

## College Operating Procedures (COP)



**Procedure Title:** Other Leaves of Absence  
**Procedure Number:** 05-0506  
**Originating Department:** Office of Human Resources

**Specific Authority:**

Board Policy 6Hx6:5.02  
Florida Statute 1001.65; 1012.85  
Florida Administrative Code n/a

**Procedure Actions:** Adopted: 01/15/2010; 02/16/2010; 11/1/2010; 10/28/2013;  
02/17/2020

**Purpose Statement:** To provide College employees procedures for Court-Related Leave, Domestic Violence Leave, Mandatory Leave, Military Leave, Personal Leave without Pay and Professional Leave.

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### **Court-Related Leave**

#### **Guidelines:**

- A. College personnel (regular full-time and regular part-time) shall receive court-related leave with pay when on jury duty or when subpoenaed as a witness when not a principal in personal litigation. Employees shall receive court-related leave with pay for the hours he/she would normally have been scheduled to work on that (those) day(s) and retain any fees earned but shall not be paid by the College for meals, lodging, or travel. In order to claim the leave, the employee must complete an online leave form and attach the jury summons or subpoena.
- B. When a principal in personal litigation, an employee shall not receive court-related leave, however, an employee may use their own accrued leave. If an employee does not have enough accrued leave available, the employee will utilize leave without pay.
- C. When involved in litigation on behalf of the College or due to action in the line of duty as an employee, College personnel shall be considered on duty and fees received from the court must be turned over to the College.

#### **Procedures:**

A subpoenaed individual should notify his or her supervisor as soon as possible upon receipt of the subpoena or jury summons and submit a payroll Leave Request Form or online Leave Request Form indicating hours and dates of required court appearance. The jury summons or subpoena must be attached to the leave form.

Upon release from this public service, the employee should return to work immediately or contact his/her supervisor regarding his/her return to work. If the employee is released from public service with less than two hours remaining in the workday, then the employee should report for work on the next working day.

### **Domestic Violence Leave**

#### **Guidelines:**

College employees (all) who have been employed by the College for three (3) or more consecutive months are entitled to three (3) days leave in a 12-month period if the employee or a member of employee's family or household is a victim of domestic violence. Domestic Violence Leave is charged to accrued sick or vacation leave if available. If the employee has no accrued leave, Domestic Violence Leave will be coded as Leave Without Pay.

#### **Procedures:**

The employee must provide the Title IX Coordinator with advance notice of the leave, except in cases of imminent danger. Pursuant to Florida State Statute Section 119.07(1), this documentation is confidential and exempt. The employee may be required by the College to provide documentation of the act of domestic violence for which the leave is needed.

The employee must submit a payroll Leave Request Form or may submit an online leave request form indicating hours and dates of leave and use of either sick, vacation or leave without pay. The Title IX Coordinator will contact the employee's supervisor regarding the leave request and obtain online approval or appropriate signature on the leave request form. The Leave Request Form and any applicable time sheet are confidential and exempt pursuant to Florida State Statute Section 119.07(1) for one year after the leave is taken.

### **Mandatory Leave**

#### **Guidelines:**

If, in the opinion of a supervisor, an employee is unable to perform assigned duties and responsibilities, the supervisor may, after consultation with Human Resources, require the employee to leave the College for the remainder of the workday or longer.

#### **Procedures:**

Circumstances for this type of action may include, but may not be limited to, suspected alcohol or drug abuse, casual transmission of a communicable disease, or returning to work too soon after a medically related absence.

Such absence will be charged as sick leave unless the employee has no accrued sick leave. In the latter instance, the absence will be charged as leave without pay.

Mandatory Leave beyond one (1) workday or fraction thereof will require the approval of the appropriate Vice President/Executive and the concurrence of the Chief Human Resources and Organizational Development Officer. Mandatory Leave beyond fifteen (15) workdays will require the approval of the President or designee.

Medical verification may be required for all or any portion of Mandatory Leave.

### **Military Leave (see Family Medical Leave for related military leave benefit)**

#### **Guidelines:**

College employees are eligible for military leave benefits and re-employment rights in accordance with State and Federal law. The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) covers persons who serve or have served in the Armed Forces, Reserves, National Guard or other "uniform services". It is the intent of the College to comply with applicable Federal and State laws regarding military leave.

Pursuant to Florida State Statute Section 115.07, employees that are members of the National Guard or any Armed Forces Reserves will be entitled to a maximum of 240 hours of leave with pay for training duty per calendar year.

Employees who are inducted or volunteer for active duty in the armed services or are recalled to active duty from the reserve status will be entitled to a leave of absence for active military duty in accordance with applicable laws. Pursuant to Florida State Statute Section 115.14, the first 30 days of leave shall be granted with pay. After the initial 30 day leave period the College will supplement a full-time employee's military pay in the amount necessary to bring the total salary, inclusive of base military pay, to the level earned at the time the employee was inducted or volunteered to serve on active military duty.

Military leave shall not affect an employee's right to earn vacation or sick leave, health insurance, or any other existing benefits.

**Procedures:**

Request for military leave shall be submitted in writing to the Office of Human Resources, including proper documentation of duty orders, with as much advance notice as possible before the commencement date.

**Personal Leave Without Pay**

**Guidelines:**

Leave is a privilege granted by the College. Each request for leave without pay is evaluated and a decision is 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 that leave is granted or denied on a uniform basis. Any employee who is willfully absent from duty shall forfeit compensation for the time of absence and if leave was unapproved shall be subject to disciplinary action, up to and including termination.

Personal leave without pay may be granted to all regular employees. The daily rate of pay shall be deducted for each day's absence. Such leave must be approved by the appropriate Vice President/Executive in concurrence with the Chief Human Resources and Organizational Development Officer and cannot exceed up to and including fifteen (15) working days within a rolling year. Leave beyond fifteen (15) working days requires approval by the President.

A request for leave must make clear the purpose or cause for which the leave will be used. Such leaves are intended to be granted only for maternity, paternity, adoption, disability, health, military service or extenuating and extraordinary personal reasons. Employees on Leave Without Pay will not receive pay for holidays that occur during the leave period, nor accrue additional sick or vacation leave. Employees that are granted Leave without Pay and do not work a majority of the duty days in any given month will be responsible for the full cost to the

College of all benefits including, but not limited to, health, dental, vision, and short-term disability.

If not an emergency, Personal Leave without Pay must be approved on a payroll Leave Request Form at least one (1) week prior to the first personal day taken. All accumulated sick leave and vacation leave must be exhausted before being placed on Leave without Pay.

**Procedures:**

Personal Leave without Pay for up to fifteen (15) working days must be approved on an online payroll Leave Request Form, specifically stating the reasons that leave is being requested. For Personal Leave without Pay longer than fifteen (15) working days, the employee must submit a written request that includes the reasons for the request along with the payroll Leave Request Form. Leaves beyond fifteen (15) working days require the approval of the appropriate Vice President/Executive, the Chief Human Resources and Organizational Development Officer, and the President.

**Professional Leave**

**Guidelines:**

Professional leave may be leave granted for the professional benefit or advancement of an employee and only incidentally for the benefit of the College. It may be authorized with or without pay by the cognizant Vice President/Executive.

**Procedures:**

To request Professional Leave, the employee must submit to their supervisor a written request that includes the reasons for the request and length of absence, along with an online Payroll Leave Request Form.

The appropriate Vice President/Executive must then either approve or deny the request.