

NOTICE OF REGULATION REPEAL

May 8, 2008

DEPARTMENT OF EDUCATION

Division of Universities
University of North Florida

REGULATION TITLE:

Hours of Work, Benefits and Leave Requirements

REGULATION NO.:

4.0120R

SUMMARY:

The repeal is being undertaken in order to establish and implement a policy that is current and in accordance with present University practice and procedure.

FULL TEXT:

The full text of the regulation for repeal is attached.

AUTHORITY:

Resolution of the Florida Board of Governors dated January 7, 2003

UNIVERSITY OFFICIAL INITIATING THE REPEALED REGULATION:

Rachelle Gottlieb, Vice President

INDIVIDUAL TO BE CONTACTED REGARDING THE REPEALED REGULATION:

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Any comments regarding the repeal of the regulation must be sent in writing to the contact person on or before May 29, 2008 to receive full consideration.



Regulation Number	Subject	Effective Date	Revised Date
4.0120R	Hours of Work, Benefits and Leave Requirements	02/01/06	
Responsible Division / Department: Administration & Finance / Human Resources			
<input checked="" type="checkbox"/> New Regulation	<input type="checkbox"/> Major Revision of Existing Regulation	<input type="checkbox"/> Minor/Technical Revision of Existing Regulation	<input type="checkbox"/> Reaffirmation of Existing Regulation

I. OBJECTIVE & PURPOSE

The purpose of this regulation is to establish a standard for the hours of work and for the provision of benefits to University employees. The benefits in this section are intended to apply to all budgeted University faculty and staff and are intended to complement applicable collective bargaining agreements. However, to the extent any benefits contradict existing collective bargaining agreements, the collective bargaining agreements will be the controlling authority for those covered employees.

II. STATEMENT OF REGULATION

Benefits made available to budgeted Faculty, Administrative and Support employees include paid and unpaid leave, holidays, State and University-sponsored insurance programs, and retirement. Benefits shall be provided proportionate to full-time equivalency on the payroll. Benefits and hours of work requirements shall be administered consistent with the following provisions.

III. HOURS OF WORK

A. Workweek

- 1) The standard workweek is 40 hours for full-time employees. Holiday pay (maximum of eight hours) and paid leave are not considered overtime and are paid at the employee’s regular pay rate except as stipulated in appropriate collective bargaining agreements.
- 2) Each employee is expected to work the number of hours in the employee’s established workweek unless on approved leave.

B. Overtime (applicable to hourly employees only)

- 1) Overtime must be approved by the appropriate supervisor prior to the hours being worked. Failure to comply with this provision may lead to disciplinary action.
 - 2) Overtime worked will be paid in accordance with the provisions of the Fair Labor Standards Act (FLSA).
 - 3) Overtime shall be paid no later than the end of the following pay period, unless accrued as overtime compensatory leave.
- C. Compensatory Leave: (applicable to hourly employees only). Compensatory leave shall consist of the following types and such unused leave shall be transferred or paid as follows.
- 1) Overtime compensatory leave is provided in lieu of payment for overtime for nonexempt Support employees at the rate of one and one half times the total hours worked beyond 40 in a workweek.
 - 2) Unused overtime compensatory leave shall be paid out as follows:
 - a. if the employee changes departments through promotion or reassignment.
 - b. if the employee has accrued more than 80 hours (120 for University police) as of June 1, the amount in excess of 80 and 120 respectively shall be paid out in the last pay period of June.
 - c. if the employee separates from the University.
 - d. if the employee requests payout during the year
 - 3) Regular compensatory leave shall be provided to a Support exempt employee for work beyond 40 hours on an hour-for-hour basis. The University may elect to pay an employee for a part or all accrued special compensatory leave at any time.
 - 4) Employees must use accrued compensatory leave prior to using other types of leave.
- D. Paid and Unpaid Leave Status. Employees who may face the need to be on an unpaid leave for one pay period or more must meet with the Benefits Staff in the Office of Human Resources prior to going into an unpaid status. If it is not possible for the employee to meet, the employee should designate a representative to meet on the employee's behalf in order to ensure arrangements are made to provide for continued insurance coverage.
- 1) Leave shall be accrued while in pay status and shall be credited on the last day of that pay period or, in the case of separation, on the last day the employee is on the payroll.
 - 2) During approved unpaid leave for parental, foster care, medical, or military reasons, an employee may use accrued leave to continue the contributions to State benefits and other expenses.

- 3) Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period.
- 4) While on paid leave, an employee may not be employed elsewhere unless the requirements for outside activity have been met.

IV. BENEFITS

Health Insurance, Life Insurance and Related Benefits

The University offers a variety of benefits to its employees including health, vision, dental, and other benefits to assist employees with everyday needs. Many of the standard benefits are provided to employees through the State of Florida; however, the University also provides benefits to its employees through private entities. Benefits are offered both on a pre-tax and after tax basis, depending upon the nature of the benefit. For further information regarding the benefits provided to University employees, please contact the Office of Human Resources Benefit Coordinators or refer to the OHR website at www.unf.edu/dept/humanres/benefits.html.

- A. Sick Leave. Sick leave accrual for full-time employees shall be as follows with proportionate accrual for less than full-time.

	Hours Accrued During Pay Period	
	Monthly	Biweekly
Faculty	8.667	4
Administrative	8.667	4
Executive Service	10.883	5
Support	8.667	4

- 1) Sick leave shall be accrued before use unless available through the University's Sick Leave Pool pursuant to the Sick Leave Policy. There is no maximum on the amount of sick leave that can be accrued. Sick leave accrued prior to October 1, 1973, shall be used prior to any sick leave accrued after that date.
- 2) Sick leave is authorized for 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 appointments with health care providers.
 - b. The illness, injury, appointments with health care providers, or death of a member of the employee's family.
- 3) Notice of absence due to illness, injury, disability, or exposure to a contagious disease shall be given on the first day of absence.
- 4) The University shall accept the transfer of a maximum of eighty (80) hours of accrued sick leave accrued in another State university within Florida or New College for which payment has not been received provided no more than 31 days have elapsed between employments; or if reemployed by UNF within 60

days, unpaid sick leave will be restored. In the case of a layoff, the unpaid sick leave will be restored if recalled by the University within one year.

- 5) Upon separation, an employee with 10 or more years of State service shall be paid for one-eighth of all unused sick leave accrued prior to October 1, 1973, and for one-fourth of unused sick leave up to a total of 480 hours accrued after October 1, 1973, in accordance with Section 110.122, F.S.

B. Annual Leave

- 1) Annual leave for full-time employees shall 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 shall not accrue annual leave. Hours of accrual for Support is based on years of creditable service and such service shall be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of the University or during authorized unpaid leave.

HOURS ACCRUED DURING PAY PERIOD

	MONTHLY	BIWEEKLY	YEAR-END MAXIMUM	MAXIMUM PAYOUT	MAXIMUM TRANSFERABLE
FACULTY	14.667	6.769	352	352	352
ADMINISTRATIVE	14.667	6.769	352	352	352
EXECUTIVE SVC.	20.00	9.195	480	480	480
SUPPORT (Months of service)					
0-6	8.667	4	240	240	0
7-60	8.667	4	240	240	240
61-120	10.833	5	240	240	240
Over 120	13.00	6	240	240	240

- 2) Annual leave shall be accrued prior to use.
- 3) Employees may accrue annual leave in excess of the year end maximum during a calendar year. Employees with accrued annual leave in excess of the year end maximum as of December 31, shall have any excess converted to post October 1, 1973 sick leave on an hour-for-hour basis on January 1 of each year. The employee may retain hours in excess of the year end maximum with the approval of the Director of Human Resources.
- 4) No annual leave, accrued in another State university within Florida or state plan shall transfer.
- 5) An employee who separates from employment shall be paid for all unused annual leave hours up to the year-end maximum allowed for the pay plan. Upon reemployment by the University within 60 days or upon recall by the University within one year, all unpaid annual leave shall be restored and any annual leave paid at time of separation shall be restored upon repayment.
- 6) Upon entering into the Deferred Retirement Optional Program (DROP), employees may elect to be paid up to the year-end maximum of their unused annual leave.

- 7) Upon transfer from an annual leave-accruing position to a non leave-accruing position, the employee shall be paid for unused annual leave.

V. OTHER LEAVES

- A. Administrative Leave. Employees are provided paid administrative leave as follows and shall not cause the full-time employee to exceed 40 hours during the workweek. Administrative leave is not accrued.
 - 1) JURY DUTY - Administrative leave for jury duty shall not exceed the number of hours in the employee's normal workday. If jury duty does not require absence for the entire workday, the employee shall return to work immediately upon release by the court. If the jury duty does not coincide with the regular work schedule, the employee shall be granted administrative leave based on the total hours served on jury duty and such leave shall be granted on the next scheduled work shift. Any jury pay shall be retained by the employee.
 - 2) SUMMONS AS WITNESS - Administrative leave shall be provided to an employee summoned as a witness in a matter not involving personal interests. Administrative leave shall not be provided to an employee serving as an expert witness. Witness pay shall be retained by the employee.
 - 3) ATHLETIC COMPETITION - Administrative leave for athletic competition in Olympic events shall be provided in accordance with Section 110.118, F.S.
 - 4) OFFICIAL CLOSING OF THE UNIVERSITY - Administrative leave shall be provided for the official closing of University facilities. Support employees required to perform essential services during an emergency closing shall have the time worked during the official closing calculated as overtime.
 - 5) FLORIDA DISASTER VOLUNTEERS - The University President may provide administrative leave for Florida Disaster Volunteers.
 - 6) CIVIL DISORDER - The University President may grant administrative leave for civil disorder or disaster for an employee who is a member of a volunteer emergency response team.
 - 7) VOTING IN PUBLIC ELECTIONS – Up to two hours of administrative leave may be provided for voting in public elections.
 - 8) INVESTIGATIONS - The University may place an employee under investigation on leave up to the length of the investigation.
 - 9) DISCIPLINARY NOTICE - The University may place an employee on administrative leave between the notice of reduction in pay, suspension, or dismissal and the effective date of such action.
 - 10) BEST INTEREST OF THE UNIVERSITY - The University may place an employee on administrative leave when the employee's presence in the workplace may result in damage to property, or injury to the employee or

others, or it has been determined that it is in the best interest of the University to do so.

- B. Bereavement Leave. Employees may use up to three (3) days of Bereavement Leave upon the death of a family member/relative. For purpose of this policy, family member/relative is defined as: husband; wife; parent; child; brother; sister; spouse of a child, brother, sister; or parent, child, brother, or sister of spouse; grandparent; grandchild; aunt, uncle, first cousin, niece or nephew. "Relative" or "related" person also includes a person who is engaged to be married to an employee or who otherwise holds himself or herself out as or is generally known as the person whom the employee intends to marry or with whom the employee intends to form a household, or any other person having the same legal residence as the University employee.
- C. Compulsory Leave. Compulsory Leave provisions shall be consistent with the following.
- 1) The University may place an employee on Compulsory Leave if the employee is unable to perform the duties of the position or is experiencing excessive absences due to medical reasons.
 - 2) Medical certification of the medical condition and work restrictions, if any, by an approved health care provider shall be required.
 - 3) The University may require the employee to be examined by a University-appointed physician to determine fitness for duty. The University shall pay the cost of the examination.
 - 4) Notice shall be provided to the employee identifying duration of the leave, the conditions for return to the position, and whether such leave shall count toward FMLA entitlements.
 - 5) The employee may be allowed to use paid leave during compulsory leave to continue the contributions to State benefits and other expenses.
 - 6) Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period and upon receipt of medical certification.
 - 7) Employees who fail to meet the conditions of the compulsory leave or who fail to obtain medical certification and are unable to perform duties may be dismissed for inability to perform the duties of the position.
- D. Family Medical Leave Act (FMLA). Employees are provided with twelve workweeks (480 hours) of Family and Medical Leave within a 12-month period in compliance with the Family and Medical Leave Act (FMLA) of 1993 (Public Law 103-3) and the Final Regulations of the Family and Medical Leave Act of 1993 (29 CFR Part 825). The 12-month period is calculated on a rolling year basis for each individual employee. All employees are eligible including OPS employees who have worked at least 12 months (these need not have been consecutive) and

who have worked at least 1250 hours in the 12-months prior to the leave. Faculty, Administrative, and Support employees may use paid leave for an FMLA event and such shall be counted toward the entitlement.

- E. **Military Leave.** Military leave and reemployment rights shall be provided to Faculty, Administrative, and Support employees consistent with Federal and State laws, specifically:
- 1) An employee, except an employee in a temporary position, who is drafted, volunteers for active military service, or who is ordered to active duty shall be eligible for military leave.
 - 2) An employee shall receive their full pay in addition to their military pay for the first thirty (30) days of active duty.
 - 3) After the initial 30 days, the law allows those on active duty to receive the necessary pay to fill any gap between their military and civilian pay and continue their existing benefits. Leave payment of this type shall be made only upon military authority that thirty (30) days of military service have been completed.
 - 4) Upon separation from the military service, the employee shall be eligible to return to the former position held or a different position in the same class provided the employee is honorably discharged.
- F. **Parental Leave.** Employees shall be provided with up to six (6) months unpaid parental leave during which time the employee may use accrued leave when the employee becomes a biological or adoptive parent. Parental leave may begin two weeks prior to the expected date of the child's arrival unless otherwise approved by the Director of Human Resources.
- G. **Workers' Compensation.** Workers' Compensation benefits for an injury compensable under the Florida Workers' Compensation Law shall be provided consistent with the following.
- 1) An employee shall remain in full pay status for a period up to a maximum of forty (40) hours without being required to use accrued leave credits. If, during that period, the employee receives Workers' Compensation benefits then the employee shall reimburse the University the amount of the benefits. Such reimbursement shall not include payments for expenses related to medical, surgical, hospital, or nursing treatment or payments of disability losses.
 - 2) An employee may elect to use paid leave to supplement Workers' Compensation payments, not to exceed the employee's regularly scheduled work day.
 - 3) The period of paid or unpaid job-related disability leave shall be in accordance with Chapter 440, F.S.

- 4) An employee who was injured in the workplace, may be returned to alternate duty consistent with established University policies or procedures.
- 5) If at the end of the leave period, an employee is unable to return from leave to work full-time and perform the duties of the position, the University may consider various employment options.
- 6) FMLA shall run concurrently with Workers' Compensation.

VI. Retirement Program

All eligible Faculty and Administrative employees are enrolled in the Optional Retirement Program (ORP) unless employees elect to participate in the Florida Retirement System. All other employees participate in the Florida Retirement System (FRS Pension or FRS Investment Plans), except those who remain in the State and County Officers and Employees Retirement System or the Teachers Retirement System.

References: 1001.74, FS.; 1001.75, FS. and relevant Collective Bargaining Agreements

History: NEW 2-1-06; Repealed 6C9-4

Adopted by the University of North Florida Board of Trustees as part of the University's Personnel Program on January 26, 2006.