

Policy Manual



Title: Employee Leave	Number: 6Hx2-3.11
Legal Authority: <i>Fla. Statutes 1001.64 (4) (b); 1001.65 (3); 1012.865, 741.313, 119, Family and Medical Leave Act of 1993, as amended 2008.</i>	Page: Page 1 of 2

GENERAL STATEMENT

In accordance with *Florida Statutes, Florida State Board of Education Administrative Rules, Family and Medical Leave Act of 1993* and procedures established by the President, full-time College employees may request leaves of absence when it is necessary to be absent from duty. All absences of employees shall be covered by leave duly authorized, granted, reported, and recorded.

THE POLICY and THE FACULTY and STAFF

Employees who are absent from work for three (3) consecutive days due to illness or when attendance history shows possible abuse of sick leave, may be required by the college to submit a certificate from a licensed medical professional attesting to the illness, subject to the terms and conditions of the applicable bargaining agreement. Failure you to provide requested certificate will cause the employee to be considered Absent Without Approved Leave (AWOL). Any employee who is absent without approved leave shall forfeit compensation for the time of such absence and shall be subject to disciplinary action up to and including dismissal.

College personnel shall earn leave credit while on leave with pay. All leaves from duty require prior approval with the exception of unanticipated sick leave as well as personal leave, bereavement leave and workers' compensation leave. Request for Leave of Absence forms must bear the signature of the employee's immediate supervisor or in his/her absence, the next level supervisor. For all leaves of absence requiring prior approval, either the date of approval must be prior to the effective date for the leave or a notation must indicate the date actual verbal approval was given. Leave cannot be used after an employee has separated from the college. All terminal leave pay outs are addressed in BC Policy 6Hx2-3.16, Terminal Pay.

IMPLEMENTATION and OVERSIGHT

The Associate Vice President for Human Resources and Equity has responsibility for the implementation and oversight of this policy.

VIOLATION OF POLICY

Policy violations and appeals shall be investigated by the Associate Vice President for Human Resources and Equity and/or his/her designee. Leave abuse shall also subject the employee to appropriate disciplinary action up to and including termination.

- For non-represented employees, action will be taken pursuant to the terms and conditions of the relevant employment contract, if applicable.

History: Revised on February 24, 2009, revised on September 25, 2012

Approved by the Board of Trustees	Date 09/25/2012	President's Signature 	Date 09/25/2012
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- For full-time Faculty, refer to the Collective Bargaining Agreement between The Board of Trustees of Broward College and United Faculty of Florida, Broward College Chapter, Article 2.33.
- For represented professional technical staff, refer to the Collective Bargaining Agreement between the Board of Trustees of Broward College and Federation of Public Employees, Article 2.

DEFINITIONS

Family & Medical Leave Act of 1993 (FMLA) – approved absence available to eligible employees for up to twelve (12) weeks of leave per year based on a rolling twelve (12) month period measured from the date an employee initially used any FMLA leave) for the following reasons:

- On the birth of an employee’s child;
- On the placement of a child for adoption or foster care with an employee;
- When an employee is needed to care for a child, spouse, or parent who has a serious health condition; or
- For the employee’s own serious health condition;
- For an employee with a family member who is on active duty, or has been notified of an impending call to active duty;
- Qualifying exigency includes the following:
 1. short-notice deployments (seven or fewer days notice);
 2. military events (e.g. ceremonies, briefings);
 3. childcare/school (e.g. time making arrangements on account of call to duty);
 4. financial/legal arrangements related to the call to duty;
 5. counseling related to the call to duty;
 6. Rest and recuperation leave (up to five days);
 7. post-deployment activities (e.g. arrival ceremonies, briefings);
 8. additional activities if permitted by the employer;
- Covered Service member – includes a member of the Armed Forces, the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability or retired list for a serious injury or illness.

Extended Leave – leave beyond the twelve weeks of FMLA which can be approved by the President up to 6 months and by the Board of Trustees for any leave exceeding 6 months.

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