

USF System   USF   USFSP   USFSM

**Number:** USF10.104  
**Title:** Faculty Benefits and Hours of Work  
**Responsible Office:** Administrative Services/Human Resources

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(1) Faculty members receive paid and unpaid leave, holidays, insurance programs, retirement and any other benefits that may be designated in the future. Benefits and hours of work requirements shall be administered consistent with any applicable federal or state law and this Regulation, unless otherwise directed by a collective bargaining agreement (to the extent not inconsistent with federal or state law).

(2) The USF System recognizes that in the case of faculty members, professional obligation is comprised of both scheduled and non-scheduled activities. Instructional activities, office hours, and other duties and responsibilities may be required to be performed at a specific time and place, while other non-scheduled activities are more appropriately performed in a manner and place determined by the faculty member in consultation with his/her supervisor.

(3) Annual and/or sick leave will be accrued while in pay status in accordance with this Regulation. Leave will be credited at the end of that pay period in which it is earned, or in the case of separation, on the last day the faculty member is on the payroll. Leave may not be used in the pay period in which it is accrued.

(4) During approved unpaid leave for parental, foster care, medical, or military reasons, a faculty member may intermittently use accrued leave to continue the contributions to State benefits and other expenses.

(5) Unless agreed otherwise, a faculty member shall be employed in the same or similar status upon completion of the approved leave period. While on paid leave, he or she may not be employed elsewhere unless the requirements for outside activity and/or extra or dual compensation have been met.

(6) The USF System may establish reciprocal agreements with other government entities for the transfer of accrued sick leave and accrued annual leave. Such agreements must be in writing and consistent with applicable State law.

**(7)** The USF System will withhold any payment due to a faculty member for accrued sick leave or accrued annual leave if the faculty member, after the request by the USF System, fails to return all property of the USF System in the custody or control of that individual. The USF System shall inform the faculty member of the reason(s) for withholding such payments.

**(8)** Sick leave accrual for full-time faculty members shall be as follows with proportionate accrual for less than full-time: Hours accrued during pay period: Monthly-8.667 hours; Biweekly-4 hours.

**(a)** Sick leave must be accrued before use unless available through a USF System-approved sick leave pool program. There is no maximum on the amount of sick leave that can be accrued.

**(b)** With the appropriate approvals, sick leave is authorized for the following purposes:

- 1.** The faculty member's personal illness, injury, exposure to a contagious disease, disability, appointments with health care providers, or other health related conditions as determined by the USF System, where the faculty member is unable to perform assigned duties.
- 2.** The illness, injury, appointments with health care providers, or death of a member of the faculty member's family; family is defined as the spouse, domestic partner (as defined in USF's Domestic Partner Health Insurance Stipend Program), the grandparents, parents, brothers, sisters, children and grandchildren of both the employee and the spouse.

**(c)** Notice of absence due to illness, injury, disability, or exposure to a contagious disease must be given as soon as practicable.

**(d)** Upon separation, a faculty member with ten (10) or more years of continuous service in an established position who has not participated in the University's Early Sick Leave Payout Program and who was employed prior to January 1, 2014, shall be paid for one-fourth of all unused accrued sick leave, up to a total of 480 hours. A faculty member who was hired on or after January 1, 2014 or who has less than ten (10) years of continuous service in an established position at the time of separation shall not be paid for any unused sick leave and such leave shall be forfeited.

**(9)** Annual leave for full-time faculty will be as follows with proportionate accrual for less than full-time employment. A faculty member employed for an academic year (39 weeks) or less does not accrue annual leave.

**Annual Leave Accrual**

<b>Pay Period</b>			
<b>Monthly</b>	<b>Biweekly</b>	<b>Year-End</b>	<b>Maximum Payment</b>
<b>14.667</b>	<b>6.769</b>	<b>352</b>	<b>352</b>

- (a) Annual leave must be accrued prior to use. In extraordinary circumstances, annual leave may be advanced.
- (b) Faculty may accrue annual leave in excess of the year-end maximum during a calendar year. Those with accrued annual leave in excess of the year-end maximum as of December 31, shall have any excess converted to sick leave on an hour-for-hour basis on January 1, of each year.
- (c) A faculty member who separates from employment with six (6) months or more of continuous service in an established position will be paid for all unused accrued annual leave hours up to the year-end maximum allowed. Upon reemployment by the USF System within one-hundred (100) days, all unpaid annual leave paid at the time of separation may be restored upon repayment of the full value of the annual leave that had been previously accrued. Upon entering into the Deferred Retirement Optional Program (DROP), faculty may elect to be paid up to the year-end maximum of their unused annual leave. If a faculty member does not elect to receive payment for all accrued annual leave due at the time of entering DROP, any amount accrued remaining due will be paid upon final separation of employment.
- (d) A faculty member will be paid for unused annual leave up to the allowable maximum upon transfer from an annual leave-accruing position to a non-annual leave-accruing position, unless he or she elects to retain accrued leave balances upon such a transfer for up to a maximum of two years, after which the eligible unused leave will be paid. The rate of payment for this eligible unused leave will be at the rate of pay in effect at the time of leaving the leave-accruing position and will be paid by the department in which the faculty member was employed before accepting the non-leave accruing position. The provision does not apply to a faculty member leaving an established position to accept a Temporary appointment.

- (10) Compulsory leave provisions shall be consistent with the following:
- (a) Medical certification by a health care provider, approved or designated by the USF System, will be required.
  - (b) Notice will be provided to the faculty member identifying the duration of the leave, the conditions for return to the position, and include a designation stating whether such leave will be counted in accordance with any applicable federal or state law.
  - (c) The faculty member may be allowed to intermittently use accrued paid leave during compulsory leave to continue the contributions to State benefits and other expenses.
  - (d) Unless agreed otherwise, a faculty member shall be employed in the same or similar status upon completion of the approved leave period and upon receipt of medical certification to return to work.
  - (e) Faculty members who fail to meet the conditions of the compulsory leave, who fail to obtain medical certification to return to work at the same or similar status as before the leave began and/or are unable to perform duties will be:
    - 1. Offered part-time employment, or
    - 2. Placed on unpaid leave or have such leave extended, or
    - 3. Requested to resign, or
    - 4. Dismissed for inability to perform the duties of the position.
- (11) Faculty members are provided with twelve (12) workweeks of Family and Medical Leave within a 12-month, rolling period, measured backward from the start date of the employee's requested leave 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 \(29 CFR Part 825\)](#), and as may be amended. Faculty may use accrued paid leave for an FMLA leave event and the use of such accrued paid leave will be counted toward the FMLA entitlement.
- (12) Faculty members will be provided with up to six (6) months unpaid parental leave. They may use accrued paid leave upon becoming biological or adoptive parents, or when a child is placed in the home prior to finalization of adoption.
- (13) Faculty are provided paid administrative leave as follows:
- (a) Administrative leave for jury duty. Any jury pay can be retained by the faculty member.

- (b) Administrative leave will be provided to a faculty member summoned as a witness in a matter not involving personal interests. Administrative leave will not be provided for serving as an expert witness, but witness pay can be retained by the faculty member.
  - (c) Administrative leave for athletic competition or in another official capacity in Olympic or other international events will be provided when it will not adversely impact the operation of the USF System.
  - (d) Administrative leave, up to four (4) days, will be provided to a faculty member upon the death of a family member as defined in USF10.104 (8)(b)2.
  - (e) Administrative leave for Florida Disaster Volunteers will be provided when it will not adversely impact the operation of the USF System.
  - (f) Administrative leave for civil disorder or disaster for a faculty member who is a member of a volunteer emergency response team will be granted when it will not adversely impact the operation of the USF System.
  - (g) A faculty member under investigation will be placed on administrative leave for a period up to the length of the investigation, when it is determined to be in the best interest of the USF System.
  - (h) A faculty member will be placed on administrative leave between the notice of suspension or dismissal and the effective date of such action, when it is determined to be in the best interest of the USF System.
  - (i) Administrative leave will be provided for any emergency closing of facilities in the USF System. Only faculty members scheduled to work during the time of the emergency closing shall be provided administrative leave. Faculty members already on approved leave at the time of the emergency closing may not have the approved leave changed to administrative leave.
  - (j) When it is determined to be in the best interest of the USF System, the CAO will place a faculty member on paid administrative leave if the faculty member's behavior or extraordinary circumstances indicate the probability that the faculty member's presence in the workplace will result in damage to property or injury to others.
- (14) Military leave and reemployment rights shall be provided to faculty, consistent with federal and state laws.

**(15)** Workers' Compensation benefits for an injury compensable under the Florida Workers' Compensation Law shall be provided consistent with the following:

- (a)** A faculty member will remain in full pay status for a period up to a maximum of forty (40) hours without being required to use accrued leave credits. If, during that period, the faculty member receives Workers' Compensation benefits then the faculty member will reimburse the USF System the amount of the benefits. Such reimbursement will not include payments for expenses related to medical, surgical, hospital, or nursing treatment or payments of disability losses.
- (b)** A faculty member may elect to use accrued paid leave to supplement Workers' Compensation payments up to the regular salary.
- (c)** The period of paid or unpaid job-related disability leave will be in accordance with Chapter 440, Florida Statutes, or any other applicable Florida law.
- (d)** If at the end of the leave period, a faculty member is unable to return from leave to work full-time and perform the duties of the position, the USF System shall have the same options as specified in Regulation 10.104(10)(e).

**(16)** Learning opportunities may be available to all faculty members of the USF System in accordance with this Section. Faculty members eligibility for benefits listed in Section (17) of this Regulation will be established and maintained by the Office of the Provost, the Campus Executive Officers, Regional Chancellors and/or the Sr. Vice President, USF Health.

**(17)** Faculty learning opportunities involving professional renewal, planned travel, study, formal education, research, writing, or other experience of professional value may include the following:

- (a)** Sabbaticals. The USF System guarantees the availability of sabbaticals for eligible faculty members; those awarded competitively will only be done so after an evaluation process in which peer review is central.
  - 1.** The USF System shall make available to each faculty member whose application has been reviewed by the USF System, a sabbatical for two (2) semesters (i.e. one (1) academic year) at half pay subject to conditions set out in Section (17)(a)3., of this Regulation.
  - 2.** Each year, the USF System will make available at least one (1) sabbatical at full pay for one (1) semester for each thirty (30) eligible faculty members subject to the conditions set out in Section (17)(a)3., of this Regulation.
  - 3.** Eligibility for sabbaticals. Full time tenured faculty members with at least six (6) years of full-time service in the USF System shall be eligible for a sabbatical. Upon returning from

a one-semester full-pay or two-semester half-pay sabbatical, faculty members are again eligible for a similar sabbatical after six (6) years of full-time service. A faculty member who is compensated through a contract or grant may receive a sabbatical only if the contract or grant allows a sabbatical and the faculty member meets all other eligibility requirements.

**(b)** Faculty member development or certification.

**(c)** Leave to pursue educational goals and USF System-approved faculty member education programs.

**(d)** Professional development leave.

1. Professional development leave shall be made available to faculty members who meet the requirements set out in Section (17)(d)3. of this Regulation. Such leaves are granted to increase a faculty member's value to the USF System through enhanced opportunities for professional renewal, educational travel, study, formal education, writing, or other experience of professional value, not as a reward for service.
2. Each year the USF System will make available at least one professional development leave at full-pay for one semester or its equivalent (for example, half-pay for two semesters) for each twenty (20) eligible faculty members subject to conditions set out in Section (17)(d)3. of this Regulation.
3. Eligibility for professional development leave. Full time faculty members with three or more years of service shall be eligible for professional development leaves except for those faculty members who are serving in tenure earning or tenured positions.

A faculty member who is compensated through a contract or grant may receive professional development leave only if the contract or grant allows for such leaves and the faculty member meets all other eligibility requirements. Faculty members will be notified annually regarding eligibility requirement and application deadlines.

*Authority: Art. IX, Sec 7, Fla. Constitution, Fla. Board of Governors Regulation 1.001.*

*History: New (BOT approval) 10-05-03, Amended 12-30-03. Formerly, 6C4-10.104, F.A.C., Amended 10-23-09, 6-20-13, 9-14-15 (technical), 12-1-16.*

*Certification: The University of South Florida certifies that it has followed the Florida Board of Governors Regulation Development Procedure and has a record of written notices, comments, summaries and responses as required.*