

RULES OF
~~DEPARTMENT OF EDUCATION~~
DIVISION OF UNIVERSITIES
UNIVERSITY OF FLORIDA

6C1-1.200 University of Florida; Benefits, Retirement Programs, Employment Services, and Holidays.

(1) Benefits-Benefits made available to faculty, Technical, Executive, Administrative, and Managerial Support (TEAMS) A&P and University Support Personnel System (USPS) employees include paid and unpaid leave as described in 6C1-1.201, F.A.C., holidays, state- and university-sponsored insurance programs, and retirement. Under the Family Medical Leave Act (FMLA), Other Personnel Services (OPS) employees are be eligible for unpaid leave under the terms of the act. Benefits and hours of work requirements shall be administered ~~consistent with the provisions of the Board of Regents Rule 6C-5.920 in the Florida Administrative Code and with the following provisions of~~ in accordance with this rule.

(2) Related Definitions and Terms-For the purpose of administering this rule ~~these rules~~, the following words and terms shall have the meaning indicated.

(a) TEAMS - Technical, Executive, Administrative, and Managerial Support A&P- Administrative and Professional pay plan

(b) Break-in-Service-Upon resignation, a break in University-state of Florida service of more than 100 days not covered by leave with pay.

(c) Calendar Days-All days in a month not counting University-state of Florida paid holidays.

(d) Continuous Service-Continuous service is employment in a salaried (non-OPS) position with ~~the University one or more universities or other state agencies~~ without a break in service. Continuous service as defined in this rule shall have no effect on the provisions of the Florida Retirement System.

(e) Exempt Classification-A classification designated by the University of Florida Board of Regents as exempt from the maximum hours and overtime pay requirements of the Fair Labor Standards Act, or FLSA. ~~USPS employees who are in exempt classifications are eligible for regular compensatory leave for hours worked over 40 in the University of Florida's workweek.~~

(f) Non-Exempt Classification-A classification designed by the University of Florida Board of Regents as not exempt from the maximum hours and overtime pay requirements of the Fair Labor Standards Act, or FLSA. ~~USPS employees who are in non-exempt classifications are eligible for overtime compensation for hours worked over 40 in the University of Florida's workweek.~~

(g) OPS-Other ~~Personnel~~ Personal Services pay plan

~~(h) — SUS State University System~~

~~(h)~~ (h) USPS-University Support Personnel System pay plan

~~(i)~~ (i) Workweek-For purposes of compensation, the University of Florida's workweek ends at 12 midnight on Thursday.

(3) Retirement Programs-With the exception of Postdoctoral Associates, who do not receive retirement benefits at the University, and w~~With the exception of faculty in the Colleges of Medicine, Dentistry, and Health Professions who must participate in the Optional Retirement Program, or ORP, all full-time faculty and eligible TEAMS-A&P~~ employees whose positions

are assigned administrative and management responsibilities or professional duties at the department/unit level or above, are, upon employment, enrolled in the Florida Retirement System ~~ORP~~ unless employees elect to participate in the ORP-Florida Retirement System. With the exception of Postdoctoral Associates, who do not receive retirement benefits at the University, all other employees participate in the Florida Retirement System, except those who remain in the State and County Officers and Employees Retirement System or the Teachers Retirement System. Lump sum payments made pursuant to this section in conjunction with sick leave benefits shall not be considered salary payments and shall not be used in determining the average final compensation of an employee in any state-administered retirement system.

(4) Employment Services-The responsibility of an employee is the full and competent performance of all duties pertinent to the full-time equivalent (FTE) of his or her employment. Activities which may interfere or may create a conflict of interest in keeping with University of Florida procedures located in Rule 6C1-1.011, Florida Administrative Code ~~and the provisions of the Board of Regents Rules of the Florida Administrative Code~~ are to be disclosed and may be prohibited or allowed under certain conditions.

(a) Certification of Employability-The law requires that a person be appointed and certified as completing an assignment in order to be paid. If a person is not appointed, is not assigned duties and responsibilities, or is not certified as fulfilling those duties, then he or she is not eligible for salary payment.

(b) Workweek-Each employee is expected to work the number of hours in the employee's established workweek, or FTE, unless on approved leave.

1. The minimum workweek for full-time employees is 40 hours. ~~For purposes of compensation, the University of Florida's workweek ends at 12 midnight on Thursday.~~

a. Each department or division is required to keep an accurate record of all hours worked by each USPS employee and non-exempt TEAMS employee as well as a complete and accurate record of all authorized leave which is approved in accordance with these rules by all eligible University of Florida employees.

b. All hours worked by USPS employees must be totaled at the end of the workday and the total shall be rounded to the nearest quarter of an hour.

c. For USPS employees, approved paid leave, except for some types of administrative leave, may be used only in the amount necessary to fulfill the employee's FTE.

d. An employee who uses any type of leave in an amount which is less than a full hour will be charged with such leave to the closest quarter of an hour.

~~e. Willful falsification of any attendance or leave records by a University of Florida employee shall be cause for dismissal of the employee(s) involved.~~

~~f. After an unauthorized leave of absence of three or more consecutive workdays, an employee may be considered to have abandoned his or her position and to have resigned from the University of Florida.~~

2. Upon reasonable notice, the appropriate University of Florida administrator shall require an employee to use any part of his or her accrued annual, overtime, special, or regular compensatory leave, as described in 6C1-1.200(4)(b)5., at any time deemed advisable for the efficient management of the operation of the unit, conservation of funds, or savings to the university.

3. The appropriate administrator has the authority to require an employee who has accrued overtime, special, or regular compensatory leave, as described in 6C1-1.200(4)(b)5., to first use such leave before using accrued annual leave when necessary for the conservation of

funds or savings to the University. The employee will be allowed to use such accrued compensatory leave, upon request and with supervisory approval, before using accrued sick leave.

~~4. All approved overtime for non-exempt OPS employees shall be compensated by cash payment on the basis of one and one-half times the employee's hourly regular rate of pay for each hour of overtime worked. Overtime compensatory leave is not available to OPS employees.~~

~~5. A&P employees and faculty do not earn compensatory time for hours worked beyond 40 hours in a workweek. For non-exempt USPS employees, compensation for work beyond 40 hours, or beyond a USPS employee's FTE in the case of a holiday benefit and some types of administrative leave, shall consist of the following types:~~

~~a. Overtime Compensation All approved overtime for non-exempt USPS employees shall be compensated by cash payment on the basis of one and one-half times the employee's hourly regular rate of pay for each hour of overtime worked or by crediting the employee with up to 120 hours of overtime compensatory leave, which is earned at one and one-half hours for each hour of overtime worked.~~

~~(I) Upon reaching 120 hours of overtime compensatory leave, the USPS employee must either receive cash payment for additional hours of overtime worked or use accrued overtime compensatory leave credits before receiving further overtime compensation in the form of compensatory leave.~~

~~(II) An employee who separates from the USPS, including termination from the University of Florida, or moves to another university will be paid for all unused overtime compensatory leave at the employee's regular rate of pay. A USPS employee who reassigns,~~

~~promotes, or accepts a demotion to another USPS position in a work area paid by a different account number also will be paid for all unused overtime compensatory leave at the employee's regular rate of pay. If a USPS employee reassigns, promotes, or accepts a demotion to another USPS or TEAMS position within the same department, cash out is at the department's discretion.~~

~~(III) — The chief administrative officer may elect to pay or require an employee to use any or all of the employee's accrued overtime compensatory leave at any time. Typically, pending approval from the Vice President for Finance and Administration or designee, overtime compensatory leave shall be used or cashed out prior to the end of each fiscal year and/or before any scheduled salary increase.~~

~~—— b. —— Regular Compensatory Leave Regular compensatory leave shall be provided to an exempt USPS employee for work beyond 40 hours on an hour for hour basis; however, no employee will be allowed to accrue more than 120 hours of such regular compensatory leave credits.~~

~~—— (I) —— When a USPS employee moves within the University of Florida from a position in a class which accrues regular compensatory leave credits to another position which also accrues regular compensatory leave, any unused regular compensatory leave will be transferred.~~

~~—— (II) —— When a USPS employee moves from an exempt class that accrues regular compensatory leave to a USPS class that does not accrue regular compensatory leave or to an A&P class, any unused regular compensatory leave will be transferred. In such cases, the employee must use regular compensatory leave before using annual leave.~~

~~(III) —— Regular compensatory leave shall not be transferred to a faculty position. As a result, each supervisor should make a reasonable effort, whenever practical, to allow an~~

~~employee to use regular compensatory leave credits as requested before the employee transfers to a faculty position.~~

~~(IV) — If a USPS employee moves from a class which accrues regular compensatory leave credits to another university or state agency, unused regular compensatory leave credits will not be transferred. As a result, each supervisor should make a reasonable effort, whenever practical, to allow an employee to use regular compensatory leave credits as requested before the employee transfers to another university or state agency.~~

~~(V) — No cash payment is made to a USPS employee in an exempt class for unused regular compensatory leave credits. As a result, each supervisor should make a reasonable effort, whenever practical, to allow an employee to use regular compensatory leave credits as requested.~~

~~—— (VI) — The chief administrative officer, or designee, may grant approval to an employee or a group of employees to retain regular compensatory leave in excess of 120 hours for a period not to exceed six months. The circumstances under which such approval may be granted are those involving natural disasters and other extraordinary situations that last for an extended period of time which would prevent employees from using their accrued compensatory leave.~~

~~c. — Special Compensatory Leave Special compensatory leave is provided to compensate a USPS employee (non-exempt or exempt) for leave with pay attributed to a holiday benefit and certain administrative leaves in excess of the hours in the USPS employee's established workweek (or FTE).~~

~~—— (I) — In order to minimize the amount of special compensatory leave accrued, paid leave except the following types of administrative leave may be used only in the amount necessary to bring a USPS employee to his or her regular FTE, not to exceed the 40-hour~~

workweek.

~~—— (II) — Administrative leave granted to an employee for jury duty or court appearance shall not be reduced. As a result, any hours over the USPS employee's FTE attributed to such administrative leave shall be compensated via special compensatory leave.~~

~~—— (III) — Special compensatory leave is provided to employees required to perform essential duties during an emergency closing for the hours worked during the closing.~~

~~Administrative leave granted due to an official emergency closing shall not be reduced, and as a result, those hours over a USPS employee's FTE attributed to the administrative leave shall be compensated via special compensatory leave.~~

~~(IV) — An employee who separates from the USPS, including termination from the University of Florida, or moves to another university will be paid for all unused special compensatory leave at the employee's regular rate of pay. A USPS employee who reassigns, promotes, or accepts a demotion to another USPS position in a work area paid by a different account number also will be paid for all unused special compensatory leave at the employee's regular rate of pay. If a USPS employee reassigns, promotes, or accepts a demotion to another USPS position within the same department, cash out is at the department's discretion.~~

~~—— (V) — The chief administrative officer may elect to pay or require an employee to use any or all of the employee's accrued special compensatory leave at any time. Typically, pending approval from the Vice President for Finance and Administration or designee, special compensatory leave shall be used or cashed out prior to the end of each fiscal year and/or before any scheduled salary increase.~~

(c) ~~Contract Periods~~ Developmental Research School – P.K. Yonge

1. ~~Employees whose duties require them to be on campus throughout the year shall~~

normally be employed pursuant to a twelve (12) month contract.

~~2. Faculty shall normally be employed pursuant to a nine (9) month contract, or in the case of the University Laboratory School, ten (10) months rather than a twelve (12) month contract.~~

~~3. 1. The faculty of the Developmental Research School ~~University Laboratory School~~ serve on a 190-196 day work schedule. The academic calendar for the Developmental Research School ~~University Laboratory School~~, including the working days and holidays, shall be determined by its Director after consultation with its faculty and the Dean of the College of Education.~~

(5) Holidays-Holidays as ~~set forth in~~ provided by Section 110.117(1), Florida Statutes, shall be considered University of Florida holidays and shall be observed as paid days off and are provided to employees in proportion to their FTEs, with the exception of individuals receiving workers' compensation salary indemnification benefits. Employees required to perform duties on such official holidays shall have their schedules adjusted to provide equivalent paid leave time. No classes shall be scheduled on such official holidays.

(a) An observed holiday benefit (maximum of eight hours) does not count for purposes of overtime.

(b) OPS employees are not eligible for holiday benefits unless they are OPS faculty members who are compensated on a biweekly basis. ~~Such OPS faculty are eligible for holiday benefits provided by Florida Statutes.~~

(c) To receive holiday pay, ~~TEAMS A&P~~ and USPS employees must be in pay status for a reasonable portion of the employee's regularly scheduled shift of the employee's last workday before the holiday.

(d) Permanent USPS employees earn one personal holiday in proportion to their FTEs per fiscal year in addition to the University of Florida~~state~~ holidays.

1. Permanent for the purpose of eligibility for a personal holiday includes the attainment of permanent status in ~~state~~ service without a break in service ~~and is not limited to USPS service~~.

2. Such personal holiday shall be credited to eligible employees on July 1 or on the date the employee attains permanent status and must be taken by the employee or be forfeited at the close of business on June 30 of each year.

3. Cash payment is not provided for unused personal holidays.

4. Personal holidays must be taken in full-day increments (that is, as an 8-hour day for full-time employees, as a 4-hour day for .50 employees).

(e) Supervisors are encouraged not to require employees to perform duties on holidays.

1. Those employees required to perform duties on holidays may have their schedules adjusted during the workweek to provide equivalent time off, in proportion to the employee's FTE, not to exceed 8 hours.

a. In the event a USPS or a non-exempt TEAMS employee's work schedule is not adjusted within the workweek in which the holiday occurs, as described above, he or she shall earn special compensatory leave for hours attributed to the holiday benefit in excess of the hours in the employee's established workweek (or FTE).

b. When the holiday is observed on the USPS or a non-exempt TEAMS employee's regular day off, he or she shall earn special compensatory leave for hours attributed to the holiday benefit in excess of the hours in the employee's established workweek (or FTE) unless

the employee's work schedule is adjusted within the workweek in which the holiday occurs.

2. When an exempt TEAMS employee~~an A&P~~ or faculty member is assigned to perform duties on a holiday, he or she may take off another day as a way to enjoy the holiday benefit-typically during the workweek in which the holiday occurred. If the exempt TEAMS~~A&P~~ employee or faculty member who has been assigned to perform duties on a holiday terminates employment prior to being given time off, the employee shall be paid, upon termination, for the holiday hours worked without compensation within the previous 12-month period.

(f) No classes shall be scheduled on holidays. Classes not held because of a holiday shall not be rescheduled as appropriate.

(g) Employees also shall be entitled to observe a state day of mourning in observance of the death of a person in recognition of service rendered to the state or nation, as appropriately designated. An employee who is on approved leave with pay when a state day of mourning is declared shall not have such day charged against his or her accrued leave.

(6) Benefits for TEAMS Personnel - The following benefits are provided for TEAMS personnel.

(a) TEAMS Employee Development Program – Full-time TEAMS employees are provided with the opportunity to take up to six (6) credit hours of work-related courses per semester at a public community college in Florida, at a Florida state university, or at a vocational technology center found on a list maintained at the Division of Human Resources under the following conditions:

1. The TEAMS employee must have had continuous University employment in TEAMS or USPS for the past six (6) months and must be on a TEAMS regular annual or multi-

year appointment.

2. The TEAMS employee must have the approval of a supervisor and an academic advisor designated by the Director of the Division of Human Resources, who will review the courses requested and the complete program of study proposed by the employee. The TEAMS employee must meet admission and enrollment requirements at the respective institution.

3. University payments will be limited to the matriculation fee for the approved credits for which the employee registers.

4. If the employee is seeking a certificate or a degree, such as an Associate of Arts degree, then participation in the program is limited to the credit hours needed to achieve the degree. If an employee withdraws from the course after the fee payment deadline or if the employee does not pass the course, the course credits are still counted in the total credit hours computation.

5. The employee must sign an agreement releasing the grades achieved in courses to the Director of the Division of Human Resources.

6. Continued participation in the program is contingent upon satisfactory academic progress as appraised by the academic advisor, satisfactory work performance as appraised by the employee's supervisor, and the supervisor's approval of continued participation in the program.

(b) Higher Education Opportunity for Children of full-time TEAMS Employees - This program is designed to provide children of TEAMS employees with enhanced opportunities for post-secondary education.

1. Children of TEAMS employees who wish to apply for entrance under this program to undergraduate study at the University of Florida or at a public community college in

Florida must complete an application for admission to the University of Florida before January 15 preceding the desired academic year of entry. Before January 15, the parent TEAMS employee must notify the Director of the Division of Human Resources of the child's name, the fact that the child has filed an application for entrance under this program, and must certify that the employee is the legal guardian of the child. Before February 1, the Director of the Division of Human Resources will send to the Director of Admissions the pool of names of children who have completed the application for admission before January 15 provided their parents have provided the indicated information before January 15.

2. Fifty children will be chosen at random from the pool of names determined in 1. by the Director of Admissions. Those children among the fifty who meet admissions requirements to the University will be offered admission to the University, conditional upon receipt of their high school diploma before the date of entry into the University offered by the Director of Admissions. Those children among the fifty who do not meet admissions requirements to the University, who receive a high school diploma before the beginning of the academic year and who wish to continue in this program must enroll at a public community college in Florida.

3. The University will pay the in-state matriculation fees less any Bright Futures Scholarship award for each of the fifty children for up to twelve credits per semester during the academic year and for up to 6 credits per twelve (12) week summer semester at the University of Florida or a public community college. The children are responsible for payment of all other fees charged by the institution and for any costs associated with attending the institution.

4. Continued Eligibility - To continue to receive this benefit, the following conditions must be met on August 30 commencing the second year of the child's enrollment in

the program and in each succeeding year:

(i) The child's legal guardian must be a TEAMS employee on a regular annual or multi-year contract.

(ii) The child's cumulative GPA must be 2.75 or higher.

(iii) If the child is attending a public community college, he/she must provide to the Director of the Division of Human Resources a current official copy of the transcript of grades from the community college showing all courses attempted and grades received.

5. The University's total obligation for each child is limited to paying the matriculation fees less any Bright Futures scholarship award for a maximum of 132 credit hours over a period of six calendar years or less, beginning with the date of entry into the University or August 30 of the academic year in which application is made. All completed courses, passed or failed, and withdrawals are totaled in the count of credit hours.

6. This program will become effective for the Fall semester 2003.

(c) Annual Leave Pay - Upon request during the month of December, up to 16 hours of accrued annual leave at a TEAMS employee's regular rate of pay shall be cashed out provided the employee's remaining accrued annual leave totals at least forty (40) hours.

Specific Authority 1001.74(4)~~240.227(1)~~ FS.

Law Implemented ~~110.117, 121.091, 1001.74(19)~~~~216.011(1)(x), 240.209(3)(f), 240.227(5), (19)~~, FS.

History--New 7-15-97, Amended 6-28-98, _____.