

## **Sick Leave Pool Procedure**

The purpose of the USF Sick Leave Pool (SLP) is to enable a member to remain in a paid status when they experience a serious short-term medical condition that prevents them from performing assigned duties and causes them to deplete all of their accrued sick, annual, compensatory and personal holiday leave. Links to forms, procedures and additional information can be found on the Sick Leave Pool webpage. For additional information on part-time employee participation in the SLP, please see the “Pro-Rating Hours for Part-Time Employees” section below.

### **I. Eligibility**

To be eligible for membership in the Sick Leave Pool, an employee must meet all of the following criteria:

- a) Completed at least one year of continuous, satisfactory employment at the University of South Florida in an established Faculty, Staff or Administration position(s) by April 1, 2022. Temporary employees, whether hourly or salaried, are not eligible to participate.
- b) Staff must have a performance rating of “achieves” or higher. Faculty or Administration must not have received a notice of non-reappointment.
- c) A minimum sick leave balance of 72 hours if appointed full-time (pro-rated if part-time) by the last pay period ending on March 30, 2023.
- d) Applied for membership within the open enrollment period.
- e) Contribute the required number of hours to the pool upon enrollment.
- f) Contribute the required number of hours needed to replenish the pool from time to time. (See: Replenishment)

### **II. Open Enrollment**

Open enrollment for the SLP will be held annually throughout the month of April. Employees may apply for membership to the SLP only during this month-long open enrollment period.

### **III. Applying for Membership**

Employees may apply for membership to the SLP during the SLP open enrollment period. Upon acceptance into the SLP, a required 8 hours of sick leave (pro-rated for part-time) will be automatically deducted from each new member’s sick leave balance. (See: Contribution of Sick Leave Hours)

To join the SLP, an employee must:

- a) Meet the eligibility criteria to be granted SLP membership. (See: Eligibility)
- b) Complete the Sick Leave Pool Membership Application.
- c) Submit the completed Sick Leave Pool Membership Application during open enrollment for processing.

### **IV. Contribution of Sick Leave Hours to the SLP**

A member who requests use of sick leave hours from the SLP is not required to replace those hours except as a regular contributing member. Sick leave hours contributed to the SLP become the property of the pool. A member is not entitled to a refund of hours contributed to the pool, even if the member reduces FTE, terminates, transfers, or does not utilize hours from the pool.

**A. Contribution of Hours upon Admittance to SLP**

Upon admittance to the SLP, each new member is required to contribute 8 hours of sick leave (pro-rated if part-time) to the SLP. This required contribution will be automatically deducted from the new member's sick leave balance prior to the effective date of membership.

**B. Contribution of Hours due to SLP Replenishment**

Upon announcement of a necessary SLP Replenishment, each current member is required to contribute an additional 8 hours of sick leave (pro-rated if part-time) to the SLP. (See: Replenishment)

**C. Contribution of Hours to SLP upon Termination of Employment**

If a member of the SLP terminates their employment, the employee may contribute up to 16 hours of his/her sick leave to the SLP before the terminated employee's final calculation and cash out of unused sick leave hours is conducted. The employee must contact their departmental Attendance & Leave Coordinator for processing the deduction of hours.

**V. Use of SLP Hours**

A member may request hours from the pool for his/her own serious disability, illness, accident, or injury, as certified by a physician. Hours **may not** be used for absences related to a family member's illness, injury or disability. When the absence meets the FMLA eligibility criteria, the approved absence will be counted toward the employee's FMLA entitlement.

**A. Guidelines to Receive Hours from the SLP**

1. Employee must have exhausted all individual accrued sick, annual, compensatory and personal holiday leave before requesting use of SLP hours.
2. Full-time employee must be absent for one calendar week and use a minimum of 40 hours of personal leave or 40 hours of leave without pay for the same diagnosed condition for which the employee is requesting use of SLP leave, as certified by a physician, prior to requesting use of SLP hours. A part-time employee must have used a pro-rated amount of the minimum 40 hour requirement of his/her personal leave for the same diagnosed condition for which the employee is requesting the use of SLP leave. For example, an employee appointed to a .75 FTE position must have used 30 hours ( $.75 \times 40 = 30$ ) of his/her personal leave for the same diagnosed condition.
3. The physician certification must extend beyond the initial week of absence for the same diagnosed condition.
4. Employee must have approval from his/her supervisor for leave of absence.

**B. Requesting Use of Hours from the SLP**

Once the supervisor has authorized the employee's leave of absence, the departmental Attendance & Leave Coordinator must submit the required documentation to the Central Human Resources (CHR) SLP Administrator for approval no later than the pay period prior to the one in which the member will exhaust all personal leave.

If documentation is not submitted in a timely manner the department must submit the "Sick Leave Pool Request for Late Submission of Hours" Form before approval can be granted.

**C. Limitations on the Use of Hours from the SLP**

1. Employee must be a member of the SLP for longer than 180 days before requesting use of SLP hours.
2. Employee must have approval from his/her supervisor for leave of absence. Use of hours from the SLP may be denied if the request does not meet the criteria set forth in these procedures.
3. Fulltime employees may use a maximum of 320 hours from SLP within a 12 month period. Part time is pro-rated.
4. Employee may not use hours from the pool in conjunction with a workers' compensation injury or illness.
5. Employee may use SLP hours for the birth of their child after delivery for 6-8 weeks (depending upon medical certification). SLP hours cannot be used for staying home to bond with the newborn.
6. SLP hours will not be paid until approval is granted by the CHR SLP Administrator.

**VI. Abuse or Misuse of the SLP**

Alleged abuse or misuse of the SLP will be investigated by CHR and the SLP Administrator. If confirmed, the participating employee may be required to reimburse all sick leave drawn from the pool, may have their membership in the pool revoked, and may be subject to disciplinary action in accordance with university procedures.

**VII. Replenishment**

If the SLP balance is depleted to a level that requires a replenishment of sick leave hours, each current SLP member is required to contribute 8 hours of sick leave (pro-rated for part-time) to the SLP. CHR will notify each member of the required contribution. These additional hours must be contributed in order to maintain membership.

If a member wishes to remain in the SLP, no action is required from the member and the required hours will be automatically deducted from the member's sick leave balance on a designated date.

If a member is unwilling to contribute the required hours, the member must request to cancel their SLP membership by a designated date before the announced replenishment deduction occurs. If no action is taken to cancel membership, the required contribution will be automatically deducted.

If the member does not have the required number of sick leave hours to contribute (with the exception of employees using the SLP at the time of replenishment), their SLP membership will be cancelled.

If a member is using SLP hours at the time of replenishment and does not have enough hours to meet the required contribution, upon the member's return to work CHR will monitor and deduct sick leave accrued hours as earned until all hours have been contributed.

#### **VIII. Cancelling Membership from SLP**

Members wishing to cancel participation may do so at any time by advising the CHR SLP Administrator in writing. The employee will forfeit all leave hours donated to the SLP.

#### **IX. Pro-Rating Hours for Part-Time Employees**

Part-time employee SLP eligibility, contribution of hours and use of hours are pro-rated to a proportionate amount based on the employee's Full Time Equivalency (FTE). (See: [FTE & Standard Hours Conversion Chart](#))

##### **A. Eligibility to Join SLP**

Since full-time employees are required to have an individual balance of 72 hours of sick leave, the prorated amount of sick leave required for the part-time employee is equal to the employee's FTE multiplied by 72 hours.

Example:       The employee who works 20 hours per week is .50 FTE.  
                  .50 FTE x 72 hours = 36 hours.  
                  The .50 FTE employee is required to have a balance of 36 hours of sick leave to be eligible to enroll in the SLP.

##### **B. Membership Contribution**

For the required contribution of sick leave hours to the SLP (upon admittance and occurrence of replenishment), since full-time employees are required to contribute 8 hours of sick leave, the pro-rated amount of sick leave required as a contribution from the part-time employee is equal to the employee's FTE multiplied by 8 hours.

Example:       The employee who works 20 hours per week is .50 FTE.  
                  .50 FTE x 8 hours = 4 hours.  
                  The .50 FTE employee is required to contribute 4 hours of sick leave upon admittance to the SLP and occurrence of replenishment.

##### **C. Use of SLP Hours**

When requesting use of hours from the SLP after exhausting all individual accrued sick, annual, compensatory and personal holiday leave, since full-time employees may use a maximum of 320 hours from the SLP within a 12-month period, the pro-rated maximum amount of hours a part-time employee may use in a 12-month period is equal to the employee's FTE multiplied by 320 hours.

Example:       The employee who works 20 hours per week is .50 FTE.  
                  .50 FTE x 320 hours = 160 hours.  
                  The .50 FTE employee may use a maximum of 160 hours of sick leave from the SLP in a 12-month period.

**X. Employee Full Time Equivalency (FTE) Changes**

If a member of the SLP incurs changes to their appointment that affect their FTE, it is the member's responsibility to notify the CHR SLP Administrator of these changes.

**A. Changing from Full-time to Part-time**

When a member changes from a full-time to part-time employment, membership in the SLP continues. However, if the part-time member request to use hours from the SLP after this change has occurred, the member is eligible to use a pro-rated number of hours based on appointed FTE, or the number of hours contributed during an open enrollment period or other contribution period, whichever is less. NOTE: An approved leave of absence without pay does not constitute a change to appointed FTE.

**B. Changing from Lower FTE to Higher FTE**

When a member appointed at less than a 1.00 FTE is appointed to a higher FTE, the member must contribute the pro-rated number of hours required for the higher FTE to qualify for membership at the higher FTE. If the member does not contribute the additional hours and then requests hours from the SLP, the member is eligible only for the number of hours that would have been approved at the lower FTE.

**XI. Activation/Deactivation of the SLP and Open Enrollment**

An open enrollment is conducted at least annually, as determined by the CHR SLP Administrator. If membership drops below a certain level, the CHR SLP Administrator has the option of conducting an open enrollment or deactivating the SLP. When the decision is made to deactivate the SLP, the members will be advised of the decision and the balance of leave in the SLP will be divided among the remaining members, based on each member's appointed FTE at the time of deactivation, and added back to each member's individual sick leave balance.