



September 27, 2017

**TO:** THE DISTRICT BOARD OF TRUSTEES  
OF VALENCIA COLLEGE

**FROM:** SANFORD C. SHUGART  
President

**RE:** POLICY ADOPTIONS

The following proposed amended policies conform to applicable laws and regulations, and provide updates to reflect current and desired practices:

- 6Hx28: 3B-03, Recruitment, Selection, and Hiring
- 6Hx28: 3D-04, Sick Leave Pool
- 6Hx28: 3D-06.1, Family/Medical Leave

**RECOMMENDED ACTION:**

The President recommends that the District Board of Trustees of Valencia College approve Policies 6Hx28: 3B-03, Recruitment, Selection, and Hiring; 6 Hx28: 3D-04, Sick Leave Pool; and Hx28: 3D-06.1, Family/Medical Leave, as presented.

  
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President



**POLICY: 6Hx28:3D-05**

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

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

**Specific Authority:**

**Law Implemented:** 1012.865, F.S.

**Effective Date:** 09-27-2017

**Date of Last Policy Review:** 09-27-2017

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## Sick Leave Pool

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### Policy Statement:

The president or designee is authorized to establish a sick leave pool program and implementing procedures for full-time employees. The program is designed to aid participating members of the pool who have exhausted all sick leave.

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### Policy History:

Adopted 3-17-82; Amended 1-19-83; Formerly 6Hx28:7-18; Amended 10-19-83; Amended 3-16-88; Amended 11-18-92; Amended 10-27-94; Amended 4-16-13; Amended 9-27-17;  
Formerly 6Hx28:07-15

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### Related Documents/Policies:

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### Procedures:

- ~~I. Participation in the sick leave pool is voluntary.~~
- ~~II. Any full-time employee is eligible to join the pool during an announced enrollment period provided he or she has been employed full-time with the College for twelve (12) months, has accumulated 10.00 days of unused personal sick leave, and has not declined a previous enrollment opportunity as a regular employee of the College. Any employee who meets the eligibility requirements shall have only one (1) opportunity to join the pool, except that a person who changes from temporary employee classification to~~

regular employee classification shall have one (1) additional opportunity to join the pool after achieving regular employee status. The president may authorize open enrollment periods for all eligible employees at such other times as he determines to be appropriate.

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- III. Enrollment periods shall be held twice within a calendar year, typically in March and September and shall be open only to employees who previously have not been eligible to join (with the exception of the above described individuals who change from temporary to regular status).
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- IV. The sick leave pool program will be administered by a board of directors consisting of three (3) career service, three (3) faculty, and three (3) administrative/professional employees. The V.P. of Human Resources and Diversity will serve as an ex officio member. Members of the board will be elected by sick leave pool members in their respective collegewide constituent classifications: for example, career service members of the sick leave pool will elect the three (3) career service representatives to the board; likewise, faculty pool members will elect faculty representatives to the board, and administrative/professional pool members will elect administrative/professional representatives to the board. Board members will serve staggered three (3) year terms.
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- V. Participating employees will make equal contributions of accrued sick leave to join or replenish the pool. The initial contribution will be three (3) days of sick leave. Thereafter, contributions will be determined by the board of directors. Any sick leave days contributed to the pool will not be recoverable for any other purpose.
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- VI. A pool member will be eligible to draw days from the sick leave pool only after he or she has exhausted all of his or her sick leave.
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- VII. The first day drawn from the pool will establish a 12 month draw period; a new draw period cannot begin until the previous 12 month draw period has expired. During a draw period, a pool member will be able to draw from the pool whichever is greater: thirty (30) days or a number of days equal to the highest number of accrued personal sick leave days that the employee has attained since his or her last draw period, up to a maximum of 120 days. An employee who has not had a previous draw period will be able to draw from the pool which is greater: thirty (30) days or a number of days equal to the highest number of accrued personal sick leave days that the employee has attained since joining the pool, up to a maximum of 120 days.
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- VIII. An employee using the sick leave pool will continue to accrue leave; however, accrued sick leave must be exhausted before the employee can use additional days from the sick leave pool.
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- IX. Any sick leave drawn from the pool must be used for the employee's personal illness, accident, or injury. Family illness is not covered by this program. Elective surgery is excluded from sick leave pool usage.
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- ~~X. A contractual employee is limited to drawing time from the pool in accordance with his or her contract, for example, a faculty member cannot use the sick leave pool during a summer term for which he or she does not have a contract.~~
- ~~XI. Members receiving Workers' Compensation payments are eligible to receive partial sick leave days from the pool. The partial sick leave days when converted to cash and added to Workers' Compensation payments may not exceed the employee's salary.~~
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- ~~XII. Use of sick leave from the sick leave pool will be contingent upon the availability of days in the pool.~~
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- ~~XIII. Alleged abuse of the sick leave pool will be investigated by the board of directors. If there is a finding of a wrongdoing, the offending member of the sick leave pool will be required to repay all sick leave credits drawn from the pool, will be subject to removal from the pool by the board of directors, and will be subject to disciplinary action by the president or his/her designee.~~
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- ~~XIV. Members who seek to draw days from the sick leave pool will be required to submit a physician's statement on a form approved by the board of directors.~~
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- ~~XV. Ten (10) days after written notification, contributions to replenish the pool will automatically be transferred from a member's personal sick leave account without further authorization. A member who does not have an adequate number of days to transfer may petition to remain a member while accruing the number of days needed.~~
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- ~~XVI. Once an employee becomes a member of the sick leave pool, he or she will remain a member as long as he or she contributes to replenishing the pool and is not removed from the pool by the board of directors.~~
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- ~~XVII. An employee who wishes to terminate his or her membership in the sick leave pool must do so by submitting a written request to the board of directors.~~

I. Eligibility

A. Any full-time employee is eligible to join the pool during an announced enrollment period provided the employee:

- 1 Has been employed full-time with the College for twelve (12) consecutive months;
- 2 Has accumulated 10 days of unused sick leave; and
- 3 Has not declined a previous enrollment opportunity as a regular employee of the College.

B. Any employee who meets the eligibility requirements shall have only one (1) opportunity to join the pool, except that a person who changes from a full-time temporary-employee classification to a regular (non-grant) full-time employee classification shall have one (1) additional opportunity to join the pool after achieving regular-employee status.

- C. Once an employee becomes a member of the sick leave pool, the employee will remain a member as long as they remain as an active employee, contribute to replenishing the pool and is not removed from the pool.
- D. An employee who wishes to terminate their membership in the sick leave pool must do so by submitting a written request to Organizational Development and Human Resources. An employee who terminates their membership shall not be permitted to rejoin the sick leave pool.

## II. Member Utilization Guidelines

- A. Eligible employees who seek to draw days from the sick leave pool will be required to submit a physician's statement on the approved sick leave form to a Human Resource Compliance representative.
- B. Any sick leave drawn from the pool must be used for the employee's personal illness, accident, or injury. Family illness is not covered by this program. Elective surgery is excluded from sick leave pool usage. Complications arising out of elective surgery may be eligible for sick leave pool usage if the complications meet the 'serious health condition' criteria as defined in accordance with the Family and Medical Leave Act.
- C. An employee will be eligible to draw days from the sick leave pool only after they have exhausted all of his or her earned sick leave.
- D. The first day drawn from the pool will establish a 12-month draw period; a new draw period cannot begin until the previous 12-month draw period has expired. During a draw period, a pool member will be able to draw from the pool whichever is greater: thirty (30) days or a number of days equal to the highest number of accrued personal sick leave days that the employee has attained since his or her last draw period, up to a maximum of 120 days. An employee who has not had a previous draw period will be able to draw from the pool which is greater: thirty (30) days or a number of days equal to the highest number of accrued personal sick leave days that the employee has attained since joining the pool, up to a maximum of 120 days.
- E. An employee using the sick leave pool (except in association with termination of employment) will continue to accrue leave for which they are eligible; however, accrued sick leave must be exhausted before the employee can use additional days from the sick leave pool.
- F. A contractual employee is limited to drawing time from the pool in accordance with his or her contract; for example, a faculty member cannot use the sick leave pool during a summer term for which the faculty member does not have a contract.
- G. Employees receiving Workers' Compensation payments are eligible to receive partial sick leave days from the pool. The partial sick leave days when converted to cash and added to Workers' Compensation payments may not exceed the employee's salary.

## III. Sick Leave Pool Program

- A. The sick leave pool program shall be administered by a board of directors consisting of three (3) faculty and six (6) staff employees. The Vice President of

Organizational Development and Human Resources or designee will serve as an ex-officio member. Members of the board will be elected by sick leave pool members in their respective collegewide constituent classifications: for example, each year, staff members of the sick leave pool will elect two (2) staff representatives to the board; likewise, faculty pool members will elect one (1) faculty representative each year to the board. Board members will serve staggered three (3) year terms.

- B. Use of sick leave from the sick leave pool will be contingent upon the availability of days in the pool.
- C. Participating employees shall make equal contributions of accrued sick leave to join or replenish the pool. The initial contribution will be three (3) days of sick leave. Thereafter, contributions shall be determined by the board of directors. Any sick leave days contributed to the pool shall not be recoverable for any other purpose.
- D. A determination of pool replenishment may be made by the board of directors if the sick leave pool hours drop below the minimum threshold. The board of directors shall approve the amount of hours to be deducted from each sick leave pool member. Pool members shall be notified of this assessment and have the opportunity to remain or resign from the sick leave pool program. Ten (10) days after written notification of this assessment, contributions to replenish the pool shall automatically be transferred from a member's personal sick leave account without further authorization. A member who does not have an adequate number of days to transfer may petition to remain a member while accruing the number of days needed.
- E. Alleged abuse of the sick leave pool shall be investigated by a representative of Organizational Development and Human Resources. If there is a finding of a wrongdoing, the offending member of the sick leave pool may be required to repay all sick leave credits drawn from the pool, may be subject to removal from the sick leave pool, and may be subject to disciplinary action up to and including termination from employment.

#### IV. Enrollment Period

- A. Participation in the sick leave pool is voluntary.
- B. Enrollment periods shall be held twice within a calendar year, and shall be open only to employees who previously have not been eligible to join (with the exception of the individuals who change from temporary to regular status as described in procedure section I. B.).
- C. The Vice President of Organizational Development and Human Resources or designee may authorize open enrollment periods for all eligible employees at such other times as they determine to be appropriate.

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#### **Procedure History:**

Adopted 10-27-94; **Amended 9-27-17**; Formerly 6Hx28:07-15

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Date of Last Procedure Review: 09-27-2017

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