

ARTICLE 10
LEAVES
[AMENDED AUGUST 2019]

- 10.1 Policy. Leave is provided in a variety of forms to meet the needs of both the University and its employees. All leaves are administered in accordance with this Agreement and applicable laws. All leaves are granted at the discretion of the appropriate administrator unless the applicable law or this Agreement provides otherwise. Permission for annual leave and sick leave shall not be arbitrarily withheld. Nothing contained in this Agreement shall modify or replace any leave governed by Florida Statutes, federal law, and/or applicable rules or regulations.
- 10.2 Annual Leave. Regulation FPU-6.004 Annual Leave, adopted by the Board of Trustees, and amended on September 14, 2016, governs the provision of, administration of, and use of Annual Leave for and by eligible employees.
- 10.3 Sick Leave. All bargaining unit members accrue sick leave according to the schedule contained in Regulation FPU-6.005 Sick Leave, adopted by the Board of Trustees, and amended on March 1, 2018. This regulation governs Sick Leave unless this Agreement provides otherwise.
- 10.4 Sick Leave Pool. Regulation FPU-6.006 Sick Leave Pool adopted by the Board of Trustees on February 5, 2014 governs the Sick Leave Pool for eligible employees.
- 10.5 Family and Medical Leave Act (FMLA). Policy FPU-6.0071P Family and Medical Leave of Absence adopted by the University on February 3, 2017 governs FMLA leave by eligible employees.
- 10.6 Paid Parental Leave. The University will provide paid parental leave to eligible employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption. Eligible employees are eligible for paid parental leave as follows:
- (a) An employee shall be granted, upon request, a paid parental leave:
 - 1. For twelve-month employees the leave is up to a period of eight (8) consecutive weeks, normally commencing no sooner than one (1) week prior to, and no later than three (3) months after, the date of the birth or adoption;
 - 2. For employees with full time academic year appointments, up to ten (10) consecutive weeks during the Academic Year, normally commencing no sooner than one (1) week prior to, and no later than three (3) months after, the date of the birth or adoption.
 - (b) An Employee may utilize up to two (2) weeks of sick leave at the end of the parental leave period. An Employee must inform the University of his or her intent to use the two weeks of sick leave as described in Section 10.6(f).
 - (c) During a parental leave, there is no accrual of sick or annual leave time.
 - (d) 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).

- (e) To be eligible to participate in this program, an employee must: (1) be employed full-time; (2) have been employed with the University for a total of at least twelve (12) months prior to the date of the birth or adoption, and; (3) have been employed at the University for at least 1,250 hours of service during the previous twelve (12) month period. Employees on part-time, temporary time-limited term, or visiting appointments are not eligible for parental leave. Paid parental leave is available to employees of all genders.
 - (f) Under normal circumstances, the employee will request the use of paid parental leave, and the use of up to two weeks of sick leave at the conclusion of the paid parental leave, in writing no later than three (3) months prior to the beginning of the leave.
 - (g) Parental leave is separate from FMLA leave. If an employee is granted parental leave and FMLA leave, the leaves shall run concurrently.
 - (h) Pursuant to Regulation FPU-6.008 Outside Employment and Outside Activities (Adopted 7-29-2014), Employees on paid parental leave cannot engage in outside employment without first completing and submitting an Outside Employment/Activity Disclosure Form to Human Resources and securing the written approval of Human Resources and the Provost in advance.
- 10.7 Other Types of Leave. Regulation FPU-6.007 Other Types of Leave, adopted by the Board of Trustees on February 5, 2014, governs Administrative Leave (including Jury Duty, Non-Expert Witnesses in a Hearing or Trial, Athletic Competition, Official Closing of the University, Florida Disaster Volunteers, Volunteer Emergency Response Team Members, Voting in Public Elections, University Investigations, Disciplinary Notice, Best Interest of the University, and Presidential Discretion); Bereavement Leave; Compulsory Leave; Family and Medical Leave; Military Leave; Workers' Compensation; and Domestic Violence Leave for eligible Faculty Members.
- 10.8 Certification of Work and Absences. Employees will comply with University Policy FPU-6.0031P Work and Absence Certification, adopted by the Board of Trustees on April 12, 2017.
- 10.9 Unpaid Leave.
- (a) Granting/Denial. Upon request of an employee, the University may grant a leave without pay for a period not to exceed one (1) year, provided such leave would not be inconsistent with the best interests of the University. Such leave may be extended upon mutual agreement. The University shall approve or deny such request in writing no later than thirty (30) days after receipt of the request, and if not approved within thirty (30) days, the request shall be deemed denied.
 - (b) Retirement Credit. Retirement credit for such periods of unpaid leave shall be governed by the rules and regulations of the Florida Division of Retirement and the provisions of chapter 121, Florida Statutes.
 - (c) Retention of Leave and Holiday Pay. While on unpaid leave pursuant to this section, the employee shall retain accumulated sick leave and annual leave, but shall not accrue or be entitled to use sick leave or annual leave, nor are they entitled to holiday pay, during the unpaid leave period.
 - (d) Benefit Premiums. Employees on unpaid leave will be responsible for the entire cost of benefit premiums. Employer contributions shall be governed by applicable rules, regulations, or Florida law.

- (e) Other Benefits. Employees on unpaid leave are not entitled to any benefits during the unpaid leave period.

10.10 Return from Leave.

- (a) An employee who returns from an approved paid leave shall be returned to the same or equivalent position in the same work location.
- (b) An employee who returns from unpaid leave shall be returned to the same or equivalent position in the same work location, unless such a position is unavailable. In the event an equivalent position in the same work location is unavailable, the University will identify and offer the employee an equivalent position at a different location.
- (c) Regardless of whether the employee returns from paid or unpaid leave, the base salary of the returning employee shall be adjusted to reflect all base salary increases distributed to in-unit employees during the period of leave, if the returning employee is eligible for said increases.