

FLORIDA A&M UNIVERSITY BOARD OF TRUSTEES



NOTICE OF AMENDED REGULATION

DATE: April 23, 2007

REGULATION CHAPTER TITLE: Human Resources

REGULATION TITLE AND NUMBER: 10.126 University Sick Leave Pool

SUMMARY OF REGULATION: The amended regulation grants the University President authority to establish a sick leave pool which allows full-time or part-time University employees to voluntarily pool a portion of their accumulated sick leave and upon depletion of their own sick, annual or compensatory leave to draw sick leave credits from the pool. The regulation also provides procedures for the administration and operation of the sick leave pool and allows ineligible employees (date of hire is less than one year) to receive donated annual leave hours upon authorization from the University President.

AUTHORITY FOR REGULATION: Article IX, Florida Constitution, Board of Governors Regulation Development Procedure dated July 21, 2005; Sections 1001.74 and 1001.75(3), Florida Statutes.

UNIVERSITY OFFICIAL INITIATING THIS REGULATION: Dr. Janie Greenleaf, Assistant Vice President for Human Resources.

PROCEDURE FOR COMMENTS: Written comments concerning this amended regulation must be submitted within 14 days of the date of this notice to the person identified below.

THE PERSON TO BE CONTACTED REGARDING THE AMENDED REGULATION IS: Dr. Janie Greenleaf, Office of Human Resources, 211 Foote-Hilyer Administration Center, Tallahassee, Florida 32307, (850) 599-3611 (phone), (850) 561-2080 (fax), janie.greenleaf@famu.edu.

FULL TEXT OF THE AMENDED REGULATION: The full text of the amended regulation follows:

Regulation of Florida A&M University



10.126 University Sick Leave Pool.

(1) Purpose: The purpose of this ~~regulation~~ rule is to establish a Sick Leave Pool which would allow full-time or part-time salaried employees of the University to pool voluntarily a portion of their accumulated sick leave, and upon depletion of their own sick, annual and compensatory leave to draw sick leave credits from the pool.

(2) Administration of the Sick Leave Pool.

(a) The President or President's designee shall appoint an employee from each division of the University to serve as the Sick Leave Pool Committee. In addition, two alternates shall be appointed to serve in the absence of a Committee member. The Director, Human Resources/Personnel Relations shall serve as Administrator of the Sick Leave Pool. Both the Administrator and Committee shall be jointly responsible for the administration and operation of the Sick Leave Pool.

(b) The Administrator shall conduct open enrollment periods on an annual basis and at such other times as prescribed by the Sick Leave Pool Committee. The Administrator shall also process applications for membership in the Sick Leave Pool pursuant to the eligibility criteria established under this rule.

(c) All records regarding membership applications, usage and other transactions of the decision of the Committee and operation of the Sick Leave Pool shall be maintained by the Administrator.

(d) The Sick Leave Pool Committee shall meet at designated intervals to review, approve or disapprove by majority vote, requests for Sick Leave pool usage or the discontinuation of members. In addition, the Committee shall authorize the Administrator to deduct sick leave hours from the members' sick leave accounts.

(e) The Sick Leave Pool Committee Alternates shall serve in the absence of a regular member and perform the same functions as the regular member. In addition, the alternates may serve in instances where a possible conflict of interest precludes another

member from voting; or, serve for the remainder of the term, when a vacancy arises due to the resignation of a Committee member or the termination of a Committee member's employment.

(f) The President or President's designee shall appoint a Sick Leave Pool Appeals Board that shall review and/or hear discussions on issues regarding requests for Sick Leave benefits that were denied or membership cancellations by the Sick Leave Pool Committee.

(3) Membership Criteria. An employee shall meet the criteria set forth in this rule for membership in the Sick Leave Pool.

(a) The employee must be employed in a full-time or part-time salaried (non-OPS) position with Florida A & M University.

(b) The employee must have been continuously employed for one year without a break in service with the State University System or agency of the State of Florida in a position which earned sick leave credits; and

(c) The employee must have an accumulated sick leave balance of sixty-four (64) hours, (proportionate for part-time employees) at the time of application and approval for membership in the pool or at the close of the open enrollment period.

(4) Application for Membership. Application for membership in the Sick Leave Pool shall be made in writing to the Sick Leave Pool Administrator during open enrollment or during the appropriate periods indicated below;

(a) An employee who is eligible for membership on the effective date of the Sick Leave Pool Policy must apply within thirty (30) days of the effective date of the policy or during a subsequent open enrollment period. The employee shall be required to make a contribution of eight (8) hours (proportionate amount for part-time employees) of sick leave if being employed on a full-time basis.

(b) An employee who is transferring to the University from a State of Florida governmental agency or University may transfer from the exiting agency sick leave pool to the University Sick Leave Pool within (30) days of the beginning date of employment with the University. An employee transferring from an agency with which the University has a reciprocal agreement for the transfer of sick leave pool hours will not be required to contribute eight (8) hours upon transferring membership into the University pool.

(5) Membership Terms and Conditions.

Coding: ~~Strikeover~~ indicates deletions; underlining indicates additions.

- (a) Membership and participation in the Sick Leave Pool shall be voluntary at all times by the employee. An employee may withdraw from the pool at any time by written notice to the Committee.
~~and/or submission of a medical certification which is from other than a qualified medical practitioner or which misrepresents the nature of a member's illness and/or duration all for the purpose of receiving sick leave benefits to which the member is not entitled under the rule.~~
- (6) Maintenance of the Pool.
- (a) Each full-time participating employee will contribute ~~eight (8) hours~~ (proportionate for part-time employees) of sick leave, and when 480 hours have been donated, the pool will be activated for use by eligible participating employees. No more than sixteen (16) hours of sick leave (proportionate amount for part-time employees) shall be contributed during a twelve (12) month period by each full-time employee.
- (b) If a member's sick leave balance is insufficient to deduct eight (8) hours (proportionate for part-time employees) at the time the pool is depleted, the member shall be required to contribute the total sick leave hours accumulated and shall contribute the remainder as soon as additional sick leave credits are accrued. The member shall not be allowed to use sick leave credits until the required number of hours has been contributed to the Sick Leave Pool.
- (c) Hours contributed to the Sick Leave Pool shall be placed in a single account. Contributions for the benefit of a specific individual, position or illness shall not be accepted.
- (d) The pool shall be considered to be depleted when the total hours in the pool equal 120 hours or less. Upon depletion of the hours in the Sick Leave Pool, the Administrator shall notify each pool member that additional hours of sick leave will be deducted from their sick leave accounts and deposited in the Sick Leave Pool.
- (7) Discontinuation of the Sick Leave Pool.
- (a) The President or President's designee may, at any time, in accordance with the Florida Board of Governors Regulation Development Procedure for University Boards of Trustees ~~Chapter 120, F.S.~~, repeal this regulation ~~policy~~ for the purpose of discontinuing the Sick Leave Pool.

- (b) All hours remaining in the Sick Leave Pool at the time of the repeal of this ~~regulation~~policy shall be prorated equally among the membership, provided at least one hour can be returned to each.
- (c) ~~Full-time employed member and prorated for each part-time employed member.~~ Otherwise, remaining hours shall be forfeited.
- (8) Annual Leave Donations.
- Employees ineligible for the Sick Leave Pool because their date of hire is less than one year is eligible to receive donated annual leave hours.
- (a) The President or the President's designee may authorize the deduction of annual leave hours from employees (Donors) ~~;~~ sick to employees (Donees) who are ineligible for membership in the sick leave pool because of their date of hire, and who have exhausted both their annual and sick leave hours. The value of the hours donated shall be an hour for hour equivalent, there being no intention of increasing the liability of the University or of increasing the cash value of any hours donated to the ~~employee~~ ~~(Donee.)~~
- (b) The maximum number of annual leave hours which may be donated shall not exceed one hundred twenty (120) hours. Said maximum is a one time, lifetime of employment, donation to the ~~employee~~ ~~(Donee.)~~
- (c) The President or the President's designee may require a medical certification from the employee's treating physician(s) that the employee is suffering from a serious illness or injury which is not work related, and the employee is required to provide to the University an authorization for release of medical information to the University, and to cooperate with the University in obtaining the required medical certification from the employee's treating physician(s).
- (d) Donors will be required to provide the University with signed authorizations to deduct annual leave hours from their annual leave to be credited to the ~~employee~~ ~~(Donee.)~~

Specific Authority Board of Governors Regulation Development Procedure Dated July 21, 2005, 1001.74(4) FS; Law Implemented Board of Governors Resolution Adopted January 7, 2003, 1001.74(19), 1001.75(3), FS; History-New 6-27- 96; Amended _____-07.

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