



**POLICY: 6Hx28:3D-02**

**Responsible Executive:** Vice President,  
Organizational Development & Human  
Resources

**Policy Contacts:** Director, HR Policy and  
Compliance Programs

**Specific Authority:** 1001.64, F.S.

**Law Implemented:** 1001.64, F.S.

**Effective Date:** ~~04-16-2003~~ 12-12-2018

**Date of Last Policy Review:** 12-12-2018

---

## Leaves of Absence

---

### Policy Statement:

- I. ~~Valencia College recognizes the need of employees who may need time off in addition to other types of authorized College leaves, as applicable, or as otherwise determined to be appropriate by the College in certain circumstances. This type of leave is not an entitlement, is evaluated on a case by case basis, and may be authorized on factors including without limitation the circumstances surrounding the need for leave, the position occupied, applicable supporting documentation, operational needs and best interest of the College. Such leaves of absence are typically granted for a specified period and may be authorized with or without pay. Circumstances surrounding the need for leave may include without limitation long term illness; other personal reasons; or college inquiries or investigations related to employment performance and/or conduct matters. The college complies with applicable federal and state laws, rules and regulations governing the administration of leaves of absence. The College President or designee(s) may establish procedures to implement this policy. Leave of Absence is defined as permission for an employee to be absent from his or her duties for a specified period of time with the right to return to employment without prejudice upon expiration of the leave. Leave may be with or without pay.~~

II. ~~Conditions:~~

-

- A. ~~The reasons for a leave of absence can vary from person to person. The most common reasons are for long term personal or family member illness and professional development. A leave of absence for the purpose of participating in activities which will be of professional benefit or advancement, including earning college credits and degrees, or which will be of benefit to an employee's profession or the college may be granted with or without pay. The president is authorized to~~

~~establish procedures for granting Professional Development/Consulting Leave. Leave of absence for professional reasons will not be granted unless adequate provisions have been made to handle the regular duties of the employee.~~

~~B. Each request is evaluated and a decision reached based upon its particular merits and the need to protect the College against undue interruption or disturbance because of the absence of personnel and the need to ensure leave is granted or denied on a uniform basis. Leave shall not normally be authorized for more than one (1) year. The president or a designee may approve professional leave for a period not to exceed thirty (30) work days. Extended professional leave for more than thirty (30) work days must be approved~~

~~by the District Board of Trustees. Leave beyond one (1) year may be renewed based on the recommendation of the president and approval of the District Board of Trustees.~~

~~C. All absences from duty will be covered by leave which is duly authorized and granted. Any employee who is willfully absent from duty without leave will forfeit compensation and will be subject to disciplinary action or discharge.~~

~~D. An application for leave must make clear the purpose or cause for which the leave will be used. Leave granted with pay and not used for purposes set forth in the application constitutes falsification of records.~~

~~E. If the condition under which the leave is granted should change and the employee still desires to remain on leave, the employee must request that the leave be re-approved for the new reason. A request for a change in leave status shall be made as soon as possible after a change in the conditions under which the original leave was granted. No request for change in leave status will be considered after the last effective date of the leave, e.g., a request to change leave status for a leave that was effective July 1 to June 30, shall be made in writing to the president prior to June 30.~~

~~F. 12-month employees will continue to earn sick and vacation leave benefits during leaves of absence with pay while employees in positions of less than twelve (12) months under which vacation leave does not normally accrue will continue to earn only sick leave benefits during leaves of absence with pay.~~

~~G. Employees are responsible for paying the full cost of any benefits continued during the unpaid leave.~~

~~H. Employees who are granted a leave of absence by the District Board of Trustees may not expect to return to their position until expiration of the leave; any request for an exception must be approved by the President or a designee.~~

~~I. Any employee who does not receive an extension of leave and who does not report to work as scheduled may be deemed to have voluntarily resigned. If an emergency~~

should occur and the employee is unable to report to work, the immediate supervisor should be contacted immediately to make the appropriate arrangements.

- J. ~~Accumulated/unused vacation and personal leave (See Vacation Leave and Leave for Personal Reasons policies) must be exhausted before the effective date of leave without pay if the purpose for the leave is not a qualifying reason for sick leave as established in Valencia College's Sick Leave Policy. Accumulated/unused sick leave will be used prior to the effective date of leave without pay if the purpose for the leave is an appropriate use of sick leave as defined in the Sick Leave Policy.~~

---

### **Policy History:**

Adopted 1-19-83; Amended 11-18-92; Amended 4-20-94; Amended 3-22-95; Formerly 6Hx28:07-17; Amended 4-16-13; Amended 12-12-18 Combines/repeals: 6Hx28: 3D-07.2

---

### **Related Documents/Policies:**

College Policy 6Hx28: 6Hx28: 1-10 Policy Against Improper Activities; Whistleblower Protection;

College Policy 6Hx28: 02-01 Discrimination, Harassment, and Related Misconduct;

College Policy 6Hx28: 3C-01 Total Rewards: Compensation and Hours of Work for Employees of the College

College Policy 6Hx28: 3C-08 Total Rewards: Employee Benefits

College Policy 6Hx28: 3D-03 Total Rewards: Vacation, Sick and Personal Leave for Full Time Employees

College Policy 6Hx28: 3D-06.2 Fitness for Duty;

College Policy 6Hx28: 3E-08 Disciplinary Action

College Policy 6Hx28: 3F-05.2 Abandonment of Position

---

### **Procedures:**

#### I. Leave of Absence for Illness

A. An employee may request a leave of absence for their own illness, or for the illness of an immediate family member. This leave may be requested by an employee who is not eligible for Family/Medical Leave or the period of the requested leave exceeds the FMLA maximum. Departments must consult with a representative from Organizational Development and Human Resources (ODHR) on these requests to discuss the circumstances and any relevant documentation. Requests for a leave of absence for illness are evaluated on a case by case basis, operational needs and may be authorized for up to one (1) year with requests not normally authorized for more than one year.

B. If approved for a leave of absence for illness, employees must initially use any and all accrued sick leave, sick leave pool (as applicable), and /or vacation leave as

available. During a leave of absence for illness where the eligible employee is using accrued sick or vacation leave, the employee shall earn applicable sick and vacation leave accruals and applicable continuing benefit coverage. For additional information, see College Policies 6Hx28: 3D-03 Total Rewards: Vacation, Sick and Personal Leave for Full Time Employees; 6Hx28: 3C-08 Total Rewards: Employee Benefits; College Policy 6Hx28:3D-05 Sick Leave Pool.

C. While on leave of absence for illness, when an employee's paid leave balances have been exhausted, any remaining portion of leave of absence for illness shall be unpaid. During this period of unpaid leave of absence for illness, the eligible employee shall not accrue additional sick or vacation leave and is responsible for making full payment of applicable continuing benefits in accordance with College Policy 6Hx28: 3C-08 Total Rewards: Employee Benefits. An employee who is on an unpaid leave of absence for an illness shall not be eligible to be compensated for holiday(s) or non-duty day(s) if on unpaid leave status the full workday before and the full workday after the holiday(s) or paid non duty day(s). See College Policy 6Hx28: 3C-01 Total Rewards: Compensation and Hours of Work for Employees of the College.

D. As part of returning from a leave of absence for illness, the employee shall provide a return to work form to ODHR confirming the employee's ability to perform the essential job functions. Any temporary or permanent restrictions shall be evaluated on a case by cases basis by ODHR in collaboration with the supervisor/department for appropriate action.

## II. Leave of Absence for Other Personal Reasons

A. Requests for a leave of absence for other personal reasons (excluding by reason of illness) shall be evaluated on a case by case basis and in consideration of operational needs. These requests may include and are not limited to participating in activities which will be of professional benefit to an employee and to the institution (i.e. leave to pursue higher education degree, professional certification, etc.). Leave of absence shall not normally be granted for the purpose of entering self-employment or taking other employment. Leave of absence for other personal reasons may be authorized for up to one (1) year and these requests are not normally authorized for more than one (1) year.

B. Departments must consult with a representative from ODHR on requests for leaves of absence for other personal reasons to discuss the circumstances and any relevant documentation. These requests may be approved by departments based upon operational needs and adequate provisions have been made to cover the regular duties of the impacted position.

C. If approved for a leave of absence for other personal reasons, employees must initially use any and all accrued sick leave (sick leave pool, as applicable) and /or vacation leave as available. During a leave of absence for other personal reasons where the eligible employee is using accrued sick or vacation leave, the employee

shall earn applicable sick and vacation leave accruals and applicable continuing benefit coverage. For additional information, see College Policies 6Hx28: 3D-03 Total Rewards: Vacation, Sick and Personal Leave for Full Time Employees; 6Hx28: 3C-08 Total Rewards: Employee Benefits; College Policy 6Hx28:3D-05 Sick Leave Pool.

D. While on leave of absence for illness, when an employee's paid leave balances have been exhausted, any remaining portion of leave of absence for illness shall be unpaid. During this period of unpaid leave of absence for illness, the eligible employee shall not accrue additional sick or vacation leave and is responsible for making full payment of applicable continuing benefits in accordance with College Policy 6Hx28: 3C-08 Total Rewards: Employee Benefits. An employee who is on an unpaid leave of absence for an illness shall not be eligible to be compensated for holiday(s) or non-duty day(s) if on unpaid leave status the full workday before and the full workday after the holiday(s) or paid non duty day(s). See College Policy 6Hx28: 3C-01 Total Rewards: Compensation and Hours of Work for Employees of the College

### III. Leave of Absence for College Inquiries or Investigations Related to Employment Performance and/or Conduct Matters (Administrative Leave of Absence)

A. An employee may be placed on an administrative leave of absence with or without pay pending a review, inquiry, investigation, or disciplinary action surrounding an employee's performance and/or behavior where the employee's continued presence at the worksite may interfere with the College's ability to effectively evaluate the circumstances or provide services. Placement on administrative leave of absence is not considered disciplinary in nature and is considered a temporary action taken by the College during the process being undertaken. In the event the College chooses to place the employee on administrative leave without pay, the employee may be eligible to appeal this action in accordance with grievance procedures in College Policy 6Hx28:3E-09 Employee Dispute Resolution.

1 Administrative Leave of Absence with Pay – If an employee is placed on an administrative leave of absence with pay, the eligible employee shall earn applicable sick and vacation leave accruals in accordance with College Policy 6Hx28: 3D-03 Total Rewards: Vacation, Sick and Personal Leave for Full Time Employees, as applicable. For applicable continuing benefit coverage for employees on approved leave of absence with pay, see College Policy 6Hx28: 3C-08 Total Rewards: Employee Benefits.

2 Administrative Leave of Absence without Pay – If an employee is placed on or is transitioned to an administrative leave of absence without pay, the eligible employee shall not earn applicable sick and vacation leave accruals and is responsible for making full payment of applicable continuing benefits in accordance with College Policy 6Hx28: 3C-08 Total Rewards: Employee Benefits.

B. Before the placement of an employee on administrative leave with or without pay, departments must consult with a representative from ODHR to discuss the circumstances and any relevant documentation to determine if an administrative leave of absence as an interim measure is appropriate. There may be circumstances where ODHR may place an employee on an administrative leave of absence as an interim measure on behalf of the department or without initial department consultation. For additional information as appropriate, see College Policy 6Hx28: 1-10 Policy Against Improper Activities; Whistleblower Protection; College Policy 6Hx28: 02-01 Discrimination, Harassment, and Related Misconduct; College Policy 6Hx28: 3D-06.2 Fitness for Duty; or College Policy 6Hx28: 3E-08 Disciplinary Action.

C. An eligible employee must have worked or have been on approved leave with pay for the full workday before and the full workday after the holiday(s) or paid non-duty day(s) as approved by the District Board of Trustees, in order to be compensated for the holiday(s) or paid non-duty day(s). For additional information on holidays and paid non-duty days, see College Policy 6Hx28: 3C-01 Total Rewards: Compensation and Hours of Work for Employees of the College.

#### IV. Certificate of Absence Request Guidelines

A. Leave of Absence for Illness or Other Personal Reasons – A request for a leave of absence ~~will for illness or other personal reasons shall~~ be initiated by the employee on a Certificate of Absence (COA) ~~form through the Request and Manage My Leave System to the department supervisor~~. The COA ~~form~~ must be accompanied by a statement and supporting documentation, as necessary, to clearly state the purpose or cause for which the leave will be used and the length of the requested length of the leave of absence~~how long the absence is expected to be~~.

1 A COA shall be submitted by the employee ~~Requests shall be made at~~ least thirty (30) days in advance where the leave is foreseeable. ~~Where the need for a leave of absence is foreseeable and employees do not comply with the thirty (30) day advance notice, employees may be required to explain why it was not practicable for them to give a full thirty (30) day notice.~~ Where the leave is not foreseeable, a COA must be submitted by the employee as soon as practical.~~the request should be made as soon as practicable. The president, or a designee, will~~ The department, in collaboration with ODHR, shall review the request and make a determination as appropriate.~~determine whether the leave of absence will be approved or denied.~~

2 If a condition under which the leave is granted should change, the authorization for the leave may no longer be authorized. In the event of a change of condition, the employee shall communicate immediately with the department supervisor. Additional documentation and a new COA may be required for evaluation. A determination shall be made by the

department as deemed appropriate in consultation with ODHR. Leave of absence granted with or without pay and not used for purposes set forth in the request shall constitute a falsification of records and an employee may be subject to disciplinary action up to and including termination.

3 If the employee desires to request additional leave beyond the approved leave of absence for illness or other personal reasons, the employee shall communicate with the department supervisor and submit a COA for the proposed additional leave along with a statement and, if applicable, appropriate documentation supporting the request for the additional leave. The COA shall be evaluated and a determination made by the department as deemed appropriate in consultation with ODHR.

4 Any employee who does not receive an approval for an extension of the leave of absence for illness or other personal reasons leave and who does not report to work as scheduled may be deemed to have voluntarily resigned in accordance with College Policy 6Hx28: 3F-05.2 Abandonment of Position. If an emergency should occur and the employee is unable to report to work, the employee is responsible for contacting the immediate supervisor for appropriate arrangements and/or potential re-evaluation of circumstances.

5 Medical documentation submitted and evaluated for requests for leaves of absence for illness shall be forwarded to ODHR to be maintained in a separate employee record.

B. Administrative Leave of Absence for College Inquiries or Investigations Related to Employment Performance and/or Conduct Matters – A supervisor or designee shall complete a COA leave request for an employee placed on an administrative leave of absence. In collaboration with ODHR and department, a determination shall be made on whether the administrative leave of absence shall be with or without pay.

---

**Procedure History:**

~~There are no historical items for this Procedure.~~ Amended 12-12-18

---

**Date of Last Procedure Review:**

12-12-18