

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: September 29, 2015

REGULATION TITLE:
Faculty and A&P Sick Leave Pool

REGULATION NO.:
UCF-3.0261

SUMMARY OF REGULATION AMENDMENT: This regulation is amended to create a sick leave pool committee to handle the administration of the both of the university sick leave pools. An appeals process has also been added to this regulation.

AUTHORITY: BOG Regulations 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Sheila Daniels, Interim Associate Vice President and Chief Human Resources Officer

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4365 Andromeda Loop North
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-3.0261 Faculty and A&P Sick Leave Pool.

(1) General. The purpose of this regulation is to establish ~~a~~the Faculty and A&P sSick ~~H~~lleave ~~p~~Pool to allow full- time and part-time Faculty and A&P employees to voluntarily pool a portion of their unused sick leave and, upon depletion of their own sick, annual and compensatory leave, to draw leave credits from the pool as prescribed below.

(2) Membership.

(a) Initial membership in the Faculty/A&P Sick Leave Pool requires continuous

employment with the University, in a benefits-earning position, for more than one year, and a balance of at least 64 hours of unused sick leave. In addition, an employee who wishes to join the pool will be required to ~~donate~~contribute sixteen (16) hours of unused sick leave time to the pool upon acceptance to the pool.

- (b) Applications for membership shall be made in writing and addressed to the pool administrator.
- (c) Open enrollment to the Faculty/A&P Sick Leave Pool will be held during March and September of each year or at such other times as may be ~~prescribed by the sick leave pool committee~~announced by the pool administrator to meet program needs.
- (d) No employee shall be unreasonably denied enrollment in the sick leave pool.

(3) Administration.

- (a) The Executive Director of Human Resources, or designee, shall serve as the leave pool administrator.
- (ab) The president will appoint at least six Faculty or A&P employees who have elected to participate in the pool to serve as the pool's committee. In addition he will appoint another participating employee to serve as pool administrator. Appointments will be for a two year period. There shall be a sick leave pool committee to oversee both of the sick leave pools at the University. The sick leave pool committee shall be advisory in nature to the leave pool administrator. The sick leave pool committee shall consist of: two USPS employees appointed by the USPS Staff Council; two faculty employees appointed by the president of the Faculty Senate-; and two A&P employees appointed by the Executive Director of Human Resources. Anyone who serves on the sick leave pool committee must also be a member of a University sick leave pool. The two faculty employees on the sick leave pool committee must come from two different colleges or divisions. The two A&P employees on the sick leave pool committee will also come from two different colleges or divisions. All committee members will be appointed with the goal of an inclusive and diverse committee membership. Members of the committee will be appointed to serve in staggered two year terms. The leave pool administrator shall

coordinate and manage all meetings of the sick leave pool committee.

~~(bc) All decisions of the committee shall be made by majority vote of those present and shall require assent by at least three members. The committee's findings shall be reported to the pool administrator who shall have the authority to approve the committee's recommendations and to cast the deciding vote in case of a tie vote within the committee. The leave pool administrator shall have the authority to review all recommendations of the sick leave pool committee and either accept, reject, or modify those recommendations at the administrator's discretion.~~

~~(ed) The Faculty and A&P sick leave pool shall be administered as follows:~~

1. Participating employees who require hospitalization or extended medical care as the result of catastrophic injury or illness that exhausts all of their accrued ~~personal~~ sick, annual, personal, and compensatory leave credits and which results in serious or major medical or health problems, may request permission to utilize leave credits from the pool.

~~2. Sick leave pool credits are intended for an employee who is completely out of work due to catastrophic injury or illness and who has no remaining accrued leave. Absent extraordinary circumstances, sick leave pool hours are not authorized for use when an employee is working on either intermittent or reduced work schedule medical leave.~~

~~23. All requests for sick leave pool credit utilization shall be made in writing by, or ~~for~~ on behalf of, the employee and shall be accompanied by a completed UCF Medical Certification form. ~~medical verification of the injury or illness. These requests shall be reviewed by the pool committee which shall decide the number of pool leave credits that may be utilized in each case. The completed medical certification must contain sufficient justification to support the request for sick leave pool hours. These requests shall be reviewed by the sick leave pool committee. The committee may request additional information if needed to assess the request, and will recommend to the sick leave pool administrator whether pool leave credits should be utilized and, if so, in what amount. After review by the leave pool committee, a Determination Notice of the decision will be sent to the~~~~

employee within 5 days.

4. Employees who are not members of the sick leave pool at the time of a qualifying illness or injury shall not be eligible to utilize sick leave pool credits. Normally, sick leave pool credits may not be used for any pay period prior to the pay period in which the Determination Notice is sent. Sick Leave Pool credits may never be awarded or used for time prior to the start date of the medical leave of absence or more than two weeks prior to the date the request is received by the university.

35. After each 20 day utilization the employee must request additional sick leave pool credits by submitting new medical forms. Each time an employee requests another 20 days of sick leave pool credit, committee members shall reapply the definition of catastrophic as it applies to the most current request.

46. The maximum number of sick leave pool credits which may be granted to a full-time employee shall be sixty (60) days in increments of twenty (20) days or, as stated in hours, 480 hours in increments of 160 hours. If a part-time employee participates in the pool, then the maximum number of sick leave pool credits which may be granted to such an employee with a qualifying medical need will be prorated to the FTE of that employee.

57. There shall be a two-week period following depletion of an individual's personal sick, annual and compensatory leave credits before pool credits may be used.

~~6. Employees who are not members of the sick leave pool at the time of a qualifying illness or injury shall not be eligible to utilize sick leave pool credits. Exceptions to this limitation may be made by the president after review and recommendation by the sick leave pool committee and the pool administrator.~~

(4). Appeal of response to Sick Leave Pool request for hours.

(a) Should the member or someone recognized to act on their behalf wish to appeal the response to their Sick Leave Pool request, they may do so by submitting an appeal

in writing to Human Resources within fourteen calendar days of receiving the Determination Notice and forwarding such additional information that they wish to have considered.

(b) Appeals will be reviewed by the Sick Leave Pool Committee for a recommendation and then the Executive Director of Human Resources for final decision. A member is not entitled to further appeals or a hearing of any kind regarding a request for sick leave pool hours.

(45) Maintenance of Faculty and A&P sick leave pool. The pool shall be maintained in accordance with the following:

- (a) The Faculty and A&P sick leave pool shall become inactive if the membership in the pool drops below 50 employees. Should the pool become inactive, the remaining leave credits shall be prorated equally among the membership at time of inactivation. The sick leave pool can thereafter only be reactivated if a minimum of 50 employees agree to participate in the pool by each depositing sixteen (16) hours of accrued sick leave into the newly formed pool.
- (b) When the total credits available in the pool amount to 320 hours or less, the pool shall be considered to be depleted. Upon depletion, the pool members will be ~~notified~~notified in writing that an additional sixteen (16) hours of sick leave credit will be deducted from their account unless they inform the pool administrator (in writing within two weeks of the date of the notice), of their intention to discontinue membership.

Authority: BOG Regulation 1.001. History–New 12-12-83, Formerly 6C7-3.261, Amended 1-6-93, 3-16-03; Formerly 6C7-3.0261, Amended 5-11-09, 8-30-10, _____-15.