

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: September 29, 2015

REGULATION TITLE:
USPS Sick Leave Pool

REGULATION NO.:
UCF-3.026

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-3.026 USPS Sick Leave Pool.

(1) General. The purpose of this regulation is to establish a USPS Sick Leave Pool to allow full-time and part-time employees to voluntarily pool a portion of their unused sick leave and, upon depletion of their own sick, annual, personal, and compensatory leave, to draw leave credits from the pool as prescribed in subsections (2) and (3) below.

(2) Membership.

(a) Application for membership shall be in writing addressed to the pool administrator.

- (b) Membership shall be allowed only during open enrollment periods conducted during March and September of each year or at such other times as may be announced by ~~the president or~~ the pool administrator to meet program needs.
- (c) All full-time and part-time USPS employees who have been continuously employed with the University for more than one year are eligible for membership in the USPS Sick Leave Pool.
- (d) To enroll in the USPS Sick Leave Pool, an eligible full-time employee must have at least sixty-four (64) hours of unused sick leave at the time of enrollment; and must contribute the amount of sick leave established by the committee. An eligible part-time employee must have a proportionate sick leave balance and contribute a proportionate amount of sick leave based on their FTE at the time of enrollment. Should a member's FTE change to full-time, the employee must contribute an additional amount equal to other full-time members.
- (e) 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. will appoint four USPS employees who have elected to participate in the pool to serve as the pool's committee. Each will be appointed to serve alternating two year terms. A fifth member will be appointed each year from the Staff Council to serve for one year.~~
- (b) ~~The Director of Human Resources or designee shall serve as pool administrator.~~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 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.

- (c) The leave pool administrator shall have the authority to ~~approve~~review— all recommendations of the sick leave pool committee and either accept, reject, or modify those recommendations at the administrator’s discretion.

~~(d) The duties of the pool committee and the administrator shall be as described herein.~~

~~(e) The pool shall be administered as described herein~~USPS Sick Leave Pool Administration:

1. Participating employees who require hospitalization or extended medical care as the result of any catastrophic injury or illness which 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.

3. 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 Medical Certification form. ~~(form provided by UCF) to support the request for hours. These requests shall be reviewed by the pool committee which shall recommend the number of pool leave credits which 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 administrator, a Determination Notice of the decision will be sent to the employee within 5 days.~~

34. 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.
45. The number of hours a member can withdraw from the USPS Sick Leave Pool will be determined by the member's highest ~~personal~~-sick leave balance during the twelve (12) month period immediately preceding the request for hours. A member shall not be granted more than the maximum 480 hours, or if part-time, an amount proportionate with the FTE. A member may be granted at least a minimum of 120 hours, or if part-time, an amount proportionate with the FTE if he/she has been a member of the sick leave pool for at least twelve continuous months. If any employee has not been a member of the USPS Sick Leave Pool for at least twelve (12) continuous months, then the highest accrual of sick leave hours since joining the pool will determine potential usage. A member shall not be granted more than the maximum 480 hours or, if part time, an amount proportionate with the FTE. A member who has less than 120 hours accrued shall be able to use a maximum of 120 hours from the pool. A part-time employee will be eligible for an amount proportionate with his/her FTE.
56. When a member ~~withdraws~~uses more than 75% of-the maximum number of hours for which he/she is eligible, his/her membership in the USPS Sick Leave Pool will automatically terminate. ~~Membership in the pool will automatically terminate for those members who return less than twenty-five percent of the hours granted to him/her.~~-To re-enroll the employee would have to meet the eligibility and enrollment criteria listed above for initial enrollment in the Pool.
67. When a USPS Sick Leave Pool member's illness or injury is work related, the member shall not be granted sick leave pool credits, regardless of

whether or not they are currently receiving a workers' compensation benefit.

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

(a) Should the member or someone recognized to act of 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 a 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 USPS Sick Leave Pool. ~~The pool shall be maintained as described herein:~~

(a) Should ~~the~~ membership in the USPS Sick Leave Pool drop below 50 employees, the USPS Sick Leave Pool~~pool~~ shall become inactive and the remaining leave pool credits shall be prorated equally among the membership at time of inactivation.

(b) When the total credits available in the pool amounts s to 120320 hours or less, it shall be considered to be depleted. Upon depletion, the pool members will be notified in writing by the leave pool administrator that eight hours of sick leave credit will be deducted from their ~~account~~active leave accruals 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 6C7-3.26, Amended 11-8-87, 1-6-93, 3-16-03; Formerly 6C7-3.026, Amended 5-18-09, _____-15.