

### **UCF-3.040 Benefits and Hours of Work.**

- (1) Application. Except as provided by any applicable collective bargaining agreement, this regulation applies to all employees based on their appointment type with the university.
- (2) Benefits made available to Faculty; Administrative & Professional (A&P) staff, including Executive Service; and University Support Personnel System (USPS) staff include, but are not limited to, paid and unpaid time off, holidays, State and University-sponsored insurance and retirement programs.
- (3) Benefits made available to Post-Doctoral Associates (PDA) include health insurance, paid annual time off, and paid sick time off, prorated based on full-time equivalency (FTE) and date of hire. The time off is tracked by the department.
- (4) Benefits made available to residents and fellows in a program of graduate medical education in the College of Medicine are provided as described in College of Medicine Graduate Medical Education policies.
- (5) Benefits made available to Other Personnel Services (OPS) employees may include University and State-sponsored insurance for those that meet the eligibility criteria. For example, in accordance with the Shared Responsibility for Employers provision of Patient Protection and Affordable Care Act (PPACA) of 2010 (26 U.S. Code § 4980H, et seq.), OPS employees who meet state eligibility criteria may be eligible for State-sponsored health insurance benefits.
- (6) Hours of Work. Hours of work requirements shall be administered according to the following provisions.
  - (a) Each employee is expected to work the number of hours in the employee's established workweek unless on approved time off or approved leave.
  - (b) The minimum workweek is 40 hours for full-time employees. Approved time off or leave hours may be adjusted to ensure an employee's work week will not exceed 40 hours.
  - (c) Pay for designated University holidays (paid at a maximum of eight hours) based on FTE and accrued time off are not considered overtime and are paid at the employee's regular pay rate.
- (7) Overtime Compensation for Non-Exempt employees. Non-exempt (overtime eligible) employees must receive overtime pay at the rate of one and one-half times their regular rate of pay for all hours worked beyond 40 in the University's designated work week of Friday through Thursday.
  - (a) Limited exceptions to this rule are authorized under the Fair Labor Standards Act (FLSA), including as to law enforcement personnel.
  - (b) Paid holidays and paid time off are excluded from the calculation of hours worked and do not count towards overtime hours.
  - (c) Overtime compensation shall be paid no later than the end of the following pay period.
- (8) Holidays. Employees in Faculty, USPS, or A&P (including Executive Service) appointments shall receive holiday pay in proportion to their FTE for each UCF designated holiday, up to a maximum of eight (8) hours per holiday.
- (9) Accrued Time Off. Faculty, USPS, or A&P (including Executive Service) appointments shall accrue time off while in pay status and shall have such time off credited on the last day of that pay period or, in the case of separation, on the last day of employment.

(10) Unpaid Leave. During approved unpaid leave, an employee in a leave-accruing position may use accrued time off to continue contributions to their benefits and other payroll deductions. Under these circumstances, except for USERRA military leave the employee must use a minimum of twenty hours of accrued time off or holiday hours per pay period until such time off is exhausted.

(11) Return Status. Unless otherwise agreed, an employee will be returned to the same or similar status upon completion of the approved leave period. While on paid leave, an employee may not engage in outside employment unless granted written approval by the University. Regulations governing outside activity and dual compensation may apply in these situations.

(12) Recovery Leave. Recovery leave initiated by the employer shall be administered according to the following provisions.

- (a) Medical certification from an approved health care provider may be required.
- (b) The employee shall receive notice specifying the duration of the leave, the conditions required for returning to the position, and if the leave will count toward FMLA entitlements.
- (c) The employee may be permitted to use accrued time off during recovery leave to continue the contributions towards benefits and other expenses.
- (d) Unless otherwise agreed, an employee shall be returned to the same or similar status upon completion of the approved leave period and upon receipt of medical certification.
- (e) Employees who fail to meet the conditions of the recovery leave or are unable to perform essential job duties or fail to obtain required medical certification may be required to participate in the university's interactive accommodation process. Outcomes may include placement on unpaid leave, extension of the leave, a request for resignation, or dismissal for inability to perform the duties of the position. The employee may also choose to resign at any point during the recovery leave process.

(13) Family and Medical Leave. Employees are entitled to 12 workweeks of Family and Medical Leave within a 12-month period, in accordance with the Family and Medical Leave Act (FMLA) of 1993 (29 USC s. 2601, et seq.) and its implementing regulations (29 CFR Part 825). Effective July 1, 2023, the 12-month period is defined as a rolling 12-month period measured backward from the date an employee first uses any FMLA leave. All employees - including OPS and PDA employees - are eligible if they have worked at least 12 months (not necessarily consecutive) and have worked at least 1,250 hours during the 12-months preceding the leave. Employees in time-off accruing positions may use accrued time off while taking FMLA leave.

(14) Unpaid Parental Leave. Employees shall be provided with up to six months unpaid parental leave when the employee becomes a biological or adoptive parent. Parental leave shall begin no more than two weeks prior to the expected date of the child's arrival unless otherwise approved by the supervising physician or appropriate Dean or Director. The employee may use accrued sick time off during an approved parental leave of absence.

(15) Paid Parental Leave. Effective July 1, 2026, for non-unit Faculty, A&P (including Executive Service), and USPS employees, paid parental leave may be used no more than twice during an employee's employment with the University. If both parents are employees of the University, only one parent may request paid parental leave for each qualifying event (birth or adoption). Employees may choose either unpaid or paid parental leave for a qualifying event, but not both. Modified instructional duties are not available for instructional faculty members who are using paid or unpaid parental leave.

- (a) Eligibility. To be eligible for this benefit, an employee must be employed in a line position at or above 0.75 FTE. This program is not available to individuals in

temporary, term-limited, or visiting appointments. Employees supported by soft money are eligible only to the extent permitted by the terms of the contract or grant, the ability to meet grantor deliverables, the rules of the funding agency, and availability of adequate funds.

- (b) **Paid Parental Leave Request.** Employees must complete a written request and sign a formal agreement to participate in paid parental leave. Both the request and the signed agreement outlining the terms of the leave must be submitted no later than three months before the anticipated start date. For instructional faculty, the leave must be taken no later than the semester immediately following the birth or adoption. In certain cases, a shorter notice period may be approved at the discretion of the University's designated representative if good cause or special circumstances exist. Paid parental leave is distinct from medical leave or FMLA leave, though it may run concurrent with either.
- (c) **Commitment to Return.** The employee must sign a written agreement to return to University employment for at least one academic year – defined as two consecutive semesters (fall and spring, or spring and fall) - or one full calendar year for non-instructional employees following their participation in the program. If the employee does not fulfill this obligation, they must reimburse UCF within 60 days. This return-to-service is in addition to any commitments associated with other approved leave programs. For example, a nine-month employee may take a sabbatical and subsequently participate in the paid parental leave program; in such case, the employee would be required to return to active University service for one full academic year for each program, totaling two academic years.
- (d) **Repayment and Reimbursement.** Employees must repay any salary, retirement contributions, benefits, or other expenses received during paid parental leave if the leave is taken without a signed agreement in place or if the employee does not meet the program requirements. An employee who utilizes paid parental leave and remains employed by the University for at least one academic year (or one calendar year for non-instructional employees) after participating in the program will have the total number of paid parental leave hours used deducted from their remaining sick time off and/or annual time off at the time of separation from the University, or upon transferring between a contract accruing annual time off and a contract not accruing annual time off. Sick leave will be deducted first.
- (e) Employees on paid parental leave may not engage in outside employment unless they receive prior written approval in advance.
- (f) **Duration of paid parental leave.** Upon request, employees shall be granted one of the following paid parental leave options:
  1. Twelve-month non-instructional, research, clinical, or employees not following the standard academic semester schedule are eligible for up to 16 consecutive weeks of paid parental leave.
  2. Twelve-month instructional employees may elect to take paid parental leave for the entire summer term (typically from approximately May 8 through August 7).
  3. Nine- or twelve-month instructional employees may receive one full regular semester of paid parental leave.

(16) **Administrative Time Off.** Employees may be granted paid administrative time off as outlined below. Administrative time off is not considered as hours worked for overtime calculations and hours do not accrue. Employees may be required to provide documentation supporting the need for administrative time off (e.g., jury summons).

- (a) **Jury Duty.** Administrative time off for jury duty shall not exceed the number of hours in

the employee's normal workday. Employees must return to work immediately upon release if jury service does not require their absence for the full workday. If the jury duty occurs outside the employee's regular work schedule, the employee shall be granted administrative time off equivalent to the total hours served on jury duty, to be applied to the employee's next scheduled work shift. Employees may retain any compensation received from the court for jury service.

- (b) When an employee's official job duties require court attendance- such as law enforcement officers who are subpoenaed to appear in a proceeding because of their University role, the time spent in court shall be considered time worked. Administrative time off shall be granted to an employee summoned as a witness in a matter unrelated to their personal interests. However administrative time off shall not be granted when the employee : is a defendant in a criminal matter (whether a misdemeanor or felony); is summoned to appear in traffic court, except as a witness; is a party to a civil case, either as plaintiff or defendant; or has any personal or familial interest in the proceedings.
- (c) Olympic Competition. Administrative time off for participation in athletic competition in Olympic events shall be provided in accordance with Section 110.118, Florida Statutes (F.S.).
- (d) Bereavement Leave. Administrative time off up to three (3) days shall be provided to A&P (including Executive Service) and USPS employees in time-off-accruing appointments upon the death of an immediate family member. For the purposes of this provision, immediate family member includes the employee's spouse (or individuals with the same relationship to the employee's spouse), domestic partner, children (including stepchildren, adopted children, foster children, and children for whom the employee has parental responsibilities), and their spouses, legal dependents, parents (including biological, adoptive, foster, step, and *loco parentis*), siblings and their spouses, grandchildren, and grandparents.
- (e) Emergency Closures. Administrative time off shall be granted if University facilities are officially closed in accordance with UCF Regulation 3.035.
- (f) Florida Disaster Volunteers. The President or designee may grant administrative time off to employees serving as Florida Disaster Volunteers in accordance with Section 110.120, F.S.
- (g) Voting in Public Elections. Supervisors may grant up to one hour of administrative time off for employees to vote in public elections when the employee is unable to vote outside of their regular work schedule. If early voting is available, employees are not eligible for this time off. Employees must request this time off in advance.
- (h) Military-Service-Connected Disability Reexamination or Treatment. An employee who has been rated by the United States Department of Veterans Affairs (or its predecessor) as having a military-service-connected disability, and who is scheduled by the Department of Veterans Affairs for reexamination or treatment related to that disability shall be granted administrative time off for such appointments without loss of pay or benefits. This paid administrative time off may not exceed 48 hours per calendar year. Employees should request the time off in advance from their supervisor and provide official documentation for the timekeeping purposes. If documentation is not provided in advance, the department may approve adjustments to the dates within the current calendar year.

(17) Other Forms of Administrative Time Off. Administrative time off under this section may be granted as paid or unpaid at the discretion of the appropriate University official. For faculty, decisions regarding administrative time off and pay status under this section will be made by the President or

designee. For A&P employees (including Executive Service) and USPS employees, such decisions shall be made by the Chief Human Resources Officer (CHRO) or designee. If paid, administrative time off under this section does not count as hours worked for purposes of calculating overtime. An employee may be placed on administrative time off for the following:

- (a) When it is determined that the employee's presence in the workplace may result in damage to property, or injury to the employee or others.
- (b) When the employee is under investigation.
- (c) When unique or specific circumstances related to the employee warrant such action, or when it is determined to be in the best interest of the University.

(18) **Military Leave and Reemployment Rights.** Military leave and reemployment rights for Faculty, A&P (including Executive Service) and USPS employees shall be provided in accordance with federal and state laws. OPS employees, including PDAs, may request time off to fulfill military duty obligations. However, these employees are not eligible for military pay supplements or administrative time off for such service.

(19) **Workers' Compensation.** Workers' Compensation benefits for injuries compensable under the Florida Workers' Compensation Law shall be administered as follows:

- (a) An employee shall remain in full pay status for up to forty (40) hours without being required to use accrued time off. If the employee receives Workers' Compensation benefits during this period the employee must reimburse the University for the amount of those benefits. Reimbursement does not include payments for medical, surgical, hospital, or nursing care nor payments for disability losses.
- (b) An employee may choose to use accrued time off to supplement Workers' Compensation wage-replacement benefits, not to exceed the employee's regular salary/rate of pay.
- (c) The duration of paid or unpaid job-related disability leave shall be consistent with Chapter 440, F.S.
- (d) An employee injured in the workplace may be assigned to alternate duty, consistent with established University policies or procedures.
- (e) If at the end of the leave period an employee is unable to return to full-time work and perform the essential duties of the position, the CHRO or designee may take one of the following actions: offer a part-time appointment, place the employee on unpaid leave, extend the leave period, request the employee's resignation, or terminate employment.

(20) **401(a) FICA Replacement Plan Enrollment.** Adjunct faculty, OPS non-student employees, PDAs, and Physician Learners are automatically enrolled in the 401(a) FICA Replacement Plan as a mandatory condition of employment. This is a mandatory retirement plan does not provide Social Security participation; therefore, these employees do not contribute to or earn credits under the Social Security system.

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