



## FGCU REGULATION 5.018

*Effective Date  
of Regulation:*

### Sick Leave Pool

*January 14, 2020*

#### A. GENERAL STATEMENT

This Regulation establishes a Sick Leave Pool (Pool) to allow Faculty, Administrative and Professional (A&P), and Support Personnel (SP) employees to voluntarily pool a portion of their unused sick leave and, upon depletion of their own sick, annual, and compensatory leave, to draw leave credits from the Pool as prescribed in subsections B. and C. below. Part-time Faculty, A&P, and SP employees may participate in the Pool on a pro rata basis.

#### B. MEMBERSHIP

1. An employee shall be eligible to participate in the Pool after completion of one (1) year of employment with Florida Gulf Coast University (University), provided that a minimum of sixty-four (64) hours of sick leave has been accumulated by such employee.
2. Applications for membership shall be in writing addressed to the Pool Administrator (Administrator).
3. Following the initial open enrollment period, additional applications shall be accepted only during open enrollment periods conducted at such other times as may be prescribed by the Pool Committee (Committee).
4. Each full-time participating employee shall contribute eight (8) hours of sick leave in the first (1<sup>st</sup>) month of eligibility, and thereafter, each full-time participant shall contribute eight (8) hours of sick leave each time the Pool is declared to be depleted. A part-time employee shall contribute sick leave on a pro-rata basis. All sick leave contributed shall be removed from the employee's sick leave account and be placed into the Pool account.
5. When a participating employee repeatedly fails to have a sufficient balance in his or her individual sick leave account when requested to contribute the appropriate hours to the Pool, the reasons for the use of sick leave credits by the employee shall be investigated for a determination as to whether the employee's membership in the Pool should be canceled. The decision for such cancellation shall be by majority vote of the Committee.
6. Employees who complete their first (1<sup>st</sup>) year of service other than during an open enrollment period will have thirty (30) calendar days to apply for membership in the Pool.
7. No employee shall be unreasonably denied enrollment in the Pool.

## C. ADMINISTRATION

1. The President shall appoint two (2) faculty, two (2) A&P, and two (2) SP employees who have elected to participate in the Pool to serve as the Committee. Each will be appointed to serve alternating two (2) year terms.
2. The Chief Human Resources Officer, or designee, shall serve as the Administrator.
3. Approval to use leave hours from the Pool by an eligible employee shall require approval by at least three (3) Committee members. The Administrator will have the authority to implement the Committee's approval.
4. The Pool shall be administered in accordance with the following general guidelines:
  - a. Participation in the Pool does not guarantee hours may be withdrawn from the Pool.
  - b. Participating employees who require hospitalization or extended medical care as the result of any injury or illness or as a result of serious or major medical or health problems, may request permission to utilize leave credits from the Pool.
  - c. Sick leave hours from the Pool may be granted only for the employee's personal illness, injury, accident, or exposure to a contagious disease which would endanger others. Personal illness includes pregnancy, miscarriage, abortion, childbirth, and the recovery therefrom.
  - d. All requests for Pool credit utilization shall be made in writing to the Administrator by, or for, the employee and shall be accompanied by medical verification of the injury or illness.
  - e. In the event the Committee finds a participant has abused the Pool process by inappropriate use or misrepresentation, the participant will be required to deposit sick leave hours equal to the number of credit hours utilized, and shall be discontinued from membership in the Pool.
  - f. The maximum number of Pool credits which may be granted to an employee on any one request is one hundred sixty (160) hours or twenty (20) work days. Subsequent requests may be submitted as provided in section C.4.d. above.
  - g. The maximum number of Pool credits which may be granted to an employee shall be sixty (60) work days, four hundred eighty (480) hours. Upon use of the maximum number of Pool credits an employee shall be discontinued from membership in the Pool. Such employee may reapply for membership in the Pool as described in section B. above.
  - h. Pool payments shall be coordinated with any and all disability insurance benefits the

employee may accrue. No more than the current bi-weekly salary may be received by the employee after all payments from all applicable disability insurance benefits are applied.

#### **D. MAINTENANCE OF SICK LEAVE POOL**

The Pool shall be maintained in accordance with the following standards:

- a. The Pool shall not be activated unless a minimum of twenty-five (25) employees agree initially to participate in the Pool and each deposit eight (8) hours of their accrued sick leave therein.
- b. When the total credits available in the Pool amount to eighty (80) hours or less, the Pool shall be considered to be depleted. Upon depletion, the Pool members will be notified that eight (8) hours of sick leave credit will be deducted from their accumulated sick leave balances unless they inform the Administrator, in writing within two (2) weeks of the date of the notice, of their intention to discontinue membership.
- c. If two-thirds (2/3) of the membership vote in favor of terminating the Pool, all further actions of the Pool shall cease. The balance of sick leave hours remaining in the Pool shall be divided equally among the members on record at the time of termination and transferred to the employees' individual sick leave accounts maintained by Payroll.

*Authority*

*Section 110.121, Florida Statutes*

*History of Regulation*

*New 01/15/08; Amended 01/12/16; Amended 01/14/20*

*Approved by Florida Gulf Coast University Board of Trustees*

*January 14, 2020*