

**ARTICLE 10
LEAVES**

- 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. However, permission for annual leave and sick leave shall not be ~~unreasonably arbitrarily~~ withheld. The University may deny Administrative Leave requested pursuant to Section 10.6 for any reason, or no reason at all. Nothing contained in this Agreement shall modify or replace any leave governed by ~~state or Florida Statutes, federal statutes-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 9-14-16 September 14, 2016, governs the provision of, administration of, and use of Annual Leave for and by eligible employees.
- 10.3 Sick Leave. Regulation FPU-6.005 Sick Leave adopted by the Board of Trustees, and amended on 3-1-18 March 1, 2018, governs Sick Leave for eligible employees.
- 10.4 Sick Leave Pool. Regulation FPU-6.006 Sick Leave Pool adopted by the Board of Trustees on 2-5-14 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 2-3-17 February 3, 2017 governs FMLA leave by eligible employees.
- 10.6 Other Types of Leave. Regulation FPU-6.007 Other Types of Leave adopted by the Board of Trustees on 2-5-14 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.
- 10.7 Certification of Work and Absences. Employees will comply with University Policy FPU-
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| For the University | For the UFF |
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Chief Negotiator

Candi Churchill
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6.0031P Work and Absence Certification adopted ~~4.12.17~~ April 12, 2017.

~~10.8 — Benefit, Retirement Contributions and Credits During Paid Leaves.~~

- ~~(a) — Contributions to the employee’s retirement programs shall be continued on a basis proportional to the University salary received during paid leaves.~~
- ~~(b) — Employees who participate in the Florida Retirement System shall have full-month service credit during the months they are in pay status.~~
- ~~(c) — Employer Contributions to Benefit Plans. Contributions made by the University to the employee insurance programs and other employee benefits shall be continued during paid leaves.~~
- ~~(d) — Employees on paid leave shall accrue all eligible leave hours in proportion to the pay status.~~

~~10.9 — Annual Evaluation during Sabbatical and Professional Development Leave.~~

- ~~(a) — If an annual evaluation period overlaps with a sabbatical or professional development leave period more than eight (8) months, the annual evaluation rating ‘meet expectation’ shall be granted for the annual evaluation period.~~
- ~~(b) — If an annual evaluation period overlaps with a sabbatical or professional development leave period more than two (2) months but less than seven (7) months, appropriately adjusted and modified evaluation standard shall be applied for the annual evaluation period.~~

~~10.10 — Requests for a Leave or Extension of Leave of One (1) Semester or More.~~

- ~~(a) — For a leave of one (1) semester or more, an employee shall make a written request. The request shall be made not less than one hundred twenty (120) days prior to the beginning of the proposed leave, or in the case of twelve-month faculty, six (6) months prior to the date the leave is requested.~~
- ~~(b) — For an extension of a leave of one (1) semester or more, an employee shall make a written request not less than sixty (60) days before the end of the leave.~~

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~~(c) — The University shall approve or deny such request in writing not later than thirty (30) days after receipt of the request.~~

~~10.11 — Return from Leave.~~

~~(a) — An employee who returns from an approved leave of absence shall be returned to the same or equivalent position in the same work location, including the same or equivalent schedule, unless the University and the employee agree in writing to other terms and conditions.~~

~~(b) — The salary of the employee shall be adjusted to reflect all non-discretionary increases distributed during the period of leave.~~

~~10.12 — Unpaid Leave.~~

~~(a) — Granting. Upon request of an employee, the University shall grant a leave without pay for a period not to exceed one (1) year unless the University determines that granting such leave would be inconsistent with the best interests of the University. Such leave may be extended upon mutual agreement.~~

~~(b) — Retirement Credit. Retirement credit for such periods of unpaid leave shall be governed by the rules and regulations of the Division of Retirement and the provisions of Chapter 121, Florida Statutes.~~

~~(c) — Accrual of Leave and Holiday Pay. While on unpaid leave, the employee shall retain accumulated sick leave and vacation leave, but shall not accrue sick leave or vacation leave nor be entitled to holiday pay.~~

~~(d) — Benefit Premiums. Employees on unpaid leave will be responsible for the entire cost of benefit premiums unless they use accrued paid leave as provided in subsection below.~~

~~(e) — An employee may combine unpaid and paid leave as follows:~~

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- ~~i. Notwithstanding the provisions of Section 10.3 regarding the use of sick leave, an employee may use any type of accrued paid leave in an amount necessary to cover the employee's contribution to the State insurance program, other FPU sponsored insurance programs, and for other expenses.~~
- ~~ii. Normally the use of accrued paid leave during a period of unpaid leave for medical reasons shall be approved for up to two (2) months.~~
- ~~iii. The employer contribution to the State insurance program shall continue for the corresponding payroll periods.~~
- ~~iv. An employee's request for the use of accrued paid leave during a period of unpaid leave shall be made at the time of the employee request for the leave. Such request shall include the amount of accrued paid leave the employee wishes to use during the approved period of unpaid leave. If circumstances arise during the approved leave that causes the employee to reconsider the combination of leave with and without pay, the employee may request approval of revisions to the original approval.~~

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