

ARTICLE 17
LEAVES

1
2
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 the Discipline 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 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 their ir 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 University's representative in writing at the time
37 such leave begins. Upon return from military leave, an employee may request to the university's
38 representative that the time spent on military leave be tenure-earning, which request must be granted by
39 the university representative. Time spent on paid or unpaid leave for any purpose not otherwise listed
40 herein shall be tenure-earning unless otherwise mutually agreed to by the employee and the university's
41 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”) (<https://www.dol.gov/whd/fmla/>)
56 is the common name for the Federal law providing eligible employees an entitlement of up to twelve
57 weeks ([480 hours](#)) of [continuous or intermittent](#) leave without pay for qualified family or medical reasons
58 during a one-year period. This Act entitles the employee to take leave without pay; where University
59 policies permit, employees may use accrued leave with pay during any qualifying family or medical
60 leave. Employees are entitled to use FMLA in accordance with [federal and state](#) law and University
61 policies. The failure to list, define, or specify any particular provision or portion of the FMLA in this
62 Agreement shall in no way constitute a waiver of any of the rights or benefits conferred to the employer
63 or the employee through the FMLA.
64

65 **17.7 Modified 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 the:

- 71 (a) assignment be changed to a non-instructional assignment for the academic semester
72 during which the child is expected to arrive; or
73 (b) employee’s work schedule may be altered.
74

75 **17.8 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 Duties are not available for an employee on paid or unpaid parental leave.

80 (a) Paid Parental Leave. [Paid Parental Leave is designed to minimize classroom disruption.](#)
81 Paid parental leave may be used no more than twice during the employee’s employment at the University.
82 If both parents are employees of the University, only one parent may request paid parental leave under
83 this program for each qualifying event (birth or adoption). Employees are eligible for paid parental leave
84 as follows for the birth, adoption, or assumption of legal guardianship of a child. [Upon request, one of the](#)
85 [following paid parental leave options may be offered to employees as follows:-](#)

86 (1) [Nine or twelve-month instructional employees may receive one regular \(Fall or](#)
87 [Spring\) semester;](#)

88 (2) [Twelve-month instructional employees have the option of taking leave for the](#)
89 [duration of the summer term semester\(usually May 8 until August 7\);](#)

90 (3) [Twelve-month non-instructional, research, and clinical employees may receive up to](#)
91 [13 contiguous weeks.](#)~~An employee shall be granted, upon request, a paid parental leave for a period of~~
92 ~~19.5 contiguous weeks (for twelve month instructional employees only), or one regular (Fall or Spring)~~
93 ~~semester (for nine month instructional employees only), (or up to 3 months (for non-instructional~~
94 ~~employees only) for the birth, adoption, or assumption of legal guardianship of a child.~~

95 (24) [Eligibility.](#) In order to participate in this program, an employee must be employed
96 for a minimum of one academic year on at least a 0.75 FTE line. This program does not apply to
97 individuals on a temporary, a term limited, or a visiting appointment. Furthermore, employees on soft
98 money shall be eligible to the extent that such benefits are permitted by the terms of the contract or grant,

99 the ability to meet a grantor's deliverables, the rules of the funding agency, and adequate funds are
100 available.

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

107 (46) Signed Agreement and Application Process. The employee will sign a written
108 agreement detailing the terms of the paid parental leave. Participation in paid parental leave is contingent
109 upon execution of the signed agreement.

110 (57) Commitment to Return. The employee must agree in writing to return to University
111 employment for at least one academic year following participation in the program or reimburse UCF
112 within 60 days. This time does not include time awarded for a sabbatical or other type of leave. For
113 example, it would be possible for a nine-month employee to take a sabbatical and then opt for the paid
114 parental leave program. In that case, the employee would need to return to active university service for
115 one year for each of the programs; in this easeexample, two academic years.

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

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

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

127 (eb) Unpaid Parental Leave.

128 (1) If an employee is ineligible or chooses not to use a modified work assignment
129 (MID) or paid parental leave, the employee may request ~~and shall be granted~~ an unpaid parental leave not
130 to exceed six months when the employee becomes a biological parent, ~~or~~ a child is placed for adoption in
131 the employee's home, or the employee becomes legal guardian of a child.

132 (2) Employees on parental leave may use up to six weeks of paid sick leave for the
133 period of leave immediately following the birth of a child (or eight weeks following a C-Section).
134 Parental leave beyond the six-week period may be covered by other accrued paid leave or remain a
135 period of unpaid leave.

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

139 a. the university's representative or designee shall acknowledge to the employee
140 in writing the period of leave to be granted, and the date of return to employment.

141 b. any illness caused or contributed to by pregnancy, when certified by a health
142 care provider, shall be treated as temporary disability if requested, and the employee shall be allowed to
143 use accrued sick leave credits. In such a case, a Medical or Parental Leave Request Form and a UCF
144 Medical Certification Form is required.

145
146 **17.9 Leaves Due to Illness/Injury.** When an employee is absent with a serious health condition and
147 wishes to request FMLA protection or is absent more than 10 days due to illness or injury, a Medical or
148 Parental Leave Request Form and a UCF Medical Certification Form must be submitted to Human
149 Resources as soon as practicable. Illness/Injury is defined as any physical or mental impairment of

150 health, including such an impairment proximately resulting from pregnancy, that does not allow an
151 employee to fully and properly perform the duties of the employee's position. When an employee's
152 illness/injury may be covered by the Americans with Disabilities Act, the provisions of Public Law 101-
153 336 shall apply.

154 (a) Sick Leave.

155 (1) Accrual of Sick Leave.

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

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

161
162 (2) Uses of Sick Leave. It is the responsibility of the employee to report sick leave
163 when any scheduled time (such as a meeting, office hours, teaching, committee work), or if, due to illness
164 or hospitalization, fewer than eighty hours are worked during the reporting time period. The employee has
165 an obligation to inform their chair/supervisor as far in advance as possible to mitigate disruption to the
166 department/college. When utilizing sick leave, it is not permissible to engage in outside employment or to
167 receive payment for services.

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

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

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

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

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

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

184 c. A continuous period of sick leave commences with the first day of
185 absence and includes all subsequent days until the employee returns to work. For this purpose, Saturdays,
186 Sundays, and official holidays observed by the State shall not be counted unless the employee is
187 scheduled to perform services/work on such days. During any seven-day period, the maximum number of
188 days of sick leave charged against any employee shall be five days, or 40 hours.

189 d. An employee who requires the use of sick leave must notify their
190 immediate supervisor as soon as practicable and shall report such leave to UCF's timekeeping system.

191 e. An employee who becomes eligible for the use of sick leave while on
192 approved annual leave shall, upon notifying their immediate supervisor, substitute ~~the use of~~ accrued sick
193 leave to cover such circumstances.

194 (3) Certification. If an employee's request for absence or absence exceeds four
195 consecutive days, or if a pattern of absence is documented, the University may require an employee to
196 furnish certification signed by an attending health care provider affirming the medical reasons
197 necessitating the absence and/or the employee's ability to return to work. If the medical certification
198 furnished by the employee is not acceptable, the employee may be required to submit to a medical
199 examination by a health care provider who is not a University staff member, and which shall be paid for
200 by the University. If the medical certification indicates ~~that~~ the employee is unable to perform assigned

201 duties, the ~~University's president or~~ representative may place the employee on compulsory leave under the
202 conditions set forth in that Section.

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

206 (5) Payment for Unused Sick Leave.

207 a. An employee with less than ten years of State service who separates from
208 State government shall not be paid for any unused sick leave.

209 b. An eligible employee who has completed ten or more years of State
210 and/or University service, has not been found guilty or has not admitted to being guilty of committing,
211 aiding, or abetting any embezzlement, theft, or bribery in connection with State government, or has not
212 been found guilty by a court of competent jurisdiction of having violated any State law against or
213 prohibiting strikes by public employees, and separates from State government because of retirement for
214 other than disability reasons, termination, or death, shall be compensated for the employee's unused sick
215 leave at the employee's current regular hourly rate of pay for one-eighth of all unused sick leave accrued
216 prior to October 1, 1973, plus one-fourth of all unused sick leave accrued on or after October 1, 1973;
217 provided that one-fourth of the unused sick leave since 1973 does not exceed 480 hours.

218 c. Upon layoff, an eligible employee with ten or more years of University
219 service shall be paid for unused sick leave as indicated above., unless the employee requests in writing
220 that unused sick leave be retained pending re-employment. For an employee who is re-employed by the
221 University within twelve ~~(12)~~ calendar months following layoff, all unused sick leave shall be restored to
222 the employee, provided the employee requests such action in writing and repays the full amount of any
223 lump sum leave payments received at the time of layoff. An employee who is not re-employed within
224 twelve ~~(12)~~ calendar months following layoff shall be paid for sick leave.

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

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

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

235

236 (b) Job-Related Illness/injury.

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

241 (2) If, as a result of the job-related illness/injury, the employee is unable to resume
242 work at the end of the period provided in the Article above:

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

247 b. The employee shall be placed on leave without pay and shall receive
248 normal Workers' Compensation benefits if the employee has exhausted all accrued leave, or the employee
249 elects not to use accrued leave.

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

252 (4) If, at the end of the leave period, the employee is unable to return to work and
253 perform assigned duties, the ~~University's president or~~ representative ~~shall~~ advise the employee, as
254 appropriate, of the Florida Retirement System's disability provisions and application process, and may,
255 based upon a current medical certification by a health care provider prescribed in accordance with
256 Chapter 440 (Worker's Compensation), Florida Statutes, and taking the University's needs into account:
257 a. offer the employee part-time employment;
258 b. place the employee ~~in~~ on leave without pay status or extend such status;
259 c. request the employee's resignation; or
260 d. release the employee from employment, notwithstanding any other
261 provisions of this Agreement.

262
263 (c) Compulsory Leave.

264 (1) Placing Employee on Compulsory Leave.

265 a. If an employee is perceived to be unable to perform assigned duties due to
266 illness/injury, medical certification, ~~or subpar performance~~, the ~~University's president or~~ representative
267 may require the employee to ~~be placed on compulsory leave and~~ submit to a medical examination ~~(also~~
268 ~~called "fitness for duty"~~, the results of which shall be released to the University, by a health care provider
269 chosen and paid by the University, or by a health care provider chosen and paid by the employee who is
270 also acceptable to the president or representative. Such health care provider shall submit the appropriate
271 medical certification(s) to the University.

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

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

276 (2) Conditions of Compulsory Leave.

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

282 b. The compulsory leave period may be leave with pay or leave without pay. If
283 the compulsory leave combines the use of accrued leave with leave without pay, the use of such leave
284 shall be in accordance with this Article.

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

289 (3) Duration. Compulsory leave, with or without pay, shall be for a period not to
290 exceed one year.

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

296 a. offer the employee part-time employment;
297 b. place the employee in leave without pay status in ~~this Article~~ or extend such
298 status;
299 c. request the employee's resignation; or
300 d. release the employee from employment, notwithstanding any other
301 provisions of this Agreement.
302

303 **17.109 Annual Leave.**

304 (a) Accrual of Annual Leave.

305 (1) Full-time employees appointed for more than nine months, except employees on
306 academic year appointments, shall accrue annual leave at the rate of 6.769 hours biweekly or 14.667
307 hours per month (or a number of hours that is directly proportionate to the number of days worked during
308 less than a full-pay period for full-time employees), and the hours accrued shall be credited at the
309 conclusion of each pay period or, upon termination, at the effective date of termination. Employees may
310 accrue annual leave in excess of the year end maximum during a calendar year. Employees with accrued
311 annual leave in excess of the year end maximum as of December 31, shall have any excess converted to
312 sick leave on an hour-for-hour basis on January 1 of each year.

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

316 (3) Academic year employees and employees appointed for less than nine months
317 shall not accrue annual leave.

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

320 (b) Use and Transfer of Annual Leave.

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

329 (2) An employee may transfer into an annual leave accruing position up to forty-four
330 days of unused leave accrued in the University classification and pay plan in which previously employed,
331 provided the employee has not received payment for such leave and no more than thirty-one days have
332 elapsed between jobs.

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

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

341
342 (c) Payment for Unused Annual Leave.

343 (1) Upon termination from an annual leave accruing contract, or transfer from an
344 annual leave accruing contract to an academic year contract, the University shall pay the employee for up
345 to forty-four days (352 hours) of unused annual leave at the calendar year rate the employee was accruing
346 as of the employee's last day of work, provided that a determination has been made by the ~~president~~
347 ~~or university's~~ representative that the employee was unable to reduce the unused annual leave balance
348 prior to termination or reassignment to an academic year contract. All unused annual leave in excess of
349 forty-four days (352 hours) shall be transferred to the employee's sick leave.

350 (2) Upon layoff, an employee shall be paid for up to forty-four days (352
351 hours) of unused annual leave in lump sum.

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

355 (4) In the event of the death of an employee, payment for all unused annual leave at
356 the time of death, up to 352 hours, shall be made to the employee's beneficiary, estate, or as provided by
357 law.

358 **17.11 Administrative Leaves.**

359 (a) Jury Duty and Court Appearances.

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

364 (2) An appearance as an expert witness for which an employee receives professional
365 compensation falls under [the Conflict of Interest/Commitment](#) Article 19 and the University's policies
366 and regulations relative to outside employment/conflict of interest. Such an appearance may necessitate
367 the employee requesting annual leave or, if a non-annual leave accruing employee, may necessitate the
368 employee seeking an adjustment of the work schedule.

369 (3) If an employee is required, as a direct result of their ~~employee's~~ employment, to
370 appear as an official witness to testify in the course of any action as defined in Section 92.142(2), Florida
371 Statutes, such duty shall be considered a part of the employee's job assignment, and the employee shall be
372 paid per diem and travel expenses and shall turn over to the University any fees [and other expense](#)
373 [reimbursement](#) received.

374 (4) An employee involved in personal litigation during work hours must request
375 annual leave or, if a non-annual leave accruing employee, must seek an adjustment to the work schedule
376 [or record leave without pay](#).

377 (b) Military Leave.

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

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

389 (3) Other Military Leave.

390 a. An employee, except an employee who is employed in a temporary
391 position or employed on a temporary basis, who is drafted, who volunteers for active military service, or
392 who is ordered to active duty (not active duty training) shall be granted leave in accordance with Chapter
393 43 of Title 38, United States Code.

394 b. Such leave of absence shall be verified by official orders or appropriate
395 military certification. The first thirty days of such leave shall be with full pay and shall not affect an
396 employee's annual or sick leave balance. The remainder of military leave shall be without pay unless the
397 employee elects to use accumulated annual leave or appropriate leave as provided in this Article, or the
398 employer exercises its option to supplement the employee's military pay. Leave payment for the first
399 thirty days shall be made only upon receipt of documentation from appropriate military authority.

400 c. Applicable provisions of Federal and State law shall govern the granting
401 of military leave and the employee's re-employment rights.
402

403 d. Use of accrued leave is authorized during a military leave without pay in
404 accordance with this Article.

405 (c) Leave Pending Investigation. When the ~~president of~~University's representative has
406 reason to believe that the employee's presence on the job will adversely affect the operation of the
407 University, the ~~president of~~University's representative may immediately place the employee on leave
408 pending investigation of the event(s) leading to that belief. The leave pending investigation shall
409 commence immediately upon the president or representative providing the employee with a written notice
410 ~~of the reasons therefor~~. The leave ~~shall~~may be with pay, with no reduction of accrued leave.

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

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

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

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

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

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

442

443 **17.121 Leave Without Pay.**

444 (a) Granting. ~~Upon request of an employee, If a leave is in the best interests of the~~
445 university, the university's representative, shall have the ability to grant an employee's leave without pay
446 for a period not to exceed one year ~~unless the president or representative determines that granting such~~
447 leave would be inconsistent with the best interests of the University. Such leave may be extended upon
448 mutual agreement. Employees on leave without pay must update their conflict of interest/commitment
449 forms if there is any change from their last report. Employees given leaves of more than twelve weeks
450 must return to the University for at least one academic year after their return. If the employee fails to
451 return to the University for at least two consecutive semesters following participation in the program, all
452 fringe benefits must be repaid to the University within 60 days for resignation or job abandonment.

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

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

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

463 (e) Use of Accrued Leave During an Approved Period of Leave Without Pay.

464 (1) Use of accrued leave with pay is authorized during a leave of absence without
465 pay for parental, foster care, medical, or military reasons. Such use of leave with pay is provided under
466 the following conditions:

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

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

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

477 (2) An employee's request for the use of accrued leave during a period of leave
478 without pay shall be made at the time of the employee's request for the leave without pay. Such request
479 shall include the amount of accrued leave the employee wishes to use during the approved period of leave
480 without pay. If circumstances arise during the approved leave ~~that which~~ cause the employee ~~or~~
481 ~~supervisor~~ to reconsider the combination of leave with and without pay, the employee ~~or supervisor~~ may
482 request approval of revisions to the original approval, which will be reviewed by the University.