

**ARTICLE 23**  
**LEAVES**

23.1 Requests for a Leave or Extension of Leave of One (1) Semester or More.

- (a) For a leave of one (1) semester or more, a faculty member shall make a written request not less than 120 days prior to the beginning of the proposed leave, if practicable.
- (b) For an extension of a leave of one (1) semester or more, a faculty member shall make a written request not less than sixty (60) days before the end of the leave, if practicable.
- (c) The University Administration shall approve or deny such request in writing not later than thirty (30) days after receipt of the request.
- (d) An absence without approved leave or extension of leave shall subject the faculty member to the provisions of the Article 30.7 Disciplinary Action and Job Abandonment.
- (e) A faculty member's request for use of leave for an event covered by the provisions of the Family and Medical Leave Act (FMLA) of 1993 (Public Law 103-3) shall be submitted and responded to in accordance with the provisions of Section 23.6.

23.2 Return from Leave. A faculty member who returns from an approved leave of absence with or without pay shall be returned to the same classification, unless the University Administration and the faculty member agree in writing to other terms and conditions. The return from FMLA leave shall be in accordance with Section 23.6.

23.3 Accrual During Leave with Pay. A faculty member shall accrue normal leave credits while on compensated leave in full-pay status, or while participating in the sabbatical or professional development programs. If a faculty member is on compensated leave in less than full-pay status for other than sabbaticals or professional development programs, the faculty member shall accrue leave in proportion to the pay status.

23.4 Tenure Credit During Periods of Leave. Semester(s) during which a faculty member is on compensated or uncompensated leave shall not be creditable for the purpose of determining eligibility for tenure, except by mutual agreement of the faculty member and the University Administration. In deciding whether to credit such leave toward tenure eligibility, the President or representative shall consider the duration of the leave, the relevance of the faculty member's activities while on such leave to the faculty member's professional development and field of employment, the benefits, if any, which accrue to the university by virtue of placing the faculty member on such leave, and other appropriate factors.

23.5 Holidays.

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48 (a) A faculty member shall be entitled to observe all official holidays designated  
49 by the University Administration. No classes shall be scheduled on holidays.  
50 Classes not held because of a holiday shall not be rescheduled.

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52 (b) Supervisors are encouraged not to require a faculty member to perform duties  
53 on holidays; however, a faculty member required to perform duties on holidays  
54 shall have the faculty member's schedule adjusted to provide equivalent time off,  
55 up to a maximum of eight (8) hours for each holiday worked.

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57 (c) If a faculty member who has performed duties on a holiday terminates  
58 employment prior to being given time off, the faculty member shall be paid,  
59 upon termination, for the holiday hours worked within the previous twelve  
60 (12) month period for which the faculty member was not given time off.

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62 23.6 Family and Medical Leave Act (FMLA). Employees are provided with twelve  
63 workweeks (480 hours) of Family and Medical Leave within a 12-month period in compliance  
64 with the Family and Medical Leave Act (FMLA) statutes and regulations.<sup>1</sup> The 12-month  
65 period is calculated on a rolling year basis for each individual employee. All employees are  
66 eligible who have worked at least 12 consecutive months and who have worked at least 1250  
67 hours in the 12-months prior to the leave. Faculty may use paid leave for an FMLA event and  
68 such shall be counted toward the entitlement.

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70 23.7 ~~Parental~~ Family Leave.

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72 (a) A faculty member, at the faculty member's request, shall be granted a ~~parental~~  
73 paid family leave under the following conditions: not to exceed six (6)  
74 months

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76 (1) When the faculty member or a faculty member's spouse, common-law  
77 spouse or same-sex domestic partner becomes a biological parent or a  
78 child is placed in the faculty member's home pending adoption, ~~if~~ Foster  
79 care is not covered under parental leave but is provided through the  
FMLA provisions in accordance with Section 23.6.

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81 (2) When the employee becomes the primary caregiver of an immediate  
82 family member with a serious health condition. Immediate family means  
83 the spouse or domestic partner and the grandparents, parents, stepparents,  
brothers, sisters, children, and grandchildren of both the employee and

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<sup>1</sup> In addition, eligible employees may qualify for up to 26 workweeks of unpaid leave under FMLA in certain situations related to a covered family member's service in the Armed Forces. This military caregiver leave allows an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member or a covered veteran with a serious injury or illness incurred or aggravated while on active duty and in the line of duty to take up to a total of 26 workweeks of unpaid leave during a single twelve (12) month period to provide care for the service member or veteran.

84 the spouse or domestic partner, and dependents living in the household.

85 (b) Family Leave Options. Employees shall be permitted to choose from one of  
86 the 3 options below.

87 (1) Modified Work Duties. If the employee normally has an  
88 instructional assignment, then, after consultation with the employee,  
89 the supervisor shall determine that:

90 a. the assignment be changed to a non-instructional assignment  
91 for the academic semester during a qualifying event  
92 described in 23.7(a)(1) and 23.7(a)(2); or

93 b. the employee's work schedule may be altered.

94 c. once the modified plan is agreed to by the employee and his  
95 or her chair/supervisor, it shall be reviewed by the dean or  
96 provost. The dean or provost shall either approve the  
97 modified work plan, or work in collaboration with the  
98 supervisor and employee to reach an acceptable solution.

99 (2) Paid Family Leave. Employees are eligible for paid family leave  
100 as follows.

101 a. An employee shall be granted, upon request, paid family leave. For  
102 twelve-month employees, the leave shall be for a period of 19.5  
103 contiguous weeks. For nine-month employees, the leave shall be  
104 either one regular (Fall or Spring) semester or 0.375 Full Time  
105 Equivalency (FTE) during Summer A or Summer B. For non-  
106 instructional employees, the leave shall be up to 3 months. If  
107 spouses are both employees of the University, only one spouse may  
108 request paid family leave under this program for each qualifying  
109 event.

110 b. In order to participate in this program, an employee must be  
111 employed for a minimum of one academic year on at least a 0.75  
112 FTE line. This program does not apply to individuals on a visiting  
113 appointment. Furthermore, employees on soft money shall be  
114 eligible to the extent that such benefits are permitted by the terms  
115 of the contract or grant, the rules of the funding agency, and/or  
116 adequate funds are available.

117 c. The employee will request the use of paid family leave in writing  
118 as soon as is practicable prior to the anticipated beginning of the  
119 leave. Leaves for the birth or adoption of a child must occur no  
120 later than a semester immediately following the birth or adoption  
121 event. Paid family leave is separate from, but may run concurrent  
122 with, medical or FMLA leave. However, if FMLA leave runs

- 123 concurrent with paid family leave, the employee shall not be  
124 required to use accrued sick leave hours during the paid family  
125 leave.
- 126 d. The employee will sign a written agreement detailing the terms of  
127 the paid family leave in compliance with this article. Participation  
128 in paid family leave is contingent upon execution of the signed  
129 agreement. A signed written agreement shall not be unreasonably  
130 withheld by UNF.
- 131 e. The employee must agree in writing to return to active employment  
132 at the University of North Florida for at least one academic year  
133 following participation in the program. This time does not include  
134 time awarded for a sabbatical or other type of leave. For example,  
135 it would be possible for a nine-month employee to take a sabbatical  
136 and then opt for the family leave program. In that case, the  
137 employee would need to return to active university service for one  
138 year for each of the programs; in this case, two academic years.
- 139 f. Repayment of salary, retirement, benefits, and expenses received  
140 during paid family leave may be required in those instances where  
141 payments are made in the absence of a signed agreement by the  
142 employee, or when the employee fails to comply with the terms of  
143 the program.
- 144 g. An employee who makes use of paid family leave, and who  
145 remains in University employment for at least one academic year  
146 (calendar year for non-instructional faculty) following participation  
147 in the program, shall have the total number of hours used deducted  
148 from the employee's sick leave and/or annual leave balance (with  
149 sick leave being deducted first) that the employee has remaining at  
150 the time of separation from the university.
- 151 h. Employees on paid family leave cannot engage in outside  
152 employment unless approved in advance.
- 153 (3) Unpaid Family Leave. If an employee is ineligible for paid family leave, or  
154 chooses not to use a modified work assignment as described in 23.7(b)(1),  
155 or requires leave beyond the approved paid family leave period described in  
156 23.7(b)(2)a., the employee may request the use of a combination of accrued  
157 leave, leave otherwise available through the sick leave pool, and leave  
158 without pay. This request shall include the specific periods for each type of  
159 leave requested. ~~If a faculty member plans to use a combination of~~  
160 ~~accrued leave and leave without pay, such request shall include the~~  
161 ~~specific periods for each type of leave requested.~~ Use of accrued leave  
162 during an approved period of leave without pay shall be in accordance  
163 with Section 23.11.

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- 165 a. ~~The period of parental leave shall begin no more than two (2)~~  
166 ~~weeks before the expected date of the child's arrival.~~ The President  
167 or representative shall acknowledge to the faculty member in  
168 writing the period of leave to be granted, that such leave counts  
169 against the faculty member's unused FMLA entitlements in  
170 accordance with Section 23.6, and the date of return to  
171 employment.
- 172 b. At the end of the approved ~~parental~~ leave and at the faculty  
173 member's request, the President or representative shall grant part-  
174 time leave without pay for a period not to exceed one (1) year,  
175 unless the President or representative determines that granting  
176 such leave would be inconsistent with the best interests of the  
177 University.
- 178 c. Any illness caused or contributed to by pregnancy shall be  
179 treated as a temporary disability and the faculty member shall be  
180 allowed to use accrued sick leave credits when such temporary  
181 disability is certified by a health care provider.

- 182 (c) Upon agreement between the faculty member and the University  
183 Administration, intermittent FMLA leave or a reduced work schedule may be  
184 approved for the birth of the faculty member's child or placement of a child  
185 with the faculty member for adoption in accordance with Section 23.6.  
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187 23.8 Leaves Due to Illness/Injury. Illness/Injury is defined as any physical or mental  
188 impairment of health, including such an impairment proximately resulting from pregnancy,  
189 which does not allow a faculty member to fully and properly perform the duties of the faculty  
190 member's position. When a faculty member's illness/injury may be covered by the  
191 Americans with Disabilities Act, the provisions of Public Law 101-336 shall apply.

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- 193 (a) Sick Leave.

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- 195 (1) Accrual of Sick Leave.

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- 197 a. A full-time faculty member shall accrue four (4) hours of sick  
198 leave for each biweekly pay period, or the number of hours  
199 that are directly proportionate to the number of days worked  
200 during less than a full-pay period, without limitation as to the  
201 total number of hours that may be accrued.
- 202
- 203 b. A part-time faculty member shall accrue sick leave at a rate  
204 directly proportionate to the percent of time employed.
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- 206 c. A faculty member appointed under Other Personal Services  
207 (OPS) shall not accrue sick leave.

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(2) Uses of Sick Leave.

- a. Sick leave shall be accrued before being taken, provided that a faculty member who participates in a sick leave pool shall not be prohibited from using sick leave otherwise available to the faculty member through the sick leave pool.
- b. Sick leave shall be authorized for the following:
  1. The faculty member's personal illness or exposure to a contagious disease which would endanger others.
  2. The faculty member's personal appointments with a health care provider.
  3. The illness or injury of a member of the faculty member's immediate family, at the discretion of the supervisor. Approval of requests for use of reasonable amounts of sick leave for caring for a member of the faculty member's immediate family shall not be unreasonably withheld. "Immediate family" means the spouse and the grandparents, parents, brothers, sisters, children, and grandchildren of both the faculty member and the spouse, and dependents living in the household.
  4. The death of a member of the faculty member's immediate family, at the discretion of the supervisor. Approval of requests for use of reasonable amounts of sick leave for the death of a member of the faculty member's immediate family shall not be unreasonably withheld.
- c. A continuous period of sick leave commences with the first day of absence and includes all subsequent days until the faculty member returns to work. For this purpose, Saturdays, Sundays, and official holidays observed by the State shall not be counted unless the faculty member is scheduled to perform services on such days. During any seven (7) day period, the maximum number of days of sick leave charged against any faculty member shall be five (5).
- d. A faculty member who requires the use of sick leave should notify the supervisor as soon as practicable.
- e. A faculty member who becomes eligible for the use of sick leave while on approved annual leave shall, upon notifying the supervisor, substitute the use of accrued sick leave to cover such

254 circumstances.

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256 (3) Certification. If a faculty member's request for absence or absence  
257 exceeds four (4) consecutive days, or if a pattern of absence is  
258 documented, the University Administration may require a faculty  
259 member to furnish certification issued by an attending health care  
260 provider of the medical reasons necessitating the absence and/or the  
261 faculty member's ability to return to work. If the medical certification  
262 furnished by the faculty member is not acceptable, the faculty member  
263 may be required to submit to a medical examination by a health care  
264 provider who is not a university staff member which shall be paid for by  
265 the University. If the medical certification indicates that the faculty  
266 member is unable to perform assigned duties, the President or  
267 representative may place the faculty member on compulsory leave  
268 under the conditions set forth in Section 23.8(c).

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270 (4) Payment for Unused Sick Leave.<sup>2</sup>

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272 a. A faculty member with less than ten (10) years of State service  
273 who separates from State government shall not be paid for any  
274 unused sick leave.

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276 b. A faculty member who has completed ten (10) or more years of  
277 State service, has not been found guilty or has not admitted to  
278 being guilty of committing, aiding, or abetting any  
279 embezzlement, theft, or bribery in connection with State  
280 government, or has not been found guilty by a court of  
281 competent jurisdiction of having violated any State law against  
282 or prohibiting strikes by public employees, and separates from  
283 State government because of retirement for other than disability  
284 reasons, termination, or death, shall be compensated at the  
285 faculty member's current regular hourly rate of pay for one-  
286 eighth of all unused sick leave accrued prior to October 1, 1973,  
287 plus one-fourth of all unused sick leave accrued on or after  
288 October 1, 1973; provided that one-fourth of the unused sick  
289 leave since 1973 does not exceed 480 hours.

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291 c. Upon layoff, a faculty member with ten (10) or more years of  
292 State service shall be paid for unused sick leave as described in  
293 paragraph b., above, unless the faculty member requests in writing  
294 that unused sick leave be retained pending re-employment. For a  
295 faculty member who is re-employed by the University within  
296 twelve (12) calendar months following layoff, all unused sick  
297 leave shall be restored to the faculty member, provided the

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<sup>2</sup> For the purpose of this Article, "state service" shall include service at UNF.

298 faculty member requests such action in writing and repays the  
299 full amount of any lump sum leave payments received at the  
300 time of layoff. A faculty member who is not re-employed within  
301 twelve (12) calendar months following layoff shall be paid for  
302 sick leave in accordance with Section 110.122, Florida Statutes.  
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304 d. All payments for unused sick leave shall be made in lump sum  
305 and shall not be used in determining the average final  
306 compensation of a faculty member in any State administered  
307 retirement system. A faculty member shall not be carried on the  
308 payroll beyond the last official day of employment, except that  
309 a faculty member who is unable to perform duties because of a  
310 disability may be continued on the payroll until all sick leave is  
311 exhausted.  
312

313 e. If a faculty member has received a lump sum payment for  
314 accrued sick leave, the faculty member may elect in writing,  
315 upon re-employment within 100 days, to restore the faculty  
316 member's accrued sick leave. Restoration shall be effective  
317 upon the repayment of the full lump sum leave payment.  
318

319 f. In the event of the death of a faculty member, payment for  
320 unused sick leave at the time of death shall be made to the faculty  
321 member's beneficiary, estate, or as provided by law.  
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323 (b) Job-Related Illness/injury.  
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325 (1) A faculty member who sustains a job-related illness/injury that is  
326 compensable under the Workers' Compensation Law shall be carried in  
327 full- pay status for a period of medically certified illness/injury not to  
328 exceed seven (7) days immediately following the illness/injury, or for a  
329 maximum of forty (40) work hours if taken intermittently without being  
330 required to use accrued sick or annual leave.  
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333 (2) If, as a result of the job-related illness/injury, the faculty member is  
334 unable to resume work at the end of the period provided in paragraph (1),  
335 above:  
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337 a. The faculty member may elect to use accrued leave in an  
338 amount necessary to receive salary payment that will increase the  
339 Workers' Compensation payments to the total salary being  
340 received prior to the occurrence of the illness/injury. In no case  
341 shall the faculty member's salary and Workers' Compensation  
342 benefits exceed the amount of the faculty member's regular  
343 salary payments; or  
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- 345                   b.     The faculty member shall be placed on leave without pay and  
346                   shall receive normal Workers' Compensation benefits if the  
347                   faculty member has exhausted all accrued leave in accordance  
348                   with paragraph (a), above, or the faculty member elects not to use  
349                   accrued leave.  
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- 351                   (3)    This period of leave with or without pay shall be in accordance with  
352                   Chapter 440 (Worker's Compensation), Florida Statutes.  
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- 354                   (4)    If, at the end of the leave period, the faculty member is unable to return  
355                   to work and perform assigned duties, the President or representative  
356                   should advise the faculty member, as appropriate, of the Florida  
357                   Retirement System's disability provisions and application process, and  
358                   may, based upon a current medical certification by a health care  
359                   provider prescribed in accordance with Chapter 440 (Worker's  
360                   Compensation), Florida Statutes, and taking the University's needs into  
361                   account:
- 362                   a.     offer the faculty member part-time employment;
- 363                   b.     place the faculty member in leave without pay status or extend  
364                   such status;
- 365                   c.     request the faculty member's resignation; or
- 366                   d.     release the faculty member from employment, notwithstanding  
367                   any other provisions of this Agreement.  
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- 370                   (c)    Compulsory Leave.
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- 372                   (1)    Placing Faculty Member on Compulsory Leave.
- 373                   a.     If a faculty member is unable to perform assigned duties due  
374                   to illness/injury, the President or representative may require the  
375                   faculty member to submit to a medical examination, the results  
376                   of which shall be released to the University Administration, by a  
377                   health care provider chosen and paid by the University  
378                   Administration, or by a health care provider chosen and paid by  
379                   the faculty member, who is acceptable to the President or  
380                   representative. Such health care provider shall submit the  
381                   appropriate medical certification(s) to the University  
382                   Administration.  
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- 384                   b.     If the University Administration agrees to accept the faculty  
385                   member's choice of a health care provider, the University  
386                   Administration may not then require another university-paid  
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- 391 examination.
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- 393 c. If the medical examination confirms that the faculty member
- 394 is unable to perform assigned duties, the President or
- 395 representative shall place the faculty member on compulsory
- 396 leave.
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- 398 (2) Conditions of Compulsory Leave.
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- 400 a. Written notification to the faculty member placing the faculty
- 401 member on compulsory leave shall include the duration of
- 402 the compulsory leave period and the conditions under which the
- 403 faculty member may return to work. These conditions may
- 404 include the requirement of the successful completion of, or
- 405 participation in, a program of rehabilitation or treatment, and
- 406 follow-up medical certification(s) by the health care provider, as
- 407 appropriate.
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- 409 b. The compulsory leave period may be leave with pay or leave
- 410 without pay. If the compulsory leave combines the use of accrued
- 411 leave with leave without pay, the use of such leave shall be in
- 412 accordance with Section 23.11.
- 413
- 414 c. If the faculty member fulfills the terms and conditions of the
- 415 compulsory leave and receives a current medical certification
- 416 that the faculty member is able to perform assigned duties, the
- 417 President or representative shall return the faculty member to
- 418 the faculty member's previous duties, if possible, or to equivalent
- 419 duties.
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- 421 (3) Duration. Compulsory leave, with or without pay, shall be for a period
- 422 not to exceed the duration of the illness/injury or one year, whichever is
- 423 less.
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- 425 (4) Failure to Complete Conditions of Compulsory Leave or Inability to
- 426 Return to Work. If the faculty member fails to fulfill the terms and
- 427 conditions of a compulsory leave and/or is unable to return to work and
- 428 perform assigned duties at the end of a leave period, the President or
- 429 representative should advise the faculty member, as appropriate, of the
- 430 Florida Retirement System's disability provisions and application process,
- 431 and may, based upon the University's needs:
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- 433 a. offer the faculty member part-time employment;
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- 435 b. place the faculty member in leave without pay status in
- 436 accordance with Section 23.11 or extend such status;

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438 c. request the faculty member's resignation; or  
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440 d. release the faculty member from employment, notwithstanding any  
441 other provisions of this Agreement.  
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446 23.9 Annual Leave  
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448 (a) Accrual of Annual Leave.  
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450 (1) Full-time faculty members appointed for more than nine (9) months,  
451 except faculty members on academic year appointments, shall accrue  
452 annual leave at the rate of 6.769 hours biweekly or 14.667 hours per  
453 month (or a number of hours that is directly proportionate to the number  
454 of days worked during less than a full-pay period for full-time faculty  
455 members), and the hours accrued shall be credited at the conclusion  
456 of each pay period or, upon termination, at the effective date of  
457 termination. Faculty members may accrue annual leave in excess of the  
458 year end maximum during a calendar year. Faculty members with  
459 accrued annual leave in excess of the year end maximum as of  
460 December 31, shall have any excess converted to post October 1,  
461 1973 sick leave on an hour-for-hour basis on January 1 of each year.  
462

463 (2) Part-time faculty members appointed for more than nine (9) months,  
464 except faculty members on academic year appointments, shall accrue  
465 annual leave at a rate directly proportionate to the percent of time  
466 employed.  
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468 (3) Academic year faculty members, faculty members appointed for nine  
469 (9) months or less, and OPS faculty members shall not accrue annual  
470 leave.  
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472 (b) Use and Transfer of Annual Leave. Annual leave shall be accrued before being  
473 taken, except in those instances where the President or representative may  
474 authorize the advancing of annual leave. When leave has been advanced and  
475 employment is terminated prior to the faculty member accruing sufficient  
476 annual leave to credit against the leave that was advanced, the University  
477 Administration shall deduct from the faculty member's warrant the cost of any  
478 annual leave advanced under this provision. All requests for annual leave shall  
479 be submitted by the faculty member to the supervisor as far in advance as  
480 possible and appropriate. Approval of the dates on which a faculty member  
481 wishes to take annual leave shall be at the discretion of the supervisor and shall  
482 be subject to the consideration of departmental/unit and organizational  
483 scheduling.

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(d) Payment for Unused Annual Leave.

- (1) Upon termination from an annual leave accruing contract, or transfer from an annual leave accruing contract to an academic year, and unless the faculty member requests the option in (2) below, the University Administration shall pay the faculty member for up to forty-four days (352 hours) of unused annual leave at the calendar year rate the faculty member was accruing as of the faculty member's last day of work, provided that a determination has been made by the President or representative that the faculty member was unable to reduce the unused annual leave balance prior to termination or reassignment to an academic year. All unused annual leave in excess of forty-four days (352 hours) shall be forfeited by the faculty member.
- (2) Upon transfer from an annual leave accruing contract to an academic year contract within the University, the faculty member may elect to retain all unused annual leave until such time, not to exceed two (2) years, as the faculty member transfers back to an annual leave accruing contract or terminates employment with the University. Upon such termination or at the end of two (2) years, whichever comes first, the unused leave balance shall be paid in lump sum for up to forty-four days (352 hours) at the annual rate the faculty member was accruing as of the faculty member's last day of work on an annual leave accruing contract.
- (3) Upon layoff, a faculty member shall be paid for up to forty-four days (352 hours) of unused annual leave in lump sum, unless the faculty member requests in writing that annual leave credits be retained pending re-employment. For faculty members who are re-employed by the University within twelve (12) calendar months following layoff, all unused annual leave shall be restored to the faculty member, provided the faculty member requests such action in writing and repays the full amount of any lump sum leave payment received at the time of layoff. Faculty members who are not re-employed within twelve (12) calendar months following layoff and who elected to retain their annual leave pending re-employment shall be paid for up to forty-four days (352 hours) of unused annual leave at the calendar rate the faculty member was accruing as of the faculty member's last day of work.
- (4) If a faculty member has received a lump sum payment for accrued annual leave, the faculty member may elect in writing, upon re-employment within 100 days, to restore the faculty member's accrued annual leave. Restoration shall be effective upon the repayment of the full lump sum leave payment.
- (5) In the event of the death of a faculty member, payment for all unused

531 annual leave at the time of death, up to 352 hours, shall be made to  
532 the faculty member's beneficiary, estate, or as provided by law.

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534 23.10 Administrative Leaves.

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536 (a) Jury Duty and Court Appearances.

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538 (1) A faculty member who is summoned as a member of a jury panel  
539 or subpoenaed as a witness in a matter not involving the faculty  
540 member's personal interests, shall be granted leave with pay and any  
541 jury or witness fees shall be retained by the faculty member; leave  
542 granted hereunder shall not affect a faculty member's annual or sick leave  
543 balance.

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545 (2) An appearance as an expert witness for which a faculty member  
546 receives professional compensation falls under the Conflict of  
547 Interest/ Outside Activity Article and the University Administration's  
548 policies and rules relative to outside employment/conflict of interest.  
549 Such an appearance may necessitate the faculty member requesting  
550 annual leave or, if a non-annual leave accruing faculty member, may  
551 necessitate the faculty member seeking an adjustment of the work  
552 schedule.

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

560

561 (4) A faculty member involved in personal litigation during work hours  
562 must request annual leave or, if a non-annual leave accruing faculty  
563 member, must seek an adjustment to the work schedule.

564

565 (b) Military Leave.

566

567 (1) Short-term Military Training. A faculty member who is a member of  
568 the United States Armed Forces Reserve, including the National Guard,  
569 upon presentation of a copy of the faculty member's official orders or  
570 appropriate military certification, shall be granted leave with pay  
571 during periods in which the faculty member is engaged in annual field  
572 training or other active or inactive duty for training exercises. Such leave  
573 with pay shall not exceed seventeen (17) work days in any one (1)  
574 federal fiscal year (October 1 - September 30).

575

576 (2) National Guard State Service. A faculty member who is a member of

577 the Florida National Guard shall be granted leave with pay on all days  
578 when ordered to active service by the State. Such leave with pay shall not  
579 exceed thirty (30) days at any one time.

580

581 (3) Other Military Leave.

582

583 a. A faculty member, unless employed in a temporary position or on  
584 a temporary basis, who is drafted, who volunteers for active  
585 military service, or who is ordered to active duty (not active duty  
586 for training) shall be granted leave in accordance with Chapter  
587 43 of Title 38, United States Code. Active military service  
588 includes active duty with any branch of the United States Army,  
589 Air Force, Navy, Marine Corps, Coast Guard, National Guard of  
590 the State of Florida, or other service as provided in Sections  
591 115.08 and 115.09, Florida Statutes.

592

593 b. Such leave of absence shall be verified by official orders or  
594 appropriate military certification. The first thirty (30) days of  
595 such leave shall be with full-pay and shall not affect a faculty  
596 member's annual or sick leave balance. The remainder of military  
597 leave shall be without pay unless the faculty member elects to use  
598 accumulated annual leave or appropriate leave as provided in  
599 (4) below, or the employer exercises its option under Section  
600 115.14, Florida Statutes, to supplement the faculty member's  
601 military pay. Leave payment for the first thirty (30) days shall be  
602 made only upon receipt of evidence from appropriate military  
603 authority that thirty (30) days of military service have been  
604 completed.

605

606 c. Applicable provisions of Federal and State law shall govern  
607 the granting of military leave and the faculty member's re-  
608 employment rights.

609

610 d. Use of accrued leave is authorized during a military leave  
611 without pay in accordance with Section 23.11.

612

613 (c) Leave Pending Investigation. When the President or representative reasonably  
614 believes that a faculty member's presence on the job will adversely affect  
615 the operation of the University, the President or representative may immediately  
616 place the faculty member on leave pending investigation of the event(s) leading  
617 to that belief or for the duration of the circumstances that were the cause for the  
618 reasonable belief. The leave shall commence immediately upon the President or  
619 representative providing the faculty member with a written notice of the  
620 reasons therefor. The leave shall be with pay, with no reduction of accrued leave  
621 or of other compensation provided under this Agreement. The University  
622 Administration shall commence and conclude its investigation within a

- 623 reasonable time based upon the circumstances of the case.  
624
- 625 (d) Other Leaves Provided Not Affecting Accrued Leave Balances. A faculty  
626 member may be granted other leaves not affecting accrued leave balances that  
627 are provided as follows:  
628
- 629 (1) Florida Disaster Volunteer Leave is provided by Section 110.120,  
630 Florida Statutes, for a faculty member who is a certified disaster service  
631 volunteer of the American Red Cross. Leave of absence with pay for  
632 not more than fifteen (15) working days in the fiscal year may be  
633 provided upon request of the American Red Cross and the faculty  
634 member's supervisor's approval. Leave granted under this act shall be  
635 only for services related to a disaster occurring within the boundaries of  
636 the State of Florida.  
637
- 638 (2) Civil disorder or disaster leave is provided for a faculty member who is  
639 a member of a volunteer fire department, police auxiliary or reserve,  
640 civil defense unit, or other law enforcement type organization to perform  
641 duties in time of civil disturbances, riots, and natural disasters, including  
642 a faculty member who is a member of the Civil Air Patrol or Coast Guard  
643 Auxiliary, and called upon to assist in emergency search and rescue  
644 missions. Such paid leave not affecting leave balances may be granted  
645 upon approval by the President or designee and shall not exceed two  
646 days on any one occasion.  
647
- 648 (3) Athletic competition leave is provided by Section 110.118, Florida  
649 Statutes, for a faculty member who is a group leader, coach, official, or  
650 athlete who is a member of the official delegation of the United States  
651 team for athletic competition. Such paid leave not affecting leave  
652 balances shall be granted for the purpose of preparing for and engaging  
653 in the competition for the period of the official training camp and  
654 competition, not to exceed 30 days in a calendar year.  
655
- 656 (4) Leave for re-examination or treatment with respect to service-  
657 connected disability is provided by Section 110.119, Florida Statutes,  
658 for a faculty member who has such rating by the United State  
659 Department of Veterans Affairs and has been scheduled to be  
660 reexamined or treated for the disability. Upon presentation of written  
661 confirmation of having been so scheduled, such leave not affecting the  
662 faculty member's leave balances shall be approved and shall not exceed  
663 six (6) calendar days in any calendar year.  
664
- 665 (e) Official Emergency Closings. The President or President's representative may  
666 close the University, or portions of the University, in the event an Executive  
667 Order declaring an emergency has been issued. When natural disasters or other  
668 sudden and unplanned emergency conditions occur which are not covered by an

669 Executive Order, the President or representative shall determine whether the  
670 University, or any portion thereof, is affected by the emergency and is to be  
671 closed. Such closings shall be only for the period it takes to restore normal  
672 working conditions. A closing beyond two (2) consecutive days shall require  
673 the approval of the Chair of the Board of Trustees. Leave resulting from such an  
674 emergency closing shall not reduce faculty members' leave balances.  
675  
676  
677

### 678 23.11 Leave Without Pay.

679  
680 (a) Granting. Upon request of a faculty member, the President or representative  
681 shall grant a leave without pay for a period not to exceed one year unless the  
682 President or representative determines that granting such leave would be  
683 inconsistent with the best interests of the University. Such leave may be  
684 extended upon mutual agreement.  
685

686 (b) Salary Adjustment. The salary of a faculty member returning from  
687 uncompensated leave shall be adjusted to reflect all non-discretionary increases  
688 distributed during the period of leave. While on such leave, a faculty member  
689 shall be eligible to participate in any special salary incentive programs.  
690

691 (c) Retirement Credit. Retirement credit for such periods of leave without pay shall  
692 be governed by the rules and regulations of the Division of Retirement and  
693 the provisions of Chapter 121, Florida Statutes.  
694

695 (d) Accrual of Leave/Holiday Pay. While on leave without pay, the faculty  
696 member shall retain accumulated sick leave and annual leave, but shall not accrue  
697 sick leave or annual leave nor be entitled to holiday pay.  
698

699 (e) Use of Accrued Leave During an Approved Period of Leave Without Pay.  
700  
701  
702

703 (1) Use of accrued leave with pay is authorized during a leave of  
704 absence without pay for parental, foster care, medical, or military reasons.  
705 Such use of leave with pay is provided under the following conditions:  
706

707 a. Notwithstanding the provisions of Section 23.8(a)(2) regarding  
708 the use of sick leave, a faculty member may use any type of  
709 accrued leave in an amount necessary to cover the faculty  
710 member's contribution to the State insurance program and  
711 other expenses incurred by the faculty member during an  
712 approved period of leave without pay for parental, foster care,  
713 medical, or military reasons.  
714

715 b. Normally the use of accrued leave during a period of leave  
716 without pay for medical reasons shall be approved for up to six



717 (6) months, but may be approved for up to one year for the  
718 serious health condition of the faculty member or a member of  
719 the faculty member's immediate family.

720

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

723

724 (2) A faculty member's request for the use of accrued leave during a period  
725 of leave without pay shall be made at the time of the faculty member's  
726 request for the leave without pay. Such request shall include the amount  
727 of accrued leave the faculty member wishes to use during the approved  
728 period of leave without pay. If circumstances arise during the approved  
729 leave which causes the faculty member to reconsider the combination of  
730 leave with and without pay, the faculty member may request approval of  
731 revisions to the original approval.

732