumulate a total of more than sixty (60) days of vacation leave at the end of any calendar year. Days of vacation leave in excess of sixty (60) on December 31 shall be reduced to sixty (60) on January 1 of each year.

Employees will receive service credit toward vacation accrual for prior full-time employment in another Florida College System institution.

An employee may earn and accrue vacation leave while on probation pending Board appointment but shall not use vacation leave during this probationary period unless approved by the President.

Compensation: Employees who have vacation leave accrued may request compensation for their authorized absence. A Leave Request and Authorization form for vacation leave should be submitted a least one week prior to the effective date of leave.

MILITARY LEAVE

Military leave, excepting extended active military service, shall be granted to employees as follows:

- (1) Federal active or inactive duty training due to membership in military reserve, including the National Guard: The first seventeen (17) days of such leave per year shall be with pay. Leave beyond the seventeen (17) days shall be without pay.
- (2) State active duty due to membership in the National Guard: Such leave not exceeding seventeen (17) days at any one time shall be with pay. Leave beyond the seventeen (17) days at one time shall be without pay.

Leave shall be granted to employees for extended active military as follows:

- (1) Reserve or Guard Training: Employees, who are commissioned reserve officers or reserve enlisted personnel in the United States military, Naval service, National Guard, or Florida National Guard and are ordered for active military service, are entitled to paid military leave for thirty (30) working days.



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- (2) **Active Military Service:** Employees who are commissioned reserve officers or reserve enlisted personnel in the United States military, Naval service, National Guard, or Florida National Guard and are ordered to active military service, are entitled to paid military leave for thirty (30) working days.

Military leave shall be over and above earned sick and vacation leave.

Compensation: Employees shall file a Leave Request and Authorization Form for Military Leave and attach a copy of their orders for training or active military service.

COURT-RELATED LEAVE

Jury or Witness Duty: When on jury duty or when subpoenaed as a witness, employees shall receive court-related leave with pay. Employees shall retain any fees earned and shall not be paid by the College for meals, lodging or travel while serving in this capacity.

Witness For the College: When involved in litigation on behalf of the College or due to action in line of duty as an employee, employees shall be considered on duty and shall be required to turn over any fees received from the court to the College. An employee shall be paid per diem and the College shall pay travel expenses.

Personal Litigation: An employee engaged in personal litigation in which the employee is a party shall not be granted administrative leave for court attendance. The employee may be granted personal or vacation leave with the President's approval.

Compensation: A Leave Request and Authorization form for court-related leave should be submitted at least one week prior to the effective date.

SABBATICAL LEAVE

Sabbatical leave is an extended professional leave which may be granted with partial or full compensation. Sabbaticals shall be used for professional growth and development. All full-time instructional, administrative, and other professional personnel are eligible for sabbatical leave after five (5) years of consecutive service at the College. Sabbaticals are available for one semester at full salary or one academic year at one half annual salary.



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The availability of sabbatical leave is dependent on budget. The College is under no obligation to make this opportunity available if funding is not available.

An employee on sabbatical leave shall not accrue sick leave or vacation leave during the sabbatical. The sabbatical period shall count as regular service for purposes of retirement and contributions to a retirement plan shall continue.

An employee on sabbatical leave with pay shall not accept full-time employment elsewhere during the period of leave, nor shall they be employed by the College as adjuncts or receive overload pay.

The President, or the President's designee, shall develop procedures for the implementation of this policy including criteria for award and procedures for application and evaluation of requests.

TEMPORARY DUTY LEAVE

Upon the approval of the President, or the President's designee, employees may be temporarily absent from their regular duties for the purpose of performing other educational services, including participation in school surveys, professional meetings, study courses or workshops.

ADMINISTRATIVE LEAVE

An employee holding a continuing contract who accepts an offer of annual employment in a capacity other than that in which the continuing contract was awarded may request administrative leave recognizing the annual position and providing for the employee's return to the original continuing contract status upon termination of the annual position.

The President, or the President's designee, shall establish the procedures for requesting Administrative Leave.



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LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE

“Domestic Violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stealing, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

The College shall permit an employee to request and take up to (3) three working days of paid leave from work in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence. This leave may be used to:

1. Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
2. Obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence;
3. Obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence;
4. Make your home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator; or
5. Seek legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court related proceedings arising from the act of domestic violence.
6. “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.



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7. Except in cases of imminent danger to the health or safety of you or your family or household member, you must provide appropriate advance notice of the need for leave along with sufficient documentation of the act of domestic violence. This documentation may include copies of restraining orders, police reports, orders to appear in court, etc. as required by the College.

8. An employee seeking leave under this policy must, before receiving leave, exhaust all vacation, personal, and sick leave available to the employee.

9. The College will keep information relating to the employee's leave under this policy confidential and exempt from disclosure to the extent authorized by law.