

6Hx19-2.12 EMPLOYEE LEAVES OF ABSENCE

The purpose of this Board Rule is to establish Board Policy related to employee leaves of absence.

The following types of leave are authorized by the Board: Sick Leave, Vacation (Annual) Leave, Personal Leave, Temporary Duty, Illness or injury-in-the-Line-of-Duty, Military Leave, Medical Leave, Bereavement Leave, Domestic Violence Leave and Court Related Leave, Civil Air Patrol Leave, Leave Without Pay, Sabbatical/Professional Leave, Family and Medical Leave, EDED Medical Leave, Dded Medical Leave, Eded Medical Leave,

“Leave of absence” is defined as authorization for an employee to be absent from duty for a specified time, ordinarily without negative impact on pay, seniority or benefits or other terms and conditions of employment.

Leaves of absence should be authorized in advance, except leaves for illness or other emergencies, which may be approved if reported promptly to the employee's supervisor. Leave shall be used for the authorized purpose or revoked. Employees who take leave, and will not return to work, after notice of termination or resignation shall not accrue additional leave.

Leave shall not be authorized for more than one (1) year except for military leave. A new application for leave may be filed with the Board at the expiration of the period for which the leave was granted. Such leaves are not automatically renewed. This additional leave will be at the discretion of the Board based on the requirements of efficient operations of the College, as well as on consideration of fairness to the employee.

Sick Leave:

Sick leave shall be managed as outlined in Board Rule 6Hx19-2.13.

Vacation (Annual) Leave:

Sick leave shall be managed as outlined in Board Rule 6Hx19-2.19.

Personal Leave

A full-time employee may be granted absence not to exceed four (4) days (32 hours) for personal reasons per calendar year. Absence for personal reasons shall be charged to accrued sick leave and shall be non-cumulative. Personal leave may be used for private reasons of the employee and must be approved in advance by the President or designee, except for emergency reasons.

Temporary Duty:

College employees may be assigned to temporary duty in place of their regular duties by the President or a designee for purposes related to their regular duties and/or those considered to be of benefit to the College, but not for personal benefit. College

employees on temporary duty shall receive their regular pay and may receive remuneration for their expenses as provided by District Board of Trustees Rule 6Hx19-5.34 Official College Travel.

Illness or injury-in-the-Line-of-Duty:

Full-time and part-time employees in a regularly established position shall receive leave with pay, in addition to sick leave, not to exceed 12 days (96 hours), including paid holidays, in one calendar year, when absent for illness or injury related to performance of duty.

Notification and claim for compensation and payment shall be filed by the end of the pay period in which such absence occurred. If an employee's injury is so severe that it requires leave beyond the 12 days (96 hours) provided, compensation to the employee for that period following the 12 day (96 hours) period shall be in accordance with the Florida Workers Compensation Law as set forth in Chapter 440, Florida Statutes. Health and life insurance will be continued and paid by the College during this period as long as employment is not terminated. Vacation and sick leave credits will not accrue during the period beyond the 12 days (96 hours) of Illness or Injury -In-The-Line-of-Duty. If the ill or injured employee tests positive for alcohol/illegal drugs, the employee may be denied Workers' Compensation benefits for that claim.

Military Leave

In accordance with Chapter 115, Florida Statute, Military Leave shall be granted to employees who are ordered to: (a) Federal active or inactive duty training due to membership in military reserves, including the National Guard. The first 17 days of such leave per year shall be with pay. Leave beyond the 17 days shall be without pay; and (b) State active duty due to membership in the Florida National Guard. Such leave not exceeding 17 days at any one time shall be with pay. Leave beyond the 17 days at one time shall be without pay.

Extended military leave may be granted to employees for active military service; and, if granted, the first 30 days shall be with full pay. Upon honorable release from such service, employees shall have one (1) year to return to employment in the same or comparable position as that held prior to active service. If the employee's gross military compensation is less than the employee's gross compensation normally received from the College, the College will pay the employee the difference between the military compensation and the College compensation. The employee is required to provide the College with the appropriate military documentation to be eligible for this payment.

Civil Air Patrol Leave

In accordance with Chapter 252, Florida Statute, employees who are Civil Air Patrol members may request leave for the purpose of participating in a Civil Air Patrol training or mission. If granted, the first 15 days of such leave per year shall be with pay. Leave beyond the 15 days shall be without pay. Upon the completion of a Civil Air Patrol leave, the Civil Air Patrol member shall promptly notify the employer of his or her intent

to return to work. The employee is required to provide the College with the appropriate military documentation to be eligible for this payment.

Leave Without Pay Leave without pay may be authorized for personal reasons or illness.. Leave without pay normally will not be authorized until accrued sick leave, if applicable, and vacation leave have been exhausted. Vacation and sick leave credits will not accrue during leave without pay.

Sabbatical/Professional Leave

Sabbatical Leave is granted primarily for the professional benefit or advancement of an employee and only incidentally for the benefit of the College. It may be authorized with pay, with reduced compensation, or without pay. Sabbatical Leave with full or reduced compensation may be granted provided that the employee agrees to return to the College for one year beyond the year in which the Sabbatical Leave occurs. The employee must agree to return a pro-rata portion of any compensation paid by the College during the Sabbatical Leave in the event the period of obligation is not met. The employee on Sabbatical Leave will continue to accrue leave in accordance with District Board of Trustees Rules 6Hx19.2.13 Sick Leave, and 6Hx19-2.19, Vacation Leave.

Professional Leave is granted primarily for the professional benefit of an employee and only incidentally for the benefit of the College. It is normally authorized for a period not to exceed one year, without pay. No vacation and sick leave shall be accrued by an employee who is on Professional Leave.

Family and Medical Leave:

Family Medical Leave shall be managed as outlined in Board Rule 6Hx19-2.191.

Extended Medical Leave:

Extended Medical Leave may be granted when a full-time employee is unable to perform his/her assigned duties for a period extending beyond the 12 weeks covered by the Family and Medical Leave Act due to a personal accident, personal illness, child delivery, or related medical condition. This type of leave shall not be authorized for more than one year. Health and Life insurance will be continued at the employee's expense.

A request for Extended Medical Leave shall be in writing and shall provide justification for its approval. It shall include the specific period of time to be covered by the leave. The College reserves the right to require written medical opinion supporting the request. When the leave shall extend beyond June 30, a new application for leave shall be filed to cover the period beginning July 1. Normally, the position occupied by the person on Extended Medical Leave will be held for the employee until the end of the agreed leave, but the College reserves the right to assign the individual to a comparable position and grade and to a different location, upon return to work.

Bereavement Leave

Employees may use accrued sick leave or vacation leave for bereavement of an immediate family member as defined in Board Rule 6Hx19-2.13: Sick Leave. If the

employee has exhausted all accrued sick and vacation leave, or if bereavement request is for a family member that does not meet the definition established in Board Rule 6Hx19-2.13: Sick Leave, the employee may request Leave without Pay as defined in that section of this Board Rule.

Domestic Violence Leave

In accordance with Chapter 741, Florida Statute, an employee may request and take up to 3 working days of 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 or sexual violence. This leave shall be with pay provided the employee has exhausted all vacation leave and personal leave. The employee is required to provide the College with the appropriate documentation to be eligible for this payment. The College shall keep information relating to the employee's leave under this section confidential and exempt from disclosure to the extent authorized by law.

The employee may request such leave from work 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 or sexual 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 or sexual violence;
4. Make the employee's home secure from the perpetrator of the domestic violence or sexual 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 sexual violence or to attend and prepare for court-related proceedings arising from the act of domestic violence or sexual violence.

Court Related Leave

When summoned for jury duty or when subpoenaed as a witness, College personnel shall receive court related leave with pay, and may retain any fees earned, but shall not be paid by the College for meals, lodging, or travel. When an employee or a member of the employee's immediate family is a principal in litigation, an employee shall not receive court related leave. When involved in litigation on behalf of the College or due to action taken within the scope of their College employment, or as a witness in such a case, personnel shall be considered on duty while participating in the litigation and shall turn over to the College any fees received from the court or any party to the litigation. Employees participating in litigation on behalf of the College shall be reimbursed for per diem and/or travel expenses as provided in accordance with District Board of Trustees Rule 6Hx19-5.34.

Rule Initially adopted: 3/30/72

Revision Dates: 8/25/75; 11/19/79; 12/17/84; 12/16/85; 11/16/87; 10/21/97; 11/18/08;

1-20-26

Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65; 440; 115; 252.55; 741

Other References:

Law Implemented Florida Statutes: 1001.64(1)(2)(4)(5)(18)(43)(44);
1001.65(1)(3)(16)(24); 440; 440.09(3); 115.07; 115.08; 115.09;
115.14; 250.48; 295.09; 252.55(1)(7); 741.313(2)(3)(4)(5)(6)(7)