

	<b>FGCU POLICY 3.034</b>	<b>Responsible Unit:</b> Human Resources
	<b>Sick Leave</b>	

**A. POLICY STATEMENT**

Sick leave is a significant fringe benefit for Florida Gulf Coast University employees. The University wants to ensure that its employees have some ability to address their health concerns without creating a financial hardship.

**B. REASON FOR POLICY**

This Policy is created to establish a consistent application of leave accrual, usage, and reporting by applicable University employees.

**C. APPLICABILITY AND/OR ACCOUNTABILITY**

This Policy applies to out-of-unit faculty, executive service, administrative & professional (A&P), and support personnel (SP) employees. This Policy excludes all OPS employees regardless of the length of service (e.g. adjuncts, graduate assistants, student workers, grant awarded employees, etc.)

**D. DEFINITION OF TERMS**

1. *Continuous Service*: Regular employment in a benefit-earning position with no break in service.
2. *Eligible Employee*: Employees classified as out-of-unit faculty, executive service, A&P, and SP who have provided sufficient and appropriate medical documentation.
3. *Family Member*: An employee’s spouse, parent(s), or child(ren), as defined by the Family and Medical Leave Act. For those employees acting as a military caregiver, related leave will be covered consistent with the Family and Medical Leave Act.
4. *Full-Time*: An appointment of an employee holding a 1.0 full-time equivalent (FTE) position.

**E. PROCEDURES**

1. Accrual of Sick Leave

Full-Time employees shall earn sick leave at the rate of four (4) hours per bi-weekly pay period or the number of hours that are directly proportionate to the number of days in pay

status within a given pay period. Executive service employees shall earn sick leave at the rate of five (5) hours per bi-weekly pay period or the number of hours that are directly proportionate to the number of days in pay status within a given pay period. Sick leave accruals are earned in proportion to the FTE of the employee's appointment.

## 2. Use of Sick Leave

### a. Sick leave shall be approved for the following purposes:

- 1) The employee's or Family Member's personal illness, injury, or exposure to a contagious disease, a disability where the employee is unable to perform assigned duties, for the employee's or Family Member's appointments with health care providers, or leave taken pursuant to FGCU Policy 3.039, Family and Medical Leave, subsections 1) through 4) of section E.1.a. Personal illness shall include disability related to pregnancy.
- 2) At the discretion of the supervisor, an employee may use sick leave in reasonable amounts to supplement bereavement leave, as provided in FGCU Policy 3.028, Special Leaves.

### b. Sick leave earned may be used during the pay period in which it is earned. During leaves of absence with pay, an employee shall continue to earn sick leave. There is no limit to the number of hours of unused sick leave an employee may accrue. However, employees must exhaust accrued sick leave, annual leave, and compensatory leave when absent for any approved sick leave purposes prior to being placed on unpaid leave.

### c. Employees must notify the supervisor of any absence for illness, injury, or exposure to a contagious disease at the start of the normal work day. All other absences must be approved in advance. Sick leave taken shall be requested in the University's time and attendance application. Supervisors shall approve or deny all requests in the University's time and attendance application.

### d. The supervisor or other appropriate University administrator may require that the employee provide medical documentation, in circumstances as set forth below, to Human Resources. Such documentation will be maintained in a separate Human Resources file to protect the privacy of the employee. If the employee fails to provide the appropriate medical documentation, the request for leave may be denied and any time already taken may be considered unapproved absence and be subject to disciplinary action. The medical documentation will be used to support a medical absence when the employee:

- 1) Requests a medical absence of three (3) or more days;
- 2) Has already been absent for three (3) or more consecutive days; or

- 3) Has been absent three (3) or more days within any thirty (30) day period.
  - e. All medical leaves lasting more than three (3) consecutive days are considered extended leaves of absence. Supervisors must contact Human Resources to report all medical extended leaves of absence in order to assure compliance with Federal laws, FGCU regulations and policies, and continuation of benefits.
  - f. In cases where an employee appears ill or unable to perform his or her job duties for medical reasons, the appropriate provisions of FGCU Policy 3.047, Fitness for Duty, shall apply. When, if requested, an employee has not provided the appropriate medical documentation upon return from a medical leave of absence, the University has the right to require the use of sick leave or other paid or unpaid leave.
3. Separation from Employment
- a. 1) Employees hired on or prior to September 30, 2013, who separate from employment after ten (10) years of continuous Florida Gulf Coast University service, will be paid for one-fourth (1/4) of their unused accumulated sick leave up to a maximum of four hundred and eighty (480) hours. Payment to employees for accumulated sick leave will be disbursed in their final pay at the employee's base salary rate at the time of separation.
  - 2) Employees hired on or after October 1, 2013, shall not be paid for any unused sick leave upon separation from the University.
  - b. 1) Employees hired on or prior to September 30, 2013, who separate from employment after ten (10) years of continuous Florida Gulf Coast University service may, consistent with FGCU Policy 3.001, Personal Leave Donation, donate a portion of their sick leave hours, not to exceed eighty (80), to a specific Eligible Employee.
  - 2) Employees who separate from the University with less than ten (10) years of continuous Florida Gulf Coast University service forfeits all unused sick leave.

*Related information*

*Family and Medical Leave Act (FMLA), 29 U.S.C. section 2601*  
*FGCU Regulation 5.018, Sick Leave Pool*  
*FGCU Regulation 5.023, Separations*

*Authority*

*BOG Regulation 1.001, University Board of Trustees Powers and Duties*

*History*

*New 02/22/12; Amended 10/01/13; Amended 12/02/14; Amended 12/01/15; Amended  
Organizational Change 11/01/17; Amended 11/25/19; Amended 08/03/20*

**APPROVED**

          \*s/Michael V. Martin            
Michael V. Martin, President

          August 3, 2020            
Date