



POLICY: 6Hx28:3D-05

Responsible Executive: Vice President,
Organizational Development & Human
Resources

Policy Contacts: Assistant Vice
President, Equity and Access

Specific Authority: 1001.64, F.S.
Law Implemented: 1012.865, F.S.

Effective Date: 09-27-2017

Date of Last Policy Review: 10-13-2022

Sick Leave Pool

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.

Policy History:

Adopted 3-17-82; Amended 1-19-83; 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 6Hx28:7-18; Formerly 6Hx28:07-15

Procedures:

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 ten (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 an employee who changes from a full-time temporary-employee classification to a regular 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 are an active full-time employee, contribute to replenishing the pool and is not removed or resigned 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 (ODHR). An employee who terminates their membership shall not be permitted to rejoin the sick leave pool.

II. Enrollment

- A. Participation in the sick leave pool is voluntary.
- B. Enrollment periods shall be held at least twice within each calendar year and shall be open only to employees who previously have not been eligible to join (with the exception of employees who change from temporary to regular status as described in Procedures Section I. B). The Vice President of Organizational Development and Human Resources may authorize additional open enrollment periods for all eligible employees as determined to be appropriate.
- C. An employee who receives an invitation to enroll in the sick leave pool must maintain a minimum of ten (10) days of accrued and unused sick leave through the entire enrollment period. Otherwise, the employee will become ineligible to participate in the current enrollment period.
- D. An employee who accepts the invitation to join the sick leave pool is required to contribute three (3) days of their accrued and unused sick leave.

III. Member Utilization Guidelines

- A. Eligible employees who seek to draw days from the sick leave pool will be required to submit a medical provider's statement on the approved sick leave form to ODHR Leave and Access Services.

- 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 their earned sick leave.
- D. The first day drawn from the sick leave 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 sick leave 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 their 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 separation 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 sick leave pool in accordance with their 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 sick leave pool. The partial sick leave days when converted to cash and added to Workers' Compensation payments may not exceed the employee's salary.
- H. Use of sick leave from the sick leave pool will be contingent upon the availability of days in the pool.

IV. Sick Leave Pool Program General Guidelines

- A. Participating sick leave pool members shall make equal contributions of accrued sick leave to join or replenish the sick leave 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 sick leave pool shall not be recoverable for any other purpose.

- B. 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 number of days to be deducted from each sick leave pool member. Sick leave 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 sick leave 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 sick leave pool member while accruing the number of days needed.
- C. Alleged misuse of the sick leave pool shall be investigated by a representative of ODHR. If there is a finding of misuse, the respective sick leave pool member 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 dismissal from employment.

V. Board of Directors

- 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 ODHR will serve as an ex-officio member.
- B. Members of the board will be elected by sick leave pool members in their respective collegewide constituent classifications. [e.g., staff members of the sick leave pool will elect two (2) staff representatives each year to the board and faculty pool members will elect one (1) faculty representative each year to the board.
- C. Board members will serve staggered three (3) year terms.

Procedure History:

Adopted 10-27-94; Amended 9-27-17; Amended 10-13-22; Formerly 6Hx28:07-15

Date of Last Procedure Review: 10-13-2022