

# MANUAL OF PROCEDURE

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**PROCEDURE NUMBER:** 2502

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**PROCEDURE TITLE:** Sick Leave Non-Instructional Personnel

**STATUTORY REFERENCE:** FLORIDA STATUTES 1001.64 AND 1012.865

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

**EFFECTIVE DATE:** August 1, 1977

**LAST REVISION DATE:** September 13, 2005

**LAST REVIEW DATE:** September 13, 2005

## **I. PURPOSE**

To provide employees information on sick leave, sick leave accrual rate, the purposes for which sick leave may be taken, and the control of sick leave usage, record keeping and the procedures used for resolution of sick leave discrepancies.

## **II. PROCEDURE**

### **A. Sick Leave Accrual**

A full-time employee shall earn 7.5 hours (1 day) of sick leave with compensation for each calendar month of service or major fraction of a calendar month of service. Eleven days in a pay status will be considered a major fraction of a calendar month. Sick leave is used to pay an employee who is absent due to a qualified reason.

1. Sick leave may be transferred from another Florida public community/junior college, the Florida Department of Education, the Florida University System, or a Florida District School Board, provided that at least one-half of the sick leave accumulated at any time must have been earned at Miami Dade College (MDC).
2. Personnel employed on or after July 1, 1984 may transfer a maximum of 60 days (480 hours) of sick leave from any Florida State Agency, other than the State Department of Education, provided that at least one-half of the sick leave accumulated at any time must have been earned at MDC.
3. Former employees of MDC who are rehired may be given credit for earned sick leave not transferred to another institution.

4. The sick leave balance of a former employee may be reestablished upon rehire. In cases in which transfer of sick leave on a terminal or retirement sick leave settlement was made by the College, the balance shall be considered zero.
- B. Sick Leave (with pay)
- Sick leave shall be taken in increments 30 minutes or full days and may be granted for the purpose of:
1. Illness, injury or discomfort associated with illness or injury of the employee. A doctor's statement may be required.
  2. Pre-scheduled medical exams or doctor appointments. Request shall be made at least twenty-four (24) hours in advance.
  3. Illness or death in the family (spouse, domestic partner, son, daughter, mother, father, sister, brother, or other close relative or member of the employee's household). It is suggested that in case of bereavement a maximum of three (3) days sick leave be granted for occurrences within a 400-mile radius of Miami-Dade County and five (5) days be granted for occurrences outside the 400 miles radius.
- C. Authority to Approve Sick Leave
- The College President has delegated to the employee's immediate supervisor, or the supervisor's designee, the authority to approve sick leave in accordance with guidelines established by College policy and this procedure.
1. The immediate supervisor may approve sick leave without pay not to exceed a period of 30 consecutive calendar days.
  2. Sick leave without pay in excess of 30 calendar days requires advance approval of the District Board of Trustee. The sick leave without pay request should be submitted to the Division of Human Resources a minimum of 20 work days prior to the date of the next regularly scheduled meeting of the District Board of Trustees to meet the advance approval requirement. The District Board of Trustees normally meets the third Tuesday in each month.
  3. In extenuating circumstances in which advance approval cannot be obtained, leave may be granted and reported to the Board at its next regularly scheduled meeting.
- D. Personal Leave Charged to Sick Leave with Pay
1. A full-time employee may use a maximum of four (4) days of leave per fiscal or contract year for personal reasons which shall be charged to accrued sick leave. Leave for personal reasons shall be charged against sick leave and may not be taken prior to accrual.

2. Personal leave must be applied for and approved by the employee's supervisor in advance. No specific reason for the leave need be given by employees requesting use of these four (4) days of personal leave.

E. Sick Leave Without Pay

An employee who is ill or injured and has exhausted all accrued sick leave is entitled to utilize accrued vacation at their discretion or may apply for personal leave without pay (Procedure 2503). Extended sick leave without pay shall be submitted by the employee in order to receive advance approval.

F. Notification of Intent to Take Sick Leave

It is the employee's responsibility to personally request sick leave in a timely manner and to make such a request of the chairperson, supervisor, or a person designated authority to approve sick leave.

1. Notification shall be completed prior to, or at the start of the workday/shift, but no later than one (1) hour after the start of the employee's workday/shift.
2. When it is critical to the operation of the department or work unit, department managers may require employees to provide notification of absence prior to the start of the work shift. In such cases, special reporting instructions must be given in writing and posted conspicuously in the work area.
3. Absenteeism for sick leave (with or without pay) shall be reported on a daily basis by the employee except when the employee is relieved of this responsibility by the supervisor due to the seriousness of the illness or injury, or when illness may require lengthy hospital confinement or absence from work.

G. Documentation of Illness

Documentation in the form of a statement of verification of illness from a physician may be required prior to the payment of sick leave or granting of extended sick leave without pay in the event of:

1. Absences of five (5) consecutive workdays charged to sick leave with or without pay or vacation leave taken in lieu of sick leave.
2. The necessity to ensure health safety and physical fitness of the employee to perform job requirements following sick leave taken for the purpose of one's own illness or injury.
3. Alleged abuse of the sick leave policy, or failure on the part of the employee to notify his supervisor of the intent to take sick leave.
4. Employees who have been absent on extended leave for illness or injury with or without pay will be required to present a Return to Work Statement from the

attending physician prior to the resumption of duty.

H. Request for Sick Leave With or Without Pay

1. The Departmental Leave form (for less than 30 days) and/or the Request for Leave of Absence form (for more than 30 days) must contain a brief statement of justification. Examples of request may be as follows:
  - a. Illness of self, parent or child
  - b. Doctor's appointment or dentist
  - c. Medical tests
2. The date of form preparation and/or the approval must reflect date of approval no later than the effective date of the leave except in an emergency or for one's own illness. If sick leave was for an emergency or for one's own illness, the date should be the date the sick leave was (verbally) approved by the supervisor or designee, which may be the same date the leave was taken. If the employee is not available to sign the request for leave, a designee or the supervisor may sign on behalf of the employee.
3. When Sick Leave Without Pay in excess of 30 consecutive days is requested, all copies of the form will be forwarded to the Division of Human Resources for presentation and recommendation by the College President to the District Board of Trustees for approval. The leave form will be returned to the department and will reflect the disposition of the leave request.

I. Sick Leave Scheduled in Advance

1. An employee scheduled for a planned hospital confinement or advised to be away from work for medical reasons for an undetermined period of time shall be considered "temporarily disabled."
2. Employees requesting planned sick leave, with or without pay, shall provide the College with a physician's statement designating the period of the anticipated leave time required and verifying that the employee's health and safety are not in jeopardy during the work period immediately prior to the start of the scheduled leave.

J. Terminal Sick Leave Pay

Employees scheduled for termination shall not utilize sick leave for the express purpose of exhausting accumulated sick leave prior to termination. In such cases where an employee has an illness documented by a physician's statement, sick leave may be granted.

K. Retirement Sick Leave Pay

Individuals with ten years of full-time service at MDC who voluntarily terminate employment on or after August 24, 1988 and are vested in the state retirement system will be eligible for sick leave payment at the time they retire and are placed on the Florida

Retirement System payroll. Computation of the payment for such individuals will be on the same basis as that for any other individual who retires. Refer to Procedure 2502A: All Personnel: Retirement Sick Leave Payment Program for specific details.


The Payroll and Benefits Accounting department is responsible for electronically updating employee records with additional sick leave accruals monthly. Reduction in sick leave balances are made monthly based upon leave reporting for the payroll reporting period.

1. Sick leave balances are reported to the individual on the electronic pay stub available on the Employee Portal at [www.mdc.edu](http://www.mdc.edu).
2. Sick leave usage is deducted from the balance reflected on the electronic pay stub.

L. Discrepancies in Sick Leave Balances

Discrepancies in Sick Leave Balances should be reported immediately to the department supervisor.

1. The pay period in which the discrepancy first occurred should be identified by the employee.
2. While the College will make every effort to resolve discrepancies, the College assumes no responsibility for discrepancies not reported within 90 days and/or for which no substantive or factual support can be located.
3. Resolution of Discrepancy
  - a. The supervisor will direct the time and attendance preparer to make the necessary adjustments.
  - b. The supervisor will notify Payroll and Benefits Accounting department of any system error.

	
9/13/05	
<b>PRESIDENT</b>	<b>DATE</b>