

6Hx19-2.12 EMPLOYEE LEAVES OF ABSENCE

This Board Policy governs employee leaves of absence. The President shall have authority to develop procedures for the administration of this leave policy.

GENERAL

The following types of leave are authorized by the District Board of Trustees (DBoT) of Pasco-Hernando State College: Sick, Vacation (Annual), Personal, Temporary Duty, Illness or injury-in-the-Line-of-Duty, Military, Civil Air Patrol, Leave Without Pay, Sabbatical/Professional, Family and Medical Leave Act (FMLA), Extended Medical, Bereavement, Domestic Violence and Court-Related.

“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 not used for the approved purpose shall be revoked. Employees who take leave, and do not return to work shall not accrue leave for that time period.

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 College at the expiration of the period for which the leave was granted. The College may authorize additional leave at the discretion of the President.

SICK LEAVE

Full-time employees who are unable to perform their assigned duties at the College because of personal illness, accident disability, or because of the illness or death of their father, mother, brother, sister, husband, wife, child, or other close relative or member of their own household, and who consequently have to be absent from work shall be granted leave of absence for sickness by the President, or a designee.

College employees may be required to provide a statement signed by a physician or the County Health Officer verifying said illness after three (3) consecutive days of absence or at the discretion of the President or designee.

Sick leave is earned from the time a full-time employee is employed and is credited 4 hours of sick leave earned on the day of the first pay day and last pay day of each month for a total of eight (8) hours each month. Full-time employees shall accrue one day of sick leave with compensation for each calendar month or major fraction of a calendar month of service. Such sick leave shall accumulate from year to year. Accumulated sick leave may be transferred from another institution within the Florida College System, the Florida Department of Education, the Florida university system, a Florida public school district, or a state agency; provided that at least one-half (1/2) of the sick leave accumulated at any time must have been established while employed by the College.

VACATION LEAVE

Only regular full-time and part-time non-faculty and non-duty day College employees are eligible to earn vacation leave beginning with the first day of employment. The employee is credited with 50% of vacation leave earned on the first pay day and on the last pay day of each month. Vacation leave may accumulate, but leave balances in excess of 44 days (352 hours) on December 31 shall be reduced to 44 days (352 hours) on January 1 of each year. Vacation leave may not be used without prior approval from the supervisor.

Vacation leave accrues based in part on years of service in any institution within the Florida College System, as follows:

- 0 to 5 years: one (1) day (8 hours) for each month or major fraction of a calendar month of service
- 5 to 10 years: one and one fourth (1 1/4) days (10 hours) for each month or major fraction of a calendar month of service
- 10 years or more: one and one-half (1 1/2) days (12 hours) for each month or major fraction of a calendar month of service

For faculty who assume non-faculty positions, years of service for calculating the accrual of vacation leave shall include all years of service in the Florida College System, including instructional assignments.

Part-time regular employees shall receive vacation leave on a pro-rata basis.

Terminating employees or staff transferring to non-vacation earning positions (except those terminating during an initial probationary period or any extension thereof), will be paid up to 480 hours of accrued vacation leave with their final pay check. In case of the death of an employee, such pay shall be paid to the employee's beneficiary, estate, or as provided by law. Hours not paid over the 500 hour allotment will be voided.

Vacation leave accrued for positions paid through grant funding must be used by the employee prior to the contract ending date. Grant funds are not authorized for payment after the end of the grant period. Unused vacation leave will not be paid to employees upon termination of a grant contract.

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.

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 Statutes, 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 Statutes, 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 this Policy.

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

In accordance with the *Federal Family and Medical Leave Act* (FMLA), the College offers eligible employees up to 12 weeks of unpaid family and medical leave, subject to the terms and conditions of Federal Law, the Rules and Regulations promulgated under Federal Law, and the Rules of the District Board of Trustees of the College.

All full-time employees, who have been employed by the College for at least 12 months, are eligible to request leave under the FMLA. Additionally, employees in regular positions who have worked at least 1,250 hours during the previous 12-month period are eligible to request this leave.

FMLA Leave may be paid or unpaid and the College may require the employee to take and receive payment for all accrued sick and vacation leave during the leave period, to the extent that such leave is earned and accrued.

The College shall maintain medical and life insurance coverage under its group health plan in the same manner as though the employee were not on leave. The employee shall be required to make all contributions to such coverage as would have been required had the employee not taken leave.

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 a 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 under the Sick Leave section of this Policy. If the employee has exhausted all accrued sick and vacation leave, or if the bereavement request is for a family member that does not meet the definition of immediate family, the employee may request Leave Without Pay.

DOMESTIC VIOLENCE LEAVE

In accordance with Chapter 741, Florida Statutes, 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 pay during such leave. 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.

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; 1/20/2026; 5/19/2026

Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65; 440; 115; 252.55; 741; 1
1012

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);
1012.865; Title 3 U.S. Code 412 (1993-Family and Medical Leave
Act)