

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION REPEAL**

DATE: June 19, 2008

REGULATION TITLE(S) AND NUMBER(S): 6C-5.920 Benefits and Hours of Work

SUMMARY: The Board of Governors has delegated authority to the board of trustees to develop university personnel programs. Therefore, the obsolete Board of Regents rule regarding benefits and hours of work needs to be repealed.

FULL TEXT OF THE REGULATION: The full text of the regulation proposed for repeal is posted on Board of Governor's Web site at www.flbog.org. In addition, the full text of the regulation is available upon request to the Office of the Chancellor, at (850) 245-0466.

AUTHORITY TO REPEAL REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING REPEAL OF THE REGULATION(S): Vikki Shirley, General Counsel.

COMMENTS REGARDING THE REPEAL OF THE REGULATION(S) SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.

5.920 ~~Benefits and Hours of Work.~~

~~(1) Benefits made available to Faculty, A&P, and USPS include paid and unpaid leave, holidays, State- and University-sponsored insurance programs, and retirement. Under the FMLA, OPS employees may be eligible for unpai~~

~~unused sick leave and such leave shall be forfeited unless reemployed by the SUS within 100 days or recalled by the University within one year.~~

~~(10) Annual leave for full-time employees shall be as follows with proportionate accrual for less than full-time. An academic year (39 weeks) employee, a Developmental Research School employee, and an employee appointed for less than 9 months shall not accrue annual leave. Hours off accrual for USPS is based on years of creditable service and such service shall be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of a University or other State agency or during authorized unpaid leave.~~

Hours Accrued During			
Pay Period			
	Year End	Maximum	Maximum
Monthly	Maximums	Transferable	
Biweekly			

_____ (a) _____ Medical certification by an approved health care provider may be required.

_____ (b) _____ Notice shall be provided to the employee identifying duration of the leave, the conditions for return to the position, and whether such leave shall count toward FMLA entitlements.

_____ (c) _____ The employee may be allowed to use paid leave during compulsory leave to continue the contributions to State benefits and other expenses.

_____ (d) _____ Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period and upon receipt of medical certification.

_____ (e) _____ Employees who fail to meet the conditions of the compulsory leave or who fail to obtain medical certification and are unable to perform duties may be offered part-time employment, placed on unpaid leave or have such leave extended; requested to resign, or be dismissed for inability to perform the duties of the position.

_____ (12) _____ Employees are provided with 12 workweeks of Family and Medical Leave within a 12-month period in compliance with the Family and Medical Leave Act (FMLA) of 1993 (PUBLIC Law 103-3) and the Final Regulations of the Family and Medical Leave Act of 1993 (29 CFR Part 825). The 12-month period is defined as the fiscal year (July 1-June 30). All employees are eligible including OPS employees who have worked at least 12 months (these need not have been consecutive) and who have worked at least 1250 hours in the 12-months prior to the leave. Faculty, A&P and USPS employees may use paid leave for an FMLA event and such shall be counted toward the entitlement.

_____ (13) _____ Employees shall be provided with up to six months unpaid parental leave during which time the employee may use paid leave when the employee becomes a biological or adoptive parent. Parental leave shall begin two weeks prior to the expected date of the child's arrival unless otherwise approved by the Chief Administrative Officer.

~~employees scheduled to work during the time of the emergency closing shall be provided leave.~~

~~_____ (f) _____ The Chief Administrative Officer may provide administrative leave for Florida Disaster Volunteers in accordance with Section 110.120, F.S.~~

~~_____ (g) _____ The Chief Administrative Officer may grant up to two days of administrative leave for civil disorder or disaster for an employee who is a member of a volunteer emergency response team.~~

~~_____ (h) _____~~