

**THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES  
NOTICE OF PROPOSED AMENDED REGULATION**

**REGULATION NUMBER AND TITLE:** FPU-6.005 Sick Leave.

**SUMMARY OF THE REGULATION:** This regulation provides the information related to sick leave, including eligibility, accrual rate, authorized use, notice, transfer from other employers, and payment for unused sick leave. This regulation is being revised primarily to define family members for purposes of the regulation and to clarify that the number of hours of the employee's unused accrued Sick Leave shall not exceed a maximum of 480 hours of actual payment subject to and in accordance with Florida Statutes Section 110.122.

**TEXT OF REGULATION:** The full text of the Proposed Regulation can be viewed below and on the Florida Polytechnic University Board of Trustees website, at <http://floridapoly.edu/board-of-trustees/university-policies-and-regulations/>.

If you would like a copy of the Proposed Regulation, please contact Melaine Schmiz, Assistant General Counsel at (863) 874-8489.

**AUTHORITY:** Board of Governors Regulations 1.001; Florida Statutes §110.122.

**NAME OF PERSON INITIATING PROPOSED REGULATION:** Regina DeJulio, VP & General Counsel.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

**THE CONTACT PERSON REGARDING THIS REGULATION IS:** Melaine Schmiz,

Assistant General Counsel at 4700 Research Way, Lakeland, Florida 33805, Email: [mschmiz@floridapoly.edu](mailto:mschmiz@floridapoly.edu), Phone: (863) 874-8489, Fax: (863) 874-8716.

**DATE OF PUBLICATION:** January 26, 2018

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

## THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

### FPU-6.005 Sick Leave.

(1) **Eligible Employees and Accrual Rate.** Sick Leave for full-time Executive Service, Faculty, Administrative and Support employees (collectively referred to as “Budgeted Employees”) will be as follows, with proportionate accrual for less than full-time. An academic year (39 weeks) employee, and an employee appointed for less than 9 months of each year will not accrue Sick Leave.

### Hours Accrued During Pay Period

	Semi-Monthly
Faculty	4.3334
Administrative	4.3334
Executive Service	5.4167
Support	4.3334

(2) **Accrual Prior to Use.** An employee must accrue Sick Leave before the leave can be used, unless available through the University’s Sick Leave Pool pursuant to the Sick Leave Pool Policy. There is no maximum on the amount of Sick Leave that can be accrued. During a leave of absence with pay an employee will continue to earn sick leave hours.

(3) **Authorized Use.** Sick Leave is authorized for only the following purposes:

- (a) The employee’s personal illness, injury, exposure to a contagious disease; a disability where the employee is unable to perform assigned duties, or employee’s appointments with health care providers.
- (b) The employee’s immediate family member’s/relative’s illness, injury, appointments with health care providers, or death. For purposes of this regulation, immediate family member/relative is defined as the employee's spouse, parents, children, grandparents, grandchildren, siblings, or individual for whom the employee is the current legal guardian; or the employee's spouse's parents, children, grandparents, grandchildren, or siblings.
- (c) The employee’s disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery thereafter.
- (d) The birth of employee’s child.
- (e) The placement of a child with employee for adoption or foster care.
- (f) The employee to care for the employee’s child following child birth or a newly placed child after adoption or foster care.
- (g) As otherwise provided by University regulation or law.

When possible, employees are expected to schedule planned medical appointments in a manner that minimizes disruption of the workflow.

Employees must use sick leave only for its intended purpose. An employee may be required by Human Resources [Services](#) or his or her supervisor to provide medical documentation to support the use of Sick Leave for three (3) or more absences in any 30 day period, when absences are excessive or when a pattern has emerged. Abuse of paid sick leave will result in disciplinary action up to and including dismissal.

Upon return from sick leave due to illness or injury, an employee may be required by Human Resources [Services](#) or his or her supervisor to submit a Fitness for Duty form to establish whether the employee is fully recovered and capable of returning to his or her duties.

(4) **Notice of Absence.** An employee will give notice to his or her supervisor of the employee's absence due to illness, injury, disability, or exposure to a contagious disease on or before the first day of absence.

(5) **Transfer of Sick Leave from Other Employers.** The University accepts the transfer of a maximum of eighty (80) hours of Sick Leave accrued by the Budgeted Employee in another State university within Florida or New College for which payment has not been received by the employee provided no more than 31 days have elapsed between the last day of employment with the other State university or New College and the first day of the Budgeted Employee's employment with Florida Polytechnic University.

(6) **Separation from Employment.** Upon separation from employment with the University, an employee with ten (10) or more years of State service with the State of Florida will be paid ~~a maximum~~ one-fourth (1/4) of ~~480 the number of~~ hours of ~~the employee's unused~~ accrued Sick Leave, but shall not exceed a maximum of 480 hours of actual payment subject to and in accordance with Florida Statutes Section 110.122.

(7) **Reemployment by Florida Polytechnic.** If an employee is reemployed by Florida Polytechnic University as a Budgeted Employee within 60 days of separating employment with the University, unpaid Sick Leave will be restored. In the case of a layoff, the unpaid Sick Leave of the laid off employee will be restored if such employee is recalled by the University within one year of the date of layoff.

~~Effective date October 1, 2016, or when ERP Workday goes live, whichever date is later.~~

*Authority: FBOG regulation 1.001 and Florida Statutes §110.122*

*History: New: 8.28.13, Amended: 9.14.16, \_\_\_\_\_*