

# MANUAL OF PROCEDURE

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**PROCEDURE NUMBER:** 2505

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**PROCEDURE TITLE:** Sick Leave Pool

**STATUTORY REFERENCE:** Florida Statutes 1001.64 and 1012.865

**BASED ON POLICY:** II-28 All Personnel: Sick Leave

**EFFECTIVE DATE:** January 11, 1980; October 4, 2024

**LAST REVISION DATE:** March 9, 2010; July 8, 2024; October 4, 2024

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## I. PURPOSE

To provide information to all employees regarding membership and utilization of sick leave from the College's sick leave pool, which shall be defined as, a number of days equal to three times the number of participants.

## II. PROCEDURE

### A. Membership

1. Participation in the pool shall at all times be voluntary.
2. Employees who participate in the pool shall make equal contributions to establish the sick leave pool.
3. Members of the pool shall contribute equally to the pool at replenishment periods.
4. Human Resources shall conduct open enrollment periods as appropriate to the ongoing maintenance of the pool.
5. New employees may enroll in the sick leave pool upon accumulation of a sick leave balance of 75 hours for professional exempt contractual, professional exempt noncontractual and support non-exempt and 70 hours for instructional/contractual personnel, provided that the employee has completed twelve calendar months of employment at the time of the enrollment period.
6. No employee may manipulate his/her use of regular sick leave or his/her regular sick leave balance in an effort to acquire eligibility for membership in the sick leave pool.

7. In cases of sick leave balance or use manipulation, an employee who would otherwise be eligible to join the pool shall be denied membership.

#### B. Eligibility Requirements

1. Completion of 12 calendar months of employment.
2. Have at least 75 hours for professional exempt contractual, professional exempt non-contractual and support non-exempt and 70 hours for instructional/contractual personnel of sick leave on record at the time of enrollment.


#### C. Limitations on Use of Sick Leave Pool

1. No individual may use more than 30 days from the sick leave pool during any 12month period (the current month and preceding 11 months).
2. No individual may utilize the sick leave pool until the exhaustion of his/her accrued sick and personal leave balances in addition to the leaves listed below as applicable:
  - i. Instructional/Contractual – Banked Points.
  - ii. Professional Exempt Non-Contractual and Support Non-Exempt - Vacation leave and Compensatory Time (for Non-Exempt employees.)
  - iii. Professional Exempt Contractual – Vacation and Professional Staff Accrued Leave (PSAL).
  - iv. All Full Time employees – Donated Leave
3. Individuals who choose to withdraw from the pool shall not be eligible to withdraw sick leave they have contributed to the pool.
4. Use of days from the pool shall be limited to an employee's personal illness, accident or injury.
  - a. The member's application for use of sick leave pool days (Departmental Leave form) must include the following required documentation:
    - 1) A doctor's statement that includes the following: verification of the period the member is unable to work, the date the illness/episode began or surgery occurred, the treatment period and the duration of the period required for recuperation before release to return to work. Release may include light duty.
    - 2) A signed medical release authorizing the attending physician to discuss the case with the College's independent medical consultant (CIMC).

- 3) In development of its impartial medical opinion, the CIMC shall utilize and maintain records of community standards for medically necessary treatment and duration of illness based on diagnosis code.
  - 4) Cases outside routine community standards of medical practice shall be reviewed by the CIMC panel of independent physicians, whose decision shall be final.
  - b. Use of sick leave pool days shall be consistent with the diagnosis, treatment plan and community standards of medical practice (treatment and practice patterns of physicians practicing in the local community).
- 5. When the employee's application for sick leave pool use reflects inconsistency with community standards of medical practice, those days requested in excess of community standards shall be denied.
  - 6. Utilization of sick leave from the sick leave pool shall at all times be contingent upon the availability of days in the pool.
  - 7. When a member of the sick leave pool resigns, retires, terminates, or chooses to cancel his/her membership in the sick leave pool, he/she shall not be eligible to withdraw any sick leave that has been contributed to the pool.
  - 8. The Talent Management Department shall review any alleged abuses of the sick leave pool. Should misuse have occurred, the employee shall repay all of the sick leave credits withdrawn from the sick leave pool and shall be subject to such other disciplinary action as recommended.

D. Replenishment

- 1. The pool shall be reviewed and participating members advised of the number of days required to replenish the pool when 85% of the sick leave pool has been depleted.
- 2. Members of the pool shall at all times contribute equally to replenish the pool.
- 3. Personal sick leave balances of the pool's membership shall be charged for replenishment purposes according to the following schedule: a) on the first day of the month following the date on which the 85% depletion level was reached; or, b) at an annual enrollment period, whichever comes first.

	10/04/2024
<b>PRESIDENT</b>	<b>DATE</b>