



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

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

**Policy Contacts:** Assistant Vice  
President, Human Resources

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

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

**Date of Last Policy Review:** 01-02-2024

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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; 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

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

College Policy 6Hx28: 3D-03 Total Rewards: Vacation, Sick, and Personal Leave for Full-Time Employees  
College Policy 6Hx28: 3D-06.1 Family and Medical Leave

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## **Procedures:**

### **I. Eligibility**

- A. Any full-time employee is eligible to join the sick leave pool during an announced enrollment period provided the employee:
  - 1. Has been employed full-time with the College for twelve (12) consecutive months immediately prior to the start of the enrollment period; and
  - 2. Has accumulated ten (10) days of accrued and unused sick leave.

### **II. Enrollment**

- A. Participation in the sick leave pool is voluntary.
- B. Enrollment periods shall be held at least once within each calendar year and shall be open to employees who meet the eligibility criteria. The Vice President of Organizational Development and Human Resources (ODHR) 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. Any sick leave days contributed by an eligible employee to the sick leave pool:
  - 1. shall remain in the sick leave pool;
  - 2. are not recoverable by the employee; and
  - 3. the employee will not receive any payment for those unused hours.

### **III. Full-Time Sick Leave Pool Member Utilization Guidelines**

- A. A member who seeks to draw a day(s) from the sick leave pool will be required to submit a sick leave pool form (available from ODHR/Leave and Access Services) or provide appropriate medical documentation supporting the need for the absence(s) to ODHR Leave and Access Services.

- B. Any sick leave days drawn from the pool must be used for the member's personal illness, accident, or injury and must be supported by either documentation provided on the sick leave pool form or appropriate medical documentation.
1. Family illness is not covered by this program.
  2. 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. For more information, see College Policy 6Hx28: 3D-06.1 Family and Medical Leave.
- C. A member will be eligible to draw days from the sick leave pool only after they have exhausted all of their accrued and unused sick leave.
- D. A member has a maximum number of days they can draw from the sick leave pool in a 12-month period. The first day drawn from the sick leave pool will establish the beginning of a 12-month period. During a draw period, a sick leave pool member will be able to draw from the pool according to the following guidelines, whichever is greater:
1. A member who has not had a previous draw period will be able to draw from the pool thirty (30) days or the highest number of accrued sick leave days accrued by the member since joining the sick leave pool, up to a maximum of 120 days; or
  2. A member who has had a previous draw from the sick leave pool will be able to draw thirty (30) days or the highest number of accrued sick leave days accrued by the member since their last draw period, up to a maximum of 120 days.
- E. A member using the sick leave pool (except in association with separation of employment) will continue to accrue leave for which they are eligible in accordance with College Policy 6Hx28: 3D-03 Total Rewards: Vacation, Sick and Personal Leave for Full Time Employees; however, accrued and unused sick leave must be exhausted before additional days from the sick leave pool may be used by the member.
- F. A member who is a contractual employee is limited to drawing days 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 workload.

- G. A member receiving Workers' Compensation payments is eligible to receive partial sick leave days from the sick leave pool provided the member has submitted the sick leave pool form or appropriate medical documentation indicating the need for sick leave. 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 pool days from the sick leave pool will be contingent upon the availability of days in the pool.

IV. Sick Leave Pool members that transfer to another position within the College:

- A. Sick Leave Pool members who transfer from a full-time position to another full-time position at the College shall remain a member of the sick leave pool as long as they continue to contribute to the replenishment of the sick leave pool in accordance with Procedures Section V. and do not meet the Sick Leave Pool membership termination conditions as outlined in Procedures Section VI.
- B. Sick Leave Pool members who transfer from a full-time position to a part-time position at the College and **are not eligible for terminal pay** shall maintain their sick leave pool membership in an inactive status.
  - 1. Part-time employees who are inactive members of the sick leave pool are not eligible to draw hours from the sick leave pool and will not be assessed during a replenishment period that falls within the part-time employment (inactive status).
  - 2. Part-time (inactive) sick leave pool members who transfer back into a full-time position at the College will become an active sick leave pool member once again without the need to re-enroll in the sick leave pool program. The active status will commence effective on the date of the personnel action and the member may once again draw sick leave pool day(s) and contribute to the replenishment of the sick leave pool in accordance with procedures within this policy.
- C. Sick Leave Pool members who transfer from a full-time position to a part-time position at the College and **are eligible for terminal pay**, shall be terminated from the Sick Leave Pool program effective on the date of the personnel action.

V. Sick Leave Pool Program Replenishment

- A. Full-time sick leave pool members shall make equal contributions of accrued sick leave days to replenish the sick leave pool.

B. Replenishment contribution amounts shall be determined by ODHR. Any replenishment sick leave days contributed by a full-time member to the sick leave pool:

1. shall remain in the sick leave pool;
2. are not recoverable by the member; and
3. the member will not receive payment for any contributed unused hours.

C. A determination of pool replenishment may be made by ODHR if the sick leave pool hours drop below the minimum threshold. ODHR shall approve the number of days to be deducted from each full-time 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 full-time member's personal sick leave account without further authorization.

1. For a member who does not have an adequate number of days to transfer for the pool replenishment, ODHR will monitor the member's sick leave balance and make the deduction as soon as the member has accrued the required day(s) of sick leave.

VI. Sick Leave Pool Membership Termination Conditions: Sick leave pool program membership may be terminated under the following conditions:

- A. A member may cancel their membership from the sick leave pool program at any time by submitting a written request to ODHR. The notice should include the effective date of the sick leave pool program cancellation. (Note: A member who cancels their membership, remains employed in a full-time position, and at the time of the cancellation still owed replenishment day(s) to the sick leave pool program may still be liable for those owed hours. ODHR will monitor the employee's sick leave balance and make the deduction as soon as the member has accrued the required day(s) of sick leave.)
- B. Allegations of sick leave pool misuse shall be reviewed by a representative from 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 program, and/or may be subject to disciplinary action up to and including dismissal from employment in accordance with College policies and procedures.

## VII. Sick Leave Pool Advisory Committee

- A. The sick leave pool advisory committee will consist of two (2) faculty and four (4) staff employees, with each committee serving a two (2) year term. The Vice President of ODHR will serve as an ex-officio member.
- B. Sick Leave Pool Advisory Committee Selection Process:
  1. Sick leave pool members will have the opportunity to submit an application to serve on the sick leave pool advisory committee. The current sick leave pool advisory committee will review the applications and make recommendations to ODHR for the next two-year term. ODHR will select the final candidates and communicate the results to all sick leave pool members.
  2. The Vice President of ODHR may authorize additional application periods as determined to be appropriate.
- C. Sick Leave Pool Advisory Committee Responsibilities: The committee is responsible for the:
  1. Review of any sick leave pool enrollment appeals that an employee may bring forward for consideration and provide recommendations to ODHR.
  2. Review of new sick leave pool advisory committee application materials and provide recommendations to ODHR.
  3. Review of the annual sick leave pool hours usage and replenishments report provided by ODHR and provide program recommendations, as appropriate.

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### **Procedure History:**

Adopted 10-27-94; Amended 9-27-17; Amended 10-13-22; Amended 01-02-24; Formerly 6Hx28:07-15

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**Date of Last Procedure Review:** 01-02-2024