

NEW BUSINESS

POLICIES ADOPTION

POLICY AND PROCEDURE:

6Hx28:3D-01

Title:

Holidays and Other Paid Non-Duty Days

Specific Authority:

1001.64 F.S.

Policy:

A. Twelve-month employees will observe holidays and other paid non-duty days on the days approved by the District Board of Trustees. However, the President or his designee is authorized to modify the holiday schedule by providing an equivalent number of days to be observed at other times of the year.

B. An employee must have worked or have been on approved ~~sick leave, or other~~ leave with pay for the full workday before and, except for ~~retired~~ retiring employees, the full workday after the holiday(s) or paid non-duty day(s), in order to be compensated.

Procedure:

There is no procedure associated with Policy: 6Hx28:3D-01

POLICY AND PROCEDURE: 6Hx28:3D-02

Title: **Leave of Absence**

Specific Authority: 1001.64 F.S.

Policy:

A. 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.

B. Conditions:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

6. 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.

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

7.8. 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.

8.9. 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.

9.10. 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.

Procedure:

- A. A request for a leave of absence will be initiated by the employee on a Certificate of Absence (COA) form. 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 how long the absence is expected to be. 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 the request should be made as soon as practicable. The president, or a designee, will review the request and determine whether the leave of absence will be approved or denied.

POLICY AND PROCEDURE: 6Hx28:3D-03

Title: Vacation Leave

Specific Authority: 1001.64 F.S.

Policy:

- A. Vacation leave is subject to supervisory approval and must be scheduled so that there will be minimum disruption of the operation of the College.

- B. Full-time twelve-month employees earn vacation leave for each calendar month in which the employee has worked or been on approved leave for the major fraction of the calendar month. One-half (1/2) of the work days in a month or more shall be considered a major fraction. Vacation leave is earned at the following annual rates and is based on the employee's employment category and creditable years of service at the college or at another Florida Public college:

YEARS OF SERVICE	0 - 4 years	5 - 9 years	10 or more years
Executive Management	20 days	22 days	24 days
Administrators, other than Executive Management	16 days	19 days	22 days
All other 12-month employees	12 days	15 days	18 days

Vacation leave benefits will not accrue for any employees during periods of vacation leave associated with termination of employment.

The official record for vacation leave balances will be maintained by Valencia College's Human Resources/Payroll Department. Vacation leave may only be used after it has been accrued as documented by human resources/payroll accounting systems.

- C. The maximum number of vacation days that an employee can carry over into a new calendar year or be paid for at the time of separation ~~is~~ indicated below.

	As of Dec. 31	Terminal Pay	At Retirement Only
Executive Management	65	30	62
Administrators, other than Executive Management	50	30	45
All other 12-month employees	44	30	30

- D. The president is authorized to establish procedures for determining the disposition of unused accrued vacation leave in excess of the maximum carry over. Employees shall be paid for unused vacation leave in accordance with established procedures associated with the college's terminal pay policy. In the case of death of the employee, payment of unused vacation leave shall be made payable to the employee's beneficiary, estate, or as provided by law in accordance with the college terminal pay policy.
- E. Twelve-month employees who are appointed to a position of less than twelve (12) months under which vacation leave does not accrue will be paid for unused vacation leave at the time of appointment in accordance with the college terminal pay policy.
- F. Employees in grant-funded positions hired on or before June 30, 1988, may carry forward ten (10) days of unused vacation leave in accordance with this policy or as provided in their employment contract, whichever is greater.
- G. No employee in a grant-funded position hired on or after July 1, 1988, shall carry over more than ten (10) days of vacation leave into a new calendar year. Vacation leave credits earned in excess of ten (10) days in any calendar year shall be used that calendar year or be forfeited.

Procedure:

- A. The request for vacation leave must be submitted on a Certificate of Absence form and be approved prior to the effective date of leave. All leaves shall be approved by the appropriate supervisor. Vacation leave in excess of thirty (30)

days must be approved by the appropriate vice president, or campus president, or the president, or their designee.

- B. For employees in the executive management pay grades, the value of unused accrued vacation leave in excess of the maximum carry over will be contributed to ~~the a~~ 401(a) plan to the maximum extent permitted by Federal tax laws and college policy. The value of this leave will be calculated by multiplying the unused accrued vacation leave in excess of the maximum carry over by the employees daily rate as determined using the procedures associated with the college's terminal pay policy effective January 1 of the year the contribution will be made. For all other 12-month employees, unused accrued vacation leave in excess of the maximum carry over will be transferred to the employees sick leave account effective January 1 of the new year. The leave time transferred from vacation to sick leave will be non-compensable and will not be used in the calculation of terminal pay for unused sick leave.

POLICY AND PROCEDURE:

6Hx28:3D-04

Title:

Sick Leave

Specific Authority:

1001.64 F.S. 1012.865 F.S.

Policy:

A. A full time employee who is unable to perform his or her duties at the College because of personal sickness, accident, disability, ~~or extended personal illness,~~ or death of ~~the employee's father, mother, brother, sister, husband, wife, child, or other~~ close ~~relative~~family member, or member of the employee's own household, and who consequently has to be absent from his or her work, shall be entitled to take accrued sick leave.

B. After three (3) consecutive days or five (5) days in a thirty (30) calendar-day period of absence, the president or a designee may require that an employee furnish a medical certificate signed by a qualified health care provider that substantiates the reason for the -absence and certifies that the employee is able to return to work. This is to be done at the expense of the employee.

C. Each full-time college employee ~~shall earn~~shall accrue one (1) day of sick leave with compensation for each calendar month or major fraction of a calendar month of service; One-half (1/2) of the work days in a month or more shall be considered a major fraction of that month.~~one half (1/2) of a month or more shall be considered a major fraction worked.~~ Sick leave will be cumulative from year to year. Accumulated sick leave may be transferred from another ~~Florida college, the Florida Department of Education, the Florida College System Institution, or a Florida District school board~~Florida public institution of higher education but will only be credited as sick leave is accrued at the college; ~~provided that at least one half of the sick leave accumulated at any time must have been established in the College in which currently employed.~~ Specifically, To clarify, as an employee earns 1 day of sick leave each month at Valencia, he is also credited with 1 day of transferred sick leave. Sick leave benefits will not be earned by any employees during periods of leave associated with termination of employment

D. C. Separate accounts will be established for the following categories of sick leave:

1. Sick leave earned prior to July 1, 2001
2. Sick leave earned on or after July 1, 2001
3. Sick leave converted from excess vacation leave

~~— Sick leave accrued prior to July 1, 2001~~

~~D. Sick leave accrued prior to July 1, 2001; sick leave accrued on or after July 1, 2001; and sick leave converted from excess vacation leave.~~

~~E. E.~~ When accrued ~~dumulated~~ sick leave is used by the employee, it will be deducted from the various categories of sick leave in the following order until exhausted:

1. ~~S~~sick leave converted from excess vacation leave
2. ~~S~~sick leave earned~~accrued~~ on or after July 1, 2001
- ~~2.~~ ~~3.~~ ~~—~~ ~~S~~sick leave earned~~accrued~~ prior to July 1, 2001

~~F. The official record for sick leave balances will be maintained by Valencia College's Human Resources/Payroll Department. Sick leave may only be used after it has been accrued as documented by human resources/payroll accounting systems.~~

~~G. F.~~ -Upon termination of employment with the District Board of Trustees, the employee shall be paid for unused sick leave in accordance with the college terminal pay policy. Terminating employees will not be eligible for any payment for sick leave that was converted from excess vacation.

Procedure:

Any college employee who feels it necessary to be absent from his or her position because of illness or emergency shall notify his or her immediate supervisor, if possible, before the opening of the day's work on the day of his or her absence. Upon the employee's return to work, he or she shall immediately file the Certificate of Absence form which states the reason for his or her absence and shows acknowledgement by his or her immediate supervisor.

POLICY AND PROCEDURE:

6Hx28:3D-05

Title:

Sick Leave Pool

Specific Authority:

~~1001.64~~ 1012.865 F.S.

Policy:

The president is authorized to establish a sick leave pool program for full-time employees. The program is designed to aid participating members of the pool who have exhausted all **personal** sick leave.

Procedure:

- A. Participation in the sick leave pool is voluntary.
- B. 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.
- C. 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.
- D. 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 ~~director of personnel~~ will serve as an ex-officio member. Members of the board will be elected by sick leave pool members in their respective college-wide 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.

- E. Participating employees will make equal contributions of accrued personal sick leave to join or replenish the pool. The initial contribution will be three (3) days of **personal** sick leave. Thereafter, contributions will be determined by the board of directors. Any **personal** sick leave days contributed to the pool will not be recoverable for any other purpose.
- F. 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 **personal** sick leave.
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. 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.
- L. Use of sick leave from the sick leave pool will be contingent upon the availability of days in the pool.

- M. 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.

- N. 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.

- O. Ten (10) days after written notification, contributions to replenish the pool will automatically be transferred from a members 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.

- P. 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.

- Q. 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.

POLICY AND PROCEDURE: 6Hx28:3D-06.1

Title: Family/Medical Leave

Specific Authority: 1001.64 F.S.

Policy:

- A. Under the Family and Medical Leave Act ("FMLA") Full-time and part-time employees of Valencia College ("College") who have worked for the college for a total of twelve (12) months and have worked 1,250 hours within the year preceding commencement of the leave are entitled to take within any twelve (12) month period 1) up to twelve (12) weeks of unpaid family/medical leave within any twelve month period, 2) up to twelve (12) weeks of and/or qualifying exigency military leave or ("Military Exigency Leave"), 2) up to twenty-six (26) weeks of military family leave. Employees to care for a family member or veteran with medical conditions related to such service ("Military Caregiver Leave"). Employees who qualify for leave for reasons specified in 1 and 2 above are limited to a combined total of 26 weeks of FMLA leave for all qualifying reasons during that year. Unpaid leaves are not included when calculating whether 1,250 hours have been worked. A twelve-month period is defined as any rolling twelve month period measured backward from the date that leave is used. The twelve (12) months of employment do not have to be consecutive, however a continuous break in service of seven (7) years or more will initiate a new period for earning twelve (12) months qualifying service.

- B. Leave may be taken for the following reasons:

1. The birth or bonding of a son or daughter child to the employee within one year of birth;
2. the-The placement of a son or daughter child with the employee for adoption or foster care within one year of placement;
3. in-In order to care for the spouse, son, daughter child, or parent of the employee, if such family member has a serious health condition; or
4. because-Because of a serious health condition which renders the employee unable to perform the functions of the position of such employee. [RR1]
5. 5. To Military Caregiver Leave to care for a spouse, child, parent, or next-of-kin who is a member of the Armed Forces, including the National Guard and reservesReserves, who is undergoing medical treatment, recuperation, or therapy, is on out-patient status or is on the temporary disabled retired list due to a serious injury or illness that occurred while on active duty. -The National Defense

~~Authorization Act of 2010 added veterans who left the military within the previous five years with an illness or injury that manifested itself before or after the service member became a veteran to the 26 weeks of job-protected leave~~ This leave can only be taken once during a single 12 month period while the employee works for the same employer , but that requirement is per-service member and per-injury or illness. Husbands and wives working for the same employer are limited to a combined total of 26 weeks; ~~or:~~

~~5. Qualifying Exigency Leave F~~for a covered spouse, son, daughter, or parent to deal with "~~qualified-qualifying~~ exigencies" caused by a call to active duty or has been notified of an impending call or order to covered active duty

Covered active duty means:

~~6. of members of the National Guard, military reserves, and some retirees. This also includes covered family members of regular duty Armed Forces personnel who are deployed to a foreign country.~~

- for members of the Regular Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country; or
- for members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.[RR2]

Qualifying ~~e~~Exigency ~~L~~leave may be taken:

a) In short notice deployment situations, where a covered military member is notified of an impending call or order to active duty seven (7) or fewer days from the date of deployment, in which case an eligible employee may take military exigency leave for a period of seven (7) days beginning on the date when the covered military member is notified of the impending deployment to address any issue that arises from the short-notice deployment.

~~a) —~~

b) To attend military events, ceremonies, or programs sponsored by the military that are related to the ~~active duty or the call to active duty of a covered military member~~member's deployment, or to attend similarly related family support or assistance programs or informational briefings sponsored ~~or promoted~~ by the military, one of its service organizations, or the American Red Cross.

~~b) —~~

c) For certain childcare and school activities necessitated by active duty or the call to active duty status of a covered military member, including to arrange for alternative childcare, to provide childcare on an urgent, emergency need (but not routine, regular, or everyday) basis, to enroll or transfer a child in a new school or day care facility, ~~or to attend meetings with school or day care staff.~~

Note: The employee taking FMLA qualifying exigency leave does not need to be related to the military member's child. However, (1) the military member must be the parent, spouse, child of the employee taking FMLA leave, and (2) the child must be the child of the military member (including a child to whom the military member stands in loco parentis).

d) For certain activities arising from the military member's covered active duty related to are of the military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice or social service providers.

e) Note: The employee taking FMLA qualifying exigency leave does not need to be related tot e military member's parent. However, (1) the military member must be the parent, spouse, child of the employee taking FMLA leave, and (2) the parent must be the parent of the military member (including an individual who stood in loco parentis to the military member when the member was a child).

e) To make or update financial or legal arrangements to address a covered military member's absence while on active duty, including preparing and executing financial and healthcare powers of attorney, enrolling in the Defense Enrollment Eligibility Reporting System (DEERS), or obtaining military identification cards.

f) To attend counseling provided by someone other than a health care provider for the employee, the covered service member or his or her child, if the need for counseling is due to the active duty.

g) To take up to 15 calendar days of leave to spend time with a covered military member who is on a short-term, temporary Rest and Recuperation leave during a period of deployment

h) To attend certain post-deployment activities, such as arrival ceremonies and reintegration briefings and any other official ceremony or program sponsored by the military for ninety (90) days following the termination of the active duty and to address issues arising from the death of a covered military member, including attending the funeral.

g) -while on active-duty status-

h)i) For certain additional activities arising out of a covered military member's active duty or call to active duty where the employer and employee both agree on the timing and duration of the leave.

- C. An employee shall use paid leave as appropriate, i.e., sick leave, sick leave pool, personal leave, and vacation leave prior to using unpaid leave, as determined by the Vice President of Human Resources and Diversity or his/her designee. Both paid and unpaid leave are counted against the twelve (12) week Family and Medical Leave entitlement, the twenty-six (26) week Military Family Caregiver Leave, and twelve (12) week Qualifying Exigency Military Leave. Employees do not accrue paid leave while in an unpaid status.

- D. For full-time employees on Family and Medical Leave, Military ~~Family-Caregiver~~ Leave or Qualifying Exigency ~~Military~~ Leave, the ~~college-College~~ will maintain the employee's group health benefits and basic life insurance policy in accordance with Valencia College's Insurance: Comprehensive Medical and Life Program Policy.
- E. Employees who are on Family and Medical Leave, Military ~~Family-Caregiver~~ Leave or Qualifying Exigency ~~Military~~ Leave are subject to disciplinary actions, if warranted as a result of not complying with college policies.
- ~~E.~~
- F. Upon return from leave, employees will be restored to their original or equivalent position. Employees who would have been terminated, but for the- leave, or who are unable to perform the essential functions of the job, will not be reinstated. The Americans with Disabilities Act reasonable accommodations may apply those who return from leave and are no longer able to perform the essential functions of the job.
- ~~F.——~~
- G. Employees are expected to report to work on the first regular business day following the end of the leave period. Failure to do so shall be deemed an abandonment of the employee's job. If the need for such leave is less than originally set forth in the employee's request and medical certification, employees are expected to return to work as soon as the need for leave concludes.

~~a.——~~

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Procedure:

- ~~A.—When initial contact is made with Human Resources by either:~~
- ~~1) An employee has contacted Human Resources either in person, telephonically or via e-mail with a potentially qualifying situation; or~~
 - ~~2) Supervisor/manager has contacted Human Resources via telephone, e-mail or in person about a potentially qualifying situation~~
- ~~requests~~ A. When an employee becomes aware of the need for FMLA leave, the employee should contact Human Resources either in person, telephonically or via e-mail or through their supervisor/manager. Upon receipt of the request, Human Resources will determine whether the employee meets service requirements and established qualifying criteria for leave. Requests for FMLA leave shall be made at least thirty (30) days in advance where the leave is foreseeable. Where the need for leave is foreseeable and employees do not comply with the thirty (30) day advance notice, employees may have their leave delayed and may be required to explain why it was not practicable for them to give a full thirty (30) day notice. This notice period does not apply to requests for military leave. Where the leave is not foreseeable the request should be made as soon as practicable.
- B. Where the need for leave is immediate, and upon receipt of sufficient information supporting the employee's request, Human Resources will then make a preliminary designation as appropriate. A final determination will be made upon conclusion of the process described in Section C below and receipt of all supporting documentation.
- ~~B.—determine the eligibility status of subject the employee regarding:~~

- ~~1) if the employee has met sService requirements; and~~
- ~~2) situation meets eEstablished qualifying criteria including military or medical status and established familial relationship~~
- C. In all cases, Human Resources will forward the following documents to the employee for completion within ~~twenty (20) calendar~~ five (5) business [RR4] days of the receipt of the request for leave:

1. Notice of Eeligibility & Rights;
- ~~1.~~
2. Application for Family and Medical Leave. If an employee is taking leave under the "three (3) consecutive calendar days of incapacity plus two (2) visits to a healthcare provider" definition, the two (2) visits must occur within thirty (30) days of the period of initial incapacity, absent extenuating circumstances. If an employee is taking leave under the "three (3) consecutive days of incapacity plus a regimen of continuing treatment" definition, then the first visit to a health care professional must occur within seven (7) days of the initial incapacity;
- ~~2.~~
3. Notice of Intent to Return to Work;
- ~~3.~~
4. Certification of Health Care Provider. Designated Human Resources representatives ~~or management staff (but not an employee's direct supervisor)~~ [RR5] may contact an employee's health care provider to clarify and authenticate a medical certification presented in connection with an FMLA leave request. (as appropriate);
- ~~4.~~
5. Certification of Qualifying Exigency ~~for Military Family Leave~~ (as appropriate);
- ~~5.~~
6. Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave (as appropriate);
- ~~6.~~
7. Sick Leave Pool Form (if eligible).

Failure to ~~submit return~~ any of these documents within ~~fifteen-twenty (20)~~ [RR6] calendar days of the postmarked date of the ~~eCollege's~~ request may result in denial of the leave until such time as the forms are provided.

Employees will be notified in writing if there are any problems with the paperwork that was received or if additional information is required and will be given seven (7) days to supplement the certification.

At the beginning of the leave period and every ~~four (4) week~~ thirty (30) days [RR7] thereafter, employees shall be required to provide written verification of their intent to return to work.

- D. Upon determination that the leave ~~is-qualifies~~ FMLA, Military ~~Family Caregiver~~ or Qualifying Exigency ~~Military~~ Leave qualifying, Human Resources will notify the employee within five (5) business days that the leave is so designated and will be counted as the appropriate type of leave.

~~D.~~ [RR8]

- E. The College reserves the right to require the employee to provide a second or third medical opinion regarding a serious health condition of the employee or a family member in accordance with the Family and Medical Leave Act of 1993 and accompanying regulations-FMLA. The College will select the health care provider to be consulted for the second medical opinion. The college will pay the expenses.
- F. Intermittent or reduced schedule leaves are available only when certification from a healthcare provider establishes that such leave is medically necessary. Intermittent or partial leave schedules are subject to approval by the college unless the employee provides certification that the schedule is medically necessary. The College reserves the right to temporarily transfer an employee requesting intermittent leave or partial leave to an alternate position which better accommodates the recurring periods of leave.
- F.
- G. Employees on Family and Medical Leave for a serious health condition for themselves, a spouse, child, or parent may be required while on leave to recertify that the serious health condition exists if: 1) an employee requests an extension of leave; 2) circumstances described by the original certification have changed; or 3) the College receives information which casts doubt upon the continuing validity of the certification
- G.
- H. Leave extensions may be requested in writing and must be accompanied by medical certifications, as noted above, that the extension is required. Such requests for extension must be submitted as soon as the need for an extension is known and if foreseeable, at least two weeks prior to the end of the original leave period.
- H.
- I. Employees with continuing, open-ended conditions are required to submit a medical recertification every six months or on a more frequent basis if circumstances change. Periodic visits to a healthcare provider for chronic serious health conditions means at least two visits to a healthcare provider per year. Employees with a serious health condition which extends beyond a single leave year are required to provide a medical certification every new leave year.
- I.
- J. Employees ~~should~~ shall make a reasonable effort to schedule any treatments ~~to minimize undue disruptions to so as not to disrupt the College's the employer's~~ operations.
- J.
- K. Where an employee has requested leave for his/her own serious health condition, the employee will be required to provide fitness-for-duty certification that he/she is able to resume work. Human Resources may require that fitness-for-duty certifications specifically address the employee's ability to perform essential job functions, if the employer provided a list of such essential job functions no later than when they provided the employee with the FMLA designation notice. Additionally, where reasonable job safety concerns exist, up to once every thirty (30) days, employers-the College may request a fitness-for-duty certification after each absence taken on an intermittent or reduced leave schedule.

POLICY AND PROCEDURE:

6Hx28:3D-06.2

Title:

Fitness for Duty Medical Examinations

Specific Authority:

1001.64 F.S.

Policy:

~~A. After five (5) days of absence due to illness, in a thirty (30) calendar-day period, the president or a designee may require that an employee After five (5) days of absence due to illness, in a thirty (30) calendar-day period, the president or a designee may require that an employee furnish a medical certificate by a qualified health care provider on a form prescribed by the College. This is to be done at the expense of the employee.~~

~~In addition, It is Valencia College's desire to provide a healthy and safe workplace. To achieve this goal, employees are required to report to work fit to perform their jobs in a satisfactory manner.~~

~~If there is reason to believe that an employee may be unfit for duty, they will be placed on administrative leave until further assessment can be obtained and/or EAP referral made. The president or a designee may require that an employee at any time submit to a medical exam by a qualified physician, to be selected by the employee from a list consisting of not less than three names provided by the District Board of Trustees and allow a copy of the exam to be submitted to the District Board of Trustees. One copy will be forwarded to the employee. This is to be done at the expense of the College District Board of Trustees. Emergency medical care will be immediately obtained whenever there is a question of acute illness or impairment that threatens the safety of the employee or others. Both will be done at the expense of the College.~~

~~If it is determined through physician consultation that the individual is unable to perform the essential functions of his or her job without impairment due to caused by the medication or the underlying conditions, the employee will be directed not to work, using available leave options, until able to fully perform the essential function of their job.~~

~~Employees with documented medical conditions are urged to work collaboratively with their supervisors to consider all reasonable accommodation options in order to continue to work.~~

~~Valencia College provides EAP consultation services and strongly encourages employees to use these resources for help with alcohol, other drug problems, or other~~

personal concerns. It is each employee's responsibility to seek assistance from the contracted professionals prior to reaching a point where such employee's judgment, task performance or workplace behavior is negatively affected.

B.A. 401-732-

Procedure:

There is no procedure associated with Policy: 6Hx28:3D-06.2

POLICY AND PROCEDURE:

6Hx28:3D-06.3

Title:

Illness-~~or-Injury~~-In-Line-of-Duty Leave

Specific Authority:

240.319 F.S., 6A-14.0247 FAC

Policy:

~~A.~~ -.

~~A.~~ Each full-time college employee shall be entitled to paid illness ~~or-injury~~-in-line-of-duty leave when such employee has to be absent from duty because of a personal injury received in the discharge of duty or because of illness from any contagious or infectious disease contracted on the job.

B. In order to be considered for illness-in-the-line-of-duty leave, the following conditions shall be met:

1. In the event of illness, the employee must provide written testimony or evidence that his/her illness was received in the line of duty.
2. The employee must also supply a letter from a medical doctor, who treated the patient, stating that in his/her opinion there is a strong probability that the illness was contracted at the work site.

C. In order to be considered for in-the-line-of-duty leave related to ~~i~~Incidents, accidents, or injuries occurring on campus or at college-sponsored off-campus events, the employee ~~which involve employees shall be reported~~ immediately report the incident to the appropriate supervisory personnel.

~~B.~~ D. C.—Leave of any such full-time employee shall be authorized for a total not to exceed twelve (12) duty days during any calendar year, including any holiday for which the employee would be paid if on duty. Such leave will be in addition to the sick leave and vacation leave earned by the employee. The twelve (12) days of illness-~~or-injury~~-in-line-of-duty leave shall be used first to cover the employee's absence. Illness-in-the-line-of-duty is intended to deal with illnesses contracted from exposure during the performance of Valencia College duties and does not include normaroutinel adult illnesses, such as colds and influenza. The leave is non-cumulative. If additional days are needed, the employee's sick leave and vacation leave days shall be used.

~~C.~~ E. D. Illness-~~or-injury~~-in-line-of-duty leave, as well as vacation leave and sick leave, may be used on a pro-rata basis to supplement Workers' Compensation benefits. Illness-~~or-injury~~-in-line-of-duty leave, sick leave, and/or vacation leave when converted to cash and added to Workers' Compensation benefits shall not exceed the employee's current rate of pay.

Procedure:

- A. See ~~Policy 6Hx28:10-01~~ [Valencia College Policy](#) "Incidents, Accidents, or Injuries" for procedures on reporting accidents.
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- B. When an employee is out because of illness ~~or-injury~~-in-line-of-duty, they shall immediately, upon return, complete a Certificate of Absence form.

POLICY AND PROCEDURE: 6Hx28:3D-07.1

Title: Leave for Personal Reasons

Specific Authority: 1001.64 F.S.

Policy:

A. A maximum of four (4) days per ~~contract~~fiscal year may be charged ~~against~~to accrued sick leave for personal reasons. An employee must have an equivalent number of sick leave hours to take any leave for personal reasons up to 32 hours per fiscal year for 12 month employees and 28 hours per fiscal year for other-than 12 month employees. Leave for personal reasons shall be non-cumulative.

Procedure:

A request for leave for personal reasons should be filed in advance; ~~provided that personal leave based upon sickness or other emergencies may be deemed to be granted in advance if utilizing the Valencia College~~ Certificate of Absence form ~~is filed promptly.~~

POLICY AND PROCEDURE:

6Hx28:3D-09

Title:

Court-Related Leave

Specific Authority:

1001.64 (18) F.S.

Policy:

- A. When on jury duty or when subpoenaed as a witness when not a principal in the litigation, employees shall receive court-related leave with pay, retain any fees earned, and shall not be paid by the College for meals, lodging or travel.

- B. When a principal in personal litigation, an employee shall not receive court-related leave, but may be granted vacation or, personal, ~~or emergency~~ leave with the approval of the president or a designee.

- C. When involved in litigation in behalf of the College or due to action in line of duty as an employee, employees shall be considered on duty and shall turn over to the College any fees received from the court.

Procedure:

A request for court-related leave will be initiated by the employee on a Certificate of Absence form. A copy of the subpoena or summons will be attached to the leave form. The president or a designee may approve the request. In order to be compensated for court-related leave, written verification by the court of time served must be submitted by the employee.

POLICY AND PROCEDURE:

6Hx28:3D-10

Title:

Military Leave

Specific Authority:

1001.64 F.S. Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA)

Policy:

~~A. Leave shall be granted to employees who are ordered to:~~ Valencia College will comply with applicable federal and state laws pertaining to military leave. As a result, Valencia College employees who perform service in the uniformed services are entitled to a military leave of absence. The term "service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty, and a period for which a person is absent from a position of employment for the purpose of performing funeral honors duty. The uniformed services are the Army, Navy, Marine Corps, Air Force, Coast Guard, and the commissioned corps of the Public Health Service. This includes the Reserve components of these services and the Army National Guard and Air National Guard. Upon receiving an assignment for military service, employees should promptly provide notice to their supervisors prior to going on military duty, unless precluded by military necessity.

B. For those employees reporting for Federal active or inactive duty training due to membership in military reserves, including the National Guard, the first seventeen (17) working days of such leave shall be with pay. For those employees reporting for state active duty due to membership in the Florida National Guard, such leave not exceeding seventeen (17) working days per fiscal year, shall be with pay. All employees will have the choice of being placed on unpaid military leave status for all remaining days that they are engaged in such military service or they may elect to use accrued vacation and personal leave or earned comp time at their discretion.

~~A. — C.~~

An employee who notifies Valencia College that he or she will be away from work performing service is entitled to elect continued health insurance coverage through Valencia College, during the military-related absence from work. If the period of service (as called for in the individual's military orders) is for less than 30 days, Valencia College will at a minimum maintain health benefits and other benefits for the first thirty (30) days of military leave as if the employee was actively employed. If the period of service is greater than 30 days and the employee is on unpaid military leave, Valencia College may charge up to 102% of the entire premium, including the part that the employer normally pays in the case of active employees. Valencia College is required to make this continuing coverage available to the employee who is away from work for service until the first of the following occurs:

1. The employee returns to work after service

2. The employee allows the deadline for an application for reemployment to pass without having made such an application

3. Eighteen (18) months have passed since the employee left his or her civilian job for service.

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~~1. Federal active or inactive duty training due to membership in military reserves, including the National Guard. The first seventeen (17) working days of such leave shall be with pay. Leave beyond the seventeen (17) working days shall be without pay.~~

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~~2. State active duty due to membership in the Florida National Guard. Such leave not exceeding seventeen (17) working days at any one time shall be with pay. Leave beyond the seventeen (17) working days at one time shall be without pay.~~

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~~Leave granted to employees for extended active military service shall be according to Sections 115.09, 115.14, and 295.09, Florida Statutes.~~

D. Valencia College is committed to reinstating returning employees to active status in the same or comparable position, pay grade, and salary at the end of the leave if they meet the following criteria:

1. The employee had been employed in a regular staff position and would not have been subject to position discontinuation if employment had not been interrupted by military service.

2. The employee gave notice to Valencia College prior to leaving, unless precluded by military necessity or to do so would have been impracticable or impossible

3. The cumulative period of service did not exceed five (5) years, excluding certain services required by, among other things, a declared war or national emergency

B. 4. The employee was not discharged from the military under other than honorable terms. Valencia College may request that the employee present a certificate of discharge or release from active duty under honorable conditions (DD-214).

5. The employee reported back to Valencia College in a timely manner.

a. After a period of less than 31 days of service, the employee is required to report for work at the start of the first full regularly scheduled work period on the first day after the completion of the period of service, the time reasonably required for safe transportation from the place of service to the individual's residence, and a period of eight hours (for rest). If reporting that next day is impossible or unreasonable because of factors beyond the individual's control (like an accident on the return trip), the individual is required to report for work as soon as reasonably possible thereafter. The employee will be considered to be back on the payroll as of the time the employee reports for work.

b. If the period of service is greater than 30 days, but less than 181 days, the individual is required to submit an application for reemployment within 14 days of release from service.

c. If the period of service is 181 days or more, the individual must submit an application for reemployment within 90 days of release from service. The deadline for reinstatement may be extended up to two (2) years for employees who are disabled or convalescing due to an injury incurred or aggravated as a result of military duty.

d. No particular form is required for the application for reemployment. If the former employee attempts to communicate with Valencia College, within the 14 days or 90 days respectively, and informs Valencia College that he or she is available to return to work after service, Valencia College will offer reemployment to the individual. If the former employee submits a timely application and meets the other eligibility criteria, Valencia College will act promptly on that application. Valencia College will not ~~make~~ require the returning service member to wait for a vacancy, and if training or retraining is needed to meet the minimal standards associated with this reemployment, Valencia College will offer it to the employee "on the clock". Reemployment will be offered to the individual not later than the start of the second two-week pay period after the pay period when the individual submits the application for reemployment.

e. If the individual misses the relevant deadline for submitting an application for reemployment, the former employee may still be entitled to reemployment, but is subject to Valencia's policy regarding explanations or sanctions for absence from scheduled work. In this case, the final reemployment decision rests with the Vice President of Human Resources or his/her designee.

6. Circumstances have not so changed as to make such reemployment impossible or unreasonable and do not impose an undue hardship on Valencia College.

E. ~~In addition to the right to be reemployed, USERRA provides that, in most situations, the reemployment position will~~ must reflect the status and other benefits

that the employee would have achieved had the employment not been interrupted by service including seniority, pay increases, and benefit increases based on length of employment.

F. Valencia College may hire a replacement while an employee is on military leave. The temporary employee is a term appointment and the offer letter from the hiring chair person must clearly state the term of the appointment. The replacement worker may be eligible for benefits depending on the type and length of the assignment. However, in no case, will a replacement employee be eligible for benefits provided under the Reductions in Force policy. The offer letter must clearly state the terms and conditions of employment and that the position will end upon the return of the employee on leave. Upon return of the employee from military leave, the temporary worker's employment with the College will end.

Procedure:

~~A.~~ A. An employee will initiate a request for military leave by completing a Certificate of Absence form and attaching a copy of orders. The president or a designee is authorized to approve short-term military training.

Suggested Revision

Accreditation

Policy: 6Hx28:4-01

Volume 4 - Curriculum and Instruction

Policy: 6Hx28:4-01

Authority: 1001.64 and 1011.82, F.S.

Law: 1001.64 and 1011.82, F.S.

Responsible Party: Vice President, Academic Affairs and Planning

Policy Effective Date: 11/18/1992

Policy Statement:

- A. Valencia College shall maintain the accountability standards as required by law or by rule of the State Board of Education and the State Board of Florida Colleges and maintain accredited status by the Commission on Colleges of the Southern Association of Colleges and Schools.
- B. The College affirms its commitment to, and intent to comply with, the Criteria consistent with the policies and procedures of the Commission on Colleges and agrees that the Commission on Colleges, at its discretion, may make known to any agency or member of the public that may request such information, the nature of any action, positive or negative, regarding status by the Commission. The College further agrees to disclose to the Commission on Colleges any and all such information as the Commission may require to carry out its evaluating and accrediting function.
- C. The College will use only the approved accreditation statement describing its relationship with the Commission on Colleges of the Southern Association of Colleges and Schools in its catalog, brochures, and other appropriate publications.
- D. The College will follow substantive change procedures established by SACSCOC that include notification and approval by the SACSCOC prior to initiating a substantive change.

Policy Related Items:

Substantive changes include but are not limited to:

- offering part or all of a program or courses through contractual agreements or consortium
- commencing or expanding off-campus sites or distance education programs
- initiating a degree completion program
- expanding programs at the current credential level
- initiating courses or programs at a different credential level
- substantially altering the number of clock or credit hours for successful completion of a program

- changing from clock hours to credit hours
- significantly changing the length of a program
- closing a program
- relocating an off-campus site, main campus or a center
- significantly altering the mission of the institution
- changing governance, ownership, control or legal status

Policy History

Adopted 12-11-74; Amended 12-15-82; Formerly 6Hx28:4-01; Amended 11-18-92; Formerly 6Hx28:04-00

Procedure Statement:

Procedure associated with Policy: 6Hx28:4-01

- The monitoring and documentation of substantive change related activities is the responsibility of the College's SACSCOC Accreditation Liaison in collaboration with campus based administrators assigned by the Campus President.
- Information concerning actions requiring, or potentially requiring, Substantive Change documentation will be submitted to the College's SACSCOC Accreditation Liaison for review using the internally established intake form.