

1 **ARTICLE 17**  
2 **LEAVES**  
3

4 **17.1 Requests for a Leave or Extension of Leave of One Semester or More.** There are various  
5 types of leave that the university offers. Employees are responsible for filling out all necessary  
6 paperwork, meeting deadlines, working with their supervisors to discuss their requests, and completing all  
7 paperwork prior to their return.

8 (a) For a leave of one semester or more, an employee shall make a written request not less  
9 than 120 days prior to the beginning of the proposed leave, if practicable.

10 (b) For an extension of a leave of one semester or more, an employee shall make a written  
11 request not less than sixty days before the end of the leave, if practicable.

12 (c) The University shall approve or deny such request in writing not later than thirty days  
13 after receipt of the request.

14 (d) An absence without approved leave or extension of leave shall subject the employee to  
15 the provisions of Article 16.

16 (e) An employee's request for use of leave for an event covered by the provisions of the  
17 Family and Medical Leave Act (FMLA) of 1993 (Public Law 103-3) shall be submitted and responded to  
18 in accordance with the provisions of the FMLA and its implementing regulations.  
19

20 **17.2 Return from Leave.** An employee who returns from an approved leave of absence with or  
21 without pay shall normally be returned to the same classification, unless the University and the employee  
22 agree in writing to other terms and conditions. The return from FMLA leave shall be governed by the  
23 FMLA and its implementing regulations, as discussed in ~~Section 17.6~~ this Article.  
24

25 **17.3 Accrual During Leave with Pay.** An employee shall accrue normal leave credits while on  
26 compensated leave in full-pay status, or while participating in the sabbatical or professional development  
27 programs. If an employee is on compensated leave in less than full-pay status for other than sabbaticals  
28 or professional development programs, the employee shall accrue leave in proportion to the pay status.  
29 Employees who are on leave without pay will not accrue leave.  
30

31 **17.4 Tenure Credit During Periods of Leave.** A semester during which an employee is on  
32 compensated or uncompensated leave for no more than 160 total hours shall be considered tenure-earning  
33 for the purpose of determining eligibility for tenure, except by mutual agreement of the employee and the  
34 University,. A semester during which an employee spends more than 160 hours on family and medical,  
35 parental, administrative, or military leave, whether paid or unpaid, shall not be tenure-earning unless  
36 otherwise mutually agreed to by the employee and the president or president's representative in writing at  
37 the time such leave begins unless the leave is to perform research activity. Upon return from military  
38 leave, an employee may request that the time spent on military leave be tenure-earning, which request  
39 must be granted by the president or president's representative. Time spent on paid or unpaid leave for  
40 any purpose not otherwise listed herein shall be tenure-earning unless otherwise mutually agreed to by the  
41 employee and the president or president's representative in writing at the time such leave begins.  
42

43 **17.5 Holidays.**

44 (a) An employee shall be entitled to observe all official holidays designated in accordance  
45 with Section 110.117, Florida Statutes. No classes or examinations shall be scheduled on holidays.  
46 Classes not held because of a holiday shall not be rescheduled.

47 (b) Supervisors are encouraged not to require an employee to perform duties on holidays;  
48 however, an employee required to perform duties on holidays shall have the employee's schedule adjusted  
49 to provide equivalent time off, up to a maximum of eight hours for each holiday worked.

50 (c) If an employee who has performed duties on a holiday terminates employment prior to  
51 being given time off, the employee shall be paid, upon termination, for the holiday hours worked within  
52 the previous twelve month period.  
53

#### 54 **17.6 Family and Medical Leave Act (FMLA) Entitlements.**

55 (a) The Family and Medical Leave Act of 1993 (“FMLA”) is the common name for the  
56 Federal law providing eligible employees an entitlement of up to twelve weeks of leave without pay for  
57 qualified family or medical reasons during a one-year period. This Act entitles the employee to take leave  
58 without pay; where University policies permit, employees may use accrued leave with pay during any  
59 qualifying family or medical leave. Employees are entitled to use FMLA in accordance with law and  
60 University policies. The failure to list, define, or specify any particular provision or portion of the FMLA  
61 in this Agreement shall in no way constitute a waiver of any of the rights or benefits conferred to the  
62 employer or the employee through the FMLA.  
63

64  
65 17.7 ~~Modified Work Instructional Duties (MID) in case of birth or adoption. Employees who elect the~~  
66 MID are ineligible for Paid Parental Leave. Once a modified plan is agreed to by the employee and his or  
67 her supervisor, it shall be reviewed by the dean or vice president. The dean or vice president shall either  
68 approve the modified work plan, or work in collaboration with the supervisor and employee to try to  
69 reach an acceptable solution. If the employee normally has an instructional assignment, then, after  
70 consultation with the employee, the supervisor shall determine that:

71 (a) the assignment be changed to a non-instructional assignment for the academic  
72 semester during which the child is expected to arrive; or

73 (b) the employee’s work schedule may be altered.  
74

75 **17.87 Parental Leave Options.** The University of Central Florida provides a supportive environment  
76 that enables employees to address the complexity of balancing their work and family commitments. The  
77 University provides the following leave options when an employee becomes a biological parent, a child is  
78 placed for adoption in the employee’s home, or the employee becomes the legal guardian of a child.

79 Modified Instructional Work Duties are not available for an employee on paid or unpaid parental leave.

80 (a) ~~Modified Work Duties. If the employee normally has an instructional assignment, then,~~  
81 ~~after consultation with the employee, the supervisor shall determine that:~~

82 ~~(1) the assignment be changed to a non-instructional assignment for the academic~~  
83 ~~semester during which the child is expected to arrive; or~~

84 ~~(2) the employee’s work schedule may be altered.~~

85 ~~(3) once the modified plan is agreed to by the employee and his or her supervisor, it shall~~  
86 ~~be reviewed by the dean or vice president. The dean or vice president shall either approve the modified~~  
87 ~~work plan, or work in collaboration with the supervisor and employee to reach an acceptable solution.~~

88 (b) **Paid Parental Leave.** Paid Parental Leave is designed to minimize classroom disruption. Paid  
89 parental leave may be used no more than twice during the employee’s employment at the University. If  
90 both parents are employees of the University, only one parent may request paid parental leave under this  
91 program for each qualifying event (birth or adoption). Employees are eligible for paid parental leave as  
92 follows for the birth, adoption, or assumption of legal guardianship of a child. Upon request, one of the  
93 following paid parental leave options may be offered to employees as follows:-

94 (1) Nine or twelve month instructional employees may receive one regular (Fall or  
95 Spring) semester;

96 (2) Twelve month instructional employees have the option of taking leave for the  
97 duration of the summer term semester (usually May 8 until August 7);

98 (3) Twelve month non-instructional, research, and clinical employees may receive up to  
99 13 contiguous weeks. An employee shall be granted, upon request, a paid parental leave for a period of

~~19.5 contiguous weeks (for twelve month instructional employees only), or one regular (Fall or Spring) semester (for nine month instructional employees only), (or up to 3 months (for non instructional employees only) for the birth, adoption, or assumption of legal guardianship of a child. Paid parental leave may be used no more than twice during the employee's employment at the University. If both parents are employees of the University, only one parent may request paid parental leave under this program for each qualifying event (birth or adoption).~~

(24) In order to participate in this program, an employee must be employed for a minimum of one academic year on at least a 0.75 FTE line. This program does not apply to individuals on a temporary, a term limited, or a visiting appointment. Furthermore, employees on soft money shall be eligible to the extent that such benefits are permitted by the terms of the contract or grant, the ability to meet a grantor's deliverables, the rules of the funding agency, and/or adequate funds are available.

(35) The employee will request the use of paid parental leave in writing no later than three months prior to the anticipated beginning of the leave and the leave must occur no later than a semester immediately following the birth or adoption event. A shorter notice period may be permitted for good cause and/or special circumstances at the discretion of the provost or designee. Parental leave is separate from, but may run concurrent with, medical or FMLA leave.

(46) The employee will sign a written agreement detailing the terms of the paid parental leave. Participation in paid parental leave is contingent upon execution of the signed agreement.

(57) The employee must agree in writing to return to University employment for at least one academic year following participation in the program. This time does not include time awarded for a sabbatical or other type of leave. For example, it would be possible for a nine-month employee to take a sabbatical and then opt for the paid parental leave program. In that case, the employee would need to return to active university service for one year for each of the programs; in this case, two academic years.

(68) Repayment of salary, retirement, benefits, and expenses received during paid parental leave shall be required in those instances where payments are made in the absence of a signed agreement by the employee, or when the employee fails to comply with the terms of the program.

(79) An employee who makes use of paid parental leave and who remains in University employment for at least one academic year (calendar year for non-instructional faculty) following participation in the parental leave program shall have the total number of hours used deducted from the employee's sick leave and/or annual leave balance (with sick leave being deducted first) that the employee has remaining at the time of separation from the University, or upon transferring between an annual leave and non-annual leave accruing contract.

(810) Employees on paid parental leave cannot engage in outside employment unless approved in advance.

(eb) Unpaid Parental Leave.

(1) If an employee is ineligible or chooses not to use a modified work assignment as described in 17.7(a) or paid parental leave as described in 17.7(b), the employee may request and shall be granted an unpaid parental leave not to exceed six months when the employee becomes a biological parent or a child is placed for adoption in the employee's home.

(2) Employees on parental leave may use up to six weeks of paid sick leave for the period of leave immediately following the birth of a child (or eight weeks following a C-Section). Parental leave beyond the six week period may be covered by other accrued paid leave or remain a period of unpaid leave. Use of accrued leave during an approved period of leave without pay shall be in accordance with Section 17.11 this Article.

(3) The period of parental leave shall begin no more than two weeks before the expected date of the child's arrival. Employees must complete the appropriate forms 30 days before the anticipated date of birth or adoption.

a. the president or designee shall acknowledge to the employee in writing the period of leave to be granted, and the date of return to employment.

b. any illness caused or contributed to by pregnancy, when certified by a health care provider shall be treated as temporary disability if requested, and the employee shall be allowed to

151 use accrued sick leave credits. In such a case, a Medical or Parental Leave Request Form and a UCF  
152 Medical Certification Form is required. Pregnancy shall not be considered a disability.

153  
154 **17.98 Leaves Due to Illness/Injury.** When an employee is absent with a serious health condition and  
155 wishes to request FMLA protection or is absent more than 10 days due to illness or injury, a Medical or  
156 Parental Leave Request Form and a UCF Medical Certification Form must be submitted to ~~the~~  
157 ~~employee's supervisor or to~~ Human Resources as soon as practicable. Illness/Injury is defined as any  
158 physical or mental impairment of health, including such an impairment proximately resulting from  
159 pregnancy, which does not allow an employee to fully and properly perform the duties of the employee's  
160 position. When an employee's illness/injury may be covered by the Americans with Disabilities Act, the  
161 provisions of Public Law 101-336 shall apply.

162 (a) Sick Leave.

163 (1) Accrual of Sick Leave.

164 a. A full-time employee shall accrue four ~~(4)~~ hours of sick leave for each  
165 biweekly pay period, or the number of hours that are directly proportionate to the number of days worked  
166 during less than a full-pay period, without limitation as to the total number of hours that may be accrued.

167 b. A part-time employee shall accrue sick leave at a rate directly  
168 proportionate to the percent of time employed.

169 ~~c. An employee appointed under Other Personal Services (OPS) shall not~~  
170 ~~accrue sick leave.~~

171 (2) Uses of Sick Leave. It is the responsibility of the employee to report sick leave  
172 when any scheduled time (such as a meeting, office hours, teaching, committee work), or if, due to illness  
173 or hospitalization, fewer than eighty hours are worked during the reporting time period. The employee has  
174 an obligation to inform their chair/supervisor as far in advance as possible to mitigate disruption to the  
175 department/college. When utilizing sick leave, it is not permissible to engage in outside employment or to  
176 receive payment for services.

177 a. Sick leave shall be accrued before being taken, provided that an  
178 employee who participates in a sick leave pool shall not be prohibited from using sick leave otherwise  
179 available to the employee through the sick leave pool.

180 b. Sick leave shall be authorized for the following:

181 1. The employee's personal illness, exposure to a contagious disease  
182 which would endanger others, or disability where the employee is unable to perform his/her assigned  
183 duties.

184 2. The employee's personal appointments with a health care provider.

185 3. The illness or injury of a member of the employee's immediate  
186 family, at the discretion of the supervisor. Approval of requests for use of reasonable amounts of sick  
187 leave for caring for a member of the employee's immediate family shall not be unreasonably withheld.  
188 "Immediate family" means the spouse and the grandparents, parents, brothers, sisters, children, and  
189 grandchildren of both the employee and the spouse and dependents living in the household.

190 4. The death of a member of the employee's immediate family, at the  
191 discretion of the supervisor. Approval of requests for use of reasonable amounts of sick leave for the  
192 death of a member of the employee's immediate family shall not be unreasonably withheld.

193 c. A continuous period of sick leave commences with the first day of  
194 absence and includes all subsequent days until the employee returns to work. For this purpose, Saturdays,  
195 Sundays, and official holidays observed by the State shall not be counted unless the employee is  
196 scheduled to perform services on such days. During any seven ~~(7)~~ day period, the maximum number of  
197 days of sick leave charged against any employee shall be five ~~(5)~~ days, or 40 hours.

198 d. An employee who requires the use of sick leave ~~should~~ must notify the  
199 supervisor as soon as practicable and shall report such leave to UCF's timekeeping system.

200 e. An employee who becomes eligible for the use of sick leave while on  
201 approved annual leave shall, upon notifying the supervisor, substitute the use of accrued sick leave to  
202 cover such circumstances.

203 (3) Certification. If an employee's request for absence or absence exceeds four ~~(4)~~  
204 consecutive days, or if a pattern of absence is documented, the University may require an employee to  
205 furnish certification signed by an attending health care provider affirming the medical reasons  
206 necessitating the absence and/or the employee's ability to return to work. If the medical certification  
207 furnished by the employee is not acceptable, the employee may be required to submit to a medical  
208 examination by a health care provider who is not a University staff member which shall be paid for by the  
209 University. If the medical certification indicates that the employee is unable to perform assigned duties,  
210 the president or representative may place the employee on compulsory leave under the conditions set  
211 forth in Section 17.8(c).

212 (4) Transfer of Credits. Currently, there are no statutory provisions for the transfer of  
213 accrued sick and, if applicable, annual leave balances between the University and any other state  
214 university or any state agency.

215 (5) Payment for Unused Sick Leave.

216 a. An employee with less than ten ~~(10)~~ years of State service who separates  
217 from State government shall not be paid for any unused sick leave.

218 b. An eligible employee who ~~was hired on or before January 6, 2003,~~ has  
219 completed ten (10) or more years of State and/or University service, has not been found guilty or has not  
220 admitted to being guilty of committing, aiding, or abetting any embezzlement, theft, or bribery in  
221 connection with State government, or has not been found guilty by a court of competent jurisdiction of  
222 having violated any State law against or prohibiting strikes by public employees, and separates from State  
223 government because of retirement for other than disability reasons, termination, or death, shall be  
224 compensated for the employee's unused sick leave at the employee's current regular hourly rate of pay for  
225 one-eighth of all unused sick leave accrued prior to October 1, 1973, plus one-fourth of all unused sick  
226 leave accrued on or after October 1, 1973; provided that one-fourth of the unused sick leave since 1973  
227 does not exceed 480 hours.

228 ~~c. An employee who was hired on or after January 7, 2003, has completed~~  
229 ~~ten (10) or more years of University service, has not been found guilty of or has not admitted to being~~  
230 ~~guilty of committing, aiding, or abetting any embezzlement, theft, or bribery in connection with state~~  
231 ~~government, or has not been found guilty by a court of competent jurisdiction of having violated any state~~  
232 ~~law against or prohibiting strikes by public employees, and separates from employment because of non-~~  
233 ~~disability retirement, termination, or death shall be compensated for the employee's unused sick leave at~~  
234 ~~the employee's most recent regular hourly rate of pay for one fourth of all unused sick leave, provided~~  
235 ~~that one fourth of the unused accrued sick leave does not exceed 480 hours.~~

236 ~~d.~~ Upon layoff, an eligible employee with ten ~~(10)~~ or more years of  
237 University service shall be paid for unused sick leave as indicated above, in accord with the criteria  
238 described in paragraphs 17.8(a)(5)b and c, above, unless the employee requests in writing that unused sick  
239 leave be retained pending re-employment. For an employee who is re-employed by the University within  
240 twelve (12) calendar months following layoff, all unused sick leave shall be restored to the employee,  
241 provided the employee requests such action in writing and repays the full amount of any lump sum leave  
242 payments received at the time of layoff. An employee who is not re-employed within twelve (12)  
243 calendar months following layoff shall be paid for sick leave.

244 ed. All payments for unused sick leave shall be made in lump sum and shall  
245 not be used in determining the average final compensation of an employee in any State administered  
246 retirement system. An employee shall not be carried on the payroll beyond the last official day of  
247 employment, except that an employee who is unable to perform duties because of a disability may be  
248 continued on the payroll until all sick leave is exhausted.

249 ~~fe.~~ If an employee has received a lump sum payment for accrued sick leave,  
250 the employee may elect in writing, upon re-employment within 100 days, to restore the employee's  
251 accrued sick leave. Restoration will be effective upon the repayment of the full lump sum leave payment.

252 ~~gf.~~ In the event of the death of an employee, payment for unused sick leave  
253 at the time of death shall be made to the employee's beneficiary, estate, or as provided by law.  
254

255 (b) Job-Related Illness/injury.

256 (1) An employee who sustains a job-related illness/injury that is compensable under  
257 the Workers' Compensation Law shall be carried in full-pay status for a period of medically certified  
258 illness/injury not to exceed seven ~~(7)~~ days immediately following the illness/injury, or for a maximum of  
259 forty ~~(40)~~ work hours if taken intermittently without being required to use accrued sick or annual leave.

260 (2) If, as a result of the job-related illness/injury, the employee is unable to resume  
261 work at the end of the period provided ~~in paragraph 17.8(b)(1), above:~~

262 a. The employee may elect to use accrued leave in an amount necessary to  
263 receive salary payment that will increase the Workers' Compensation payments to the total salary being  
264 received prior to the occurrence of the illness/injury. In no case shall the employee's salary and Workers'  
265 Compensation benefits exceed the amount of the employee's regular salary payments; or

266 b. The employee shall be placed on leave without pay and shall receive  
267 normal Workers' Compensation benefits if the employee has exhausted all accrued leave ~~in accordance~~  
268 ~~with paragraph 17.8(b)(2)(a), above,~~ or the employee elects not to use accrued leave.

269 (3) This period of leave with or without pay shall be in accordance with Chapter 440  
270 (Worker's Compensation), Florida Statutes.

271 (4) If, at the end of the leave period, the employee is unable to return to work and  
272 perform assigned duties, the president or representative should advise the employee, as appropriate, of the  
273 Florida Retirement System's disability provisions and application process, and may, based upon a current  
274 medical certification by a health care provider prescribed in accordance with Chapter 440 (Worker's  
275 Compensation), Florida Statutes, and taking the University's needs into account:

- 276 a. offer the employee part-time employment;  
277 b. place the employee in leave without pay status or extend such status;  
278 c. request the employee's resignation; or  
279 d. release the employee from employment, notwithstanding any other

280 provisions of this Agreement.

281 (c) Compulsory Leave.

282 (1) Placing Employee on Compulsory Leave.

283 a. If an employee is perceived to be unable to perform assigned duties due to  
284 illness/injury or subpar performance, the president or representative may require the employee to submit  
285 to a medical examination, the results of which shall be released to the University, by a health care  
286 provider chosen and paid by the University, or by a health care provider chosen and paid by the  
287 employee, who is also acceptable to the president or representative. Such health care provider shall  
288 submit the appropriate medical certification(s) to the University.  
289

290 b. If the University agrees to accept the employee's choice of a health care  
291 provider the University may not then require another University-paid examination.

292 c. If the medical examination confirms that the employee is unable to perform  
293 assigned duties, the president or representative shall place the employee on compulsory leave.

294 (2) Conditions of Compulsory Leave.

295 a. Written notification to the employee placing the employee on compulsory  
296 leave shall include the duration of the compulsory leave period and the conditions under which the  
297 employee may return to work. These conditions may include the requirement of the successful  
298 completion of, or participation in, a program of rehabilitation or treatment, and follow-up medical  
299 certification(s) by the health care provider, as appropriate.

300 b. The compulsory leave period may be leave with pay or leave without pay. If  
301 the compulsory leave combines the use of accrued leave with leave without pay, the use of such leave  
302 shall be in accordance with ~~Section 17.11~~this Article.

303 c. If the employee fulfills the terms and conditions of the compulsory leave and  
304 receives a current medical certification that the employee is able to perform assigned duties, the president  
305 or representative shall return the employee to the employee's previous duties, if possible, or to equivalent  
306 duties.

307 (3) Duration. Compulsory leave, with or without pay, shall be for a period not to  
308 exceed ~~the duration of the illness/injury or one year, whichever is less~~.

309 (4) Failure to Complete Conditions of Compulsory Leave or Inability to Return to  
310 Work. If the employee fails to fulfill the terms and conditions of a compulsory leave and/or is unable to  
311 return to work and perform assigned duties at the end of a leave period, the president or representative  
312 should advise the employee, as appropriate, of the Florida Retirement System's disability provisions and  
313 application process, and may, based upon the University's needs:

314 a. offer the employee part-time employment;  
315 b. place the employee in leave without pay status in accordance with Section  
316 17.11 or extend such status;

317 c. request the employee's resignation; or  
318 d. release the employee from employment, notwithstanding any other  
319 provisions of this Agreement.

## 320 **17.109 Annual Leave.**

321 (a) Accrual of Annual Leave.

322 (1) Full-time employees appointed for more than nine ~~(9)~~ months, except employees  
323 on academic year appointments, shall accrue annual leave at the rate of 6.769 hours biweekly or 14.667  
324 hours per month (or a number of hours that is directly proportionate to the number of days worked during  
325 less than a full-pay period for full-time employees), and the hours accrued shall be credited at the  
326 conclusion of each pay period or, upon termination, at the effective date of termination. Employees may  
327 accrue annual leave in excess of the year end maximum during a calendar year. Employees with accrued  
328 annual leave in excess of the year end maximum as of December 31, shall have any excess converted to  
329 ~~post-October 1, 1973~~ sick leave on an hour-for-hour basis on January 1 of each year.

330 (2) Part-time employees appointed for more than nine ~~(9)~~ months, except employees  
331 on academic year appointments, shall accrue annual leave at a rate directly proportionate to the percent of  
332 time employed.

333 (3) Academic year employees ~~and~~; employees appointed for less than nine ~~(9)~~  
334 months, ~~and OPS employees~~ shall not accrue annual leave.

335 (4) At the request of the employee, he or she shall be permitted to use accrued annual  
336 leave for all or part of medical or parental leave.

337 (b) Use and Transfer of Annual Leave.

338 (1) Annual leave shall be accrued before being taken, except in those instances  
339 where the president or representative may authorize the advancing of annual leave. When leave has been  
340 advanced and employment is terminated prior to the employee accruing sufficient annual leave to credit  
341 against the leave that was advanced, the University shall deduct from the employee's warrant the cost of  
342 any annual leave advanced under this provision. All requests for annual leave shall be submitted by the  
343 employee to the supervisor as far in advance as possible and appropriate. Approval of the dates on which  
344 an employee wishes to take annual leave shall be at the discretion of the supervisor and shall be subject to  
345 the consideration of departmental/unit and organizational scheduling.

346 (2) Upon re-employment with the University within 100 days, except for re-  
347 employment after layoff (~~see 17.9(e)(3), below~~), the employee may choose to reinstate their annual leave  
348 balance by repaying the full lump-sum annual leave payment received.  
349

350 (3) An employee may transfer into an annual leave accruing position up to forty-four  
351 ~~(44)~~ days of unused leave accrued in the University classification and pay plan in which previously  
352 employed, provided the employee has not received payment for such leave and no more than thirty-one  
353 ~~(31)~~ days have elapsed between jobs.

354 (4) When an annual leave accruing employee moves to a position in State  
355 government, the transfer of leave shall be governed by the rules of the plan to which the employee is  
356 transferring. Should all unused leave not be transferable, up to forty-four days (352 hours) of the  
357 remaining balance shall be paid in lump sum, effective the last day of University employment, without  
358 affecting other leave benefits.

359 (5) The transfer of unused annual leave from a local government to an annual leave  
360 accruing position is not permitted unless a reciprocal agreement in writing between the University or its  
361 representative and the previous employing entity is in effect.

362 (c) Payment for Unused Annual Leave.

363 (1) Upon termination from an annual leave accruing contract, or transfer from an  
364 annual leave accruing contract to an academic year contract, and unless the employee requests the option  
365 in (2) below, the University shall pay the employee for up to forty-four days (352 hours) of unused annual  
366 leave at the calendar year rate the employee was accruing as of the employee's last day of work, provided  
367 that a determination has been made by the president or representative that the employee was unable to  
368 reduce the unused annual leave balance prior to termination or reassignment to an academic year contract.  
369 All unused annual leave in excess of forty-four days (352 hours) shall be transferred to the employee's  
370 sick leave.  
371

372 ~~(2) Upon transfer from an annual leave accruing contract to an academic year~~  
373 ~~contract at the University, the employee may elect to retain all unused annual leave until such time, not to~~  
374 ~~exceed two (2) years, as the employee transfers back to an annual leave accruing contract or terminates~~  
375 ~~employment with the University. Upon such termination or at the end of two (2) years, whichever comes~~  
376 ~~first, the unused leave balance shall be paid in lump sum for up to forty four days (352 hours) at the~~  
377 ~~annual rate the employee was accruing as of the employee's last day of work on an annual leave accruing~~  
378 ~~contract.~~

379 ~~\_\_\_\_\_ (3) Upon layoff, an employee shall be paid for up to forty-four days (352 hours) of~~  
380 ~~unused annual leave in lump sum, unless the employee requests in writing that annual leave credits be~~  
381 ~~retained pending re-employment. For employees who are re-employed by the University within twelve~~  
382 ~~(12) calendar months following layoff, all unused annual leave shall be restored to the employee,~~  
383 ~~provided the employee requests such action in writing and repays the full amount of any lump sum leave~~  
384 ~~payment received at the time of layoff. Employees who are not re-employed within twelve (12) calendar~~  
385 ~~months following layoff and who elected to retain their annual leave pending re-employment shall be paid~~  
386 ~~for up to forty four days (352 hours) of unused annual leave at the calendar rate the employee was~~  
387 ~~accruing as of the employee's last day of work.~~

388 ~~(34)~~ If an employee has received a lump sum payment for accrued annual leave, the  
389 employee may elect in writing, upon re-employment within 100 days, to restore the employee's accrued  
390 annual leave. Restoration will be effective upon the repayment of the full lump sum leave payment.

391 ~~(54)~~ In the event of the death of an employee, payment for all unused annual leave at  
392 the time of death, up to 352 hours, shall be made to the employee's beneficiary, estate, or as provided by  
393 law.

394  
395 **17.110 Administrative Leaves.**

396 (a) Jury Duty and Court Appearances.

397 (1) An employee who is summoned as a member of a jury panel or subpoenaed as a  
398 witness in a matter not involving the employee's personal interests, shall be granted leave with pay and  
399 any jury or witness fees shall be retained by the employee; leave granted hereunder shall not affect an  
400 employee's annual or sick leave balance.



401 (2) An appearance as an expert witness for which an employee receives professional  
402 compensation falls under Article 19 and the University's policies and regulations relative to outside  
403 employment/conflict of interest. Such an appearance may necessitate the employee requesting annual  
404 leave or, if a non-annual leave accruing employee, may necessitate the employee seeking an adjustment  
405 of the work schedule.

406 (3) If an employee is required, as a direct result of the employee's employment, to  
407 appear as an official witness to testify in the course of any action as defined in Section 92.142(2), Florida  
408 Statutes, such duty shall be considered a part of the employee's job assignment, and the employee shall be  
409 paid per diem and travel expenses and shall turn over to the University any fees received.

410 (4) An employee involved in personal litigation during work hours must request  
411 annual leave or, if a non-annual leave accruing employee, must seek an adjustment to the work schedule  
412 or record leave without pay.

413 (b) Military Leave.

414 (1) Short-term Military Training. An employee who is a member of the United  
415 States Armed Forces Reserve, including the National Guard, upon presentation of a copy of the  
416 employee's official orders, letter from the Commanding Officer or appropriate military certification, shall  
417 be granted leave with pay during periods in which the employee is engaged in annual field training or  
418 other active or inactive duty for training exercises. Such leave with pay shall not exceed two hundred and  
419 forty ~~(240)~~ hours in any one ~~(1)~~ university fiscal year (July 1 – June 30). Additional leave for training  
420 may be taken as ordered by the military, however annual leave, compensatory leave or leave without pay  
421 may be utilized to cover the additional time necessary for training.

422 (2) National Guard State Service. An employee who is a member of the Florida  
423 National Guard shall be granted leave with pay on all days when ordered to active service by the State.  
424 Such leave with pay shall not exceed thirty ~~(30)~~ days at any one time.

425 (3) Other Military Leave.

426 a. An employee, except an employee who is employed in a temporary  
427 position or employed on a temporary basis, who is drafted, who volunteers for active military service, or  
428 who is ordered to active duty (not active duty training) shall be granted leave in accordance with Chapter  
429 43 of Title 38, United States Code. Active military service includes active duty with any branch of the  
430 United States Army, Air Force, Navy, Marine Corps, Coast Guard, National Guard of the State of Florida,  
431 or other service.

432 b. Such leave of absence shall be verified by official orders or appropriate  
433 military certification. The first thirty ~~(30)~~ days of such leave shall be with full-pay and shall not affect an  
434 employee's annual or sick leave balance. The remainder of military leave shall be without pay unless the  
435 employee elects to use accumulated annual leave or appropriate leave as provided in ~~17.10(d)(4)~~  
436 below this Article, or the employer exercises its option to supplement the employee's military pay. Leave  
437 payment for the first thirty ~~(30)~~ days shall be made only upon receipt of documentation from appropriate  
438 military authority.

439 c. Applicable provisions of Federal and State law shall govern the granting  
440 of military leave and the employee's re-employment rights.

441 d. Use of accrued leave is authorized during a military leave without pay in  
442 accordance with ~~Section 17.11~~ this article.

443 (c) Leave Pending Investigation. When the president or representative has reason to believe  
444 that the employee's presence on the job will adversely affect the operation of the University, the president  
445 or representative may immediately place the employee on leave pending investigation of the event(s)  
446 leading to that belief. The leave pending investigation shall commence immediately upon the president or  
447 representative providing the employee with a written notice of the reasons therefore. The leave ~~shall may~~  
448 be with pay, with no reduction of accrued leave.

449 (d) Other Leaves Provided Not Affecting Accrued Leave Balances. An employee may be  
450 granted other leaves not affecting accrued leave balances which are provided as follows:

451 (1) Florida Disaster Volunteer Leave is provided for an employee who is a certified  
452 disaster service volunteer of the American Red Cross. Leave of absence with pay for not more than  
453 fifteen ~~(15)~~ working days in the fiscal year may be provided upon request of the American Red Cross and  
454 the employee's supervisor's approval. Leave granted under this act shall be only for services related to a  
455 disaster occurring within the boundaries of the State of Florida.

456 (2) Civil disorder or disaster leave is provided for an employee who is member of a  
457 volunteer fire department, police auxiliary or reserve, civil defense unit, or other law enforcement type  
458 organization to perform duties in time of civil disturbances, riots, and natural disasters, including an  
459 employee who is a member of the Civil Air Patrol or Coast Guard Auxiliary, and called upon to assist in  
460 emergency search and rescue missions. Such paid leave not affecting leave balances may be granted  
461 upon approval by the president or designee and shall not exceed two days on any one occasion.

462 (3) Athletic competition leave is provided for an employee who is a group leader,  
463 coach, official, or athlete who is a member of the official delegation of the United States team for athletic  
464 competition. Such paid leave not affecting leave balances shall be granted for the purpose of preparing  
465 for and engaging in the competition for the period of the official training camp and competition, not to  
466 exceed 30 days in a calendar year.

467 (4) Leave for re-examination or treatment with respect to service-connected  
468 disability is provided by Section 110.119, Florida Statutes, for an employee who has such rating by the  
469 United State Department of Veterans Affairs and has been scheduled to be reexamined or treated for the  
470 disability. Upon presentation of written confirmation of having been so scheduled, such leave not  
471 affecting the employee's leave balances shall be approved and shall not exceed six ~~(6)~~ calendar days in  
472 any calendar year.

473 (e) ~~Official Emergency Closings~~. The president or president's representative may close the  
474 University, or portions of the University in accordance with University policies and regulations relating to  
475 natural disasters or other emergencies. Such closings will be only for the period it takes to restore normal  
476 working conditions. Leave resulting from such an emergency closing shall not reduce employees' leave  
477 balances. Emergency closures cause leave-earning employees to miss regularly scheduled assigned time  
478 (such as office hours, departmental meeting, etc.) shall be reported by the employee after such an event as  
479 ADM leave in UCF's timekeeping system.

### 480 **17.121 Leave Without Pay.**

481 (a) Granting. ~~Upon request of an employee, If a leave is in the best interests of the~~  
482 ~~university, the president or university's representative, shall have the ability to grant an employee's leave~~  
483 ~~without pay for a period not to exceed one year unless the president or representative determines that~~  
484 ~~granting such leave would be inconsistent with the best interests of the University.~~ Such leave may be  
485 extended upon mutual agreement. Employees on leave without pay must update their conflict of  
486 interest/commitment forms if there is any change from their last report. Employees given leaves of more  
487 than twelve weeks must return to the University for at least one academic year after their return. If the  
488 employee fails to return to the University for at least two consecutive semesters following participation in  
489 the program, all fringe benefits must be repaid to the University within 30 days for resignation or job  
490 abandonment.

491 (b) Salary Adjustment. The salary of an employee returning from uncompensated leave shall  
492 be adjusted to reflect all non-discretionary increases distributed during the period of leave. While on such  
493 leave, an employee shall be eligible to participate in any special salary incentive programs such as the  
494 Teaching Incentive Program.

495 (c) Retirement Credit. Retirement credit for such periods of leave without pay shall be  
496 governed by the rules and regulations of the Division of Retirement and the provisions of Chapter 121,  
497 Florida Statutes.

498 (d) Accrual of Leave/Holiday Pay. While on leave without pay, the employee shall retain  
499 accumulated sick leave and annual leave, but shall not accrue sick leave or annual leave nor be entitled to  
500 holiday pay.  
501

502 (e) Use of Accrued Leave During an Approved Period of Leave Without Pay.  
503 (1) Use of accrued leave with pay is authorized during a leave of absence without  
504 pay for parental, foster care, medical, or military reasons. Such use of leave with pay is provided under  
505 the following conditions:

506 a. Notwithstanding the provisions of ~~Section 17.8(a)(2)~~this Article regarding  
507 the use of sick leave, an employee may use any type of accrued leave in an amount necessary to cover the  
508 employee's contribution to the State insurance program and other expenses incurred by the employee  
509 during an approved period of leave without pay for parental, foster care, medical, or military reasons.  
510 Under such circumstances, the employee must use a minimum of ten accrued leave hours per week.

511 b. Normally the use of accrued leave during a period of leave without pay for  
512 parental or medical reasons shall be approved for up to six ~~(6)~~ months, but may be approved for up to one  
513 year for the serious health condition of the employee or a member of the employee's immediate family.

514 c. The employer contribution to the State insurance program shall continue for  
515 the corresponding payroll periods.

516 (2) An employee's request for the use of accrued leave during a period of leave  
517 without pay shall be made at the time of the employee's request for the leave without pay. Such request  
518 shall include the amount of accrued leave the employee wishes to use during the approved period of leave  
519 without pay. If circumstances arise during the approved leave which cause the employee or supervisor to  
520 reconsider the combination of leave with and without pay, the employee or supervisor may request  
521 approval of revisions to the original approval, which will be reviewed by the University.