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**Title:** Benefits and Hours of Work  
**Responsible Office:** Business & Financial Strategy/Human Resources

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**(1)** Administration and Staff employees receive paid and unpaid leave, and USF -designated holidays. They may also participate in insurance programs, retirement and other benefits as provided for in Florida law and/or through USF - approved programs. Benefits and hours of work requirements will be administered consistent with this Regulation, and any applicable federal or Florida law.

**(2)(a)** With the exception of Postdoctoral appointments and medical residents, Temporary employees are not eligible for benefits unless specifically provided for in these Regulations or required by an applicable federal or Florida law. Postdoctoral benefits and employment are subject to the USF “Guide for Postdoctoral Scholars.” Benefits available for medical residents are contained in individual offer letters and/or other applicable documents required by the Accreditation Council for Graduate Medical Education (ACGME). Medical residents are temporary employees of USF; however, the remainder of this Regulation is applicable to them only to the extent that it does not conflict with ACGME requirements, processes and procedures.

**(b)** Temporary employees are eligible for unpaid leave, in accordance with any applicable federal or Florida law.

**(c)** Non-exempt Temporary employees are eligible for overtime compensation for work beyond forty (40) hours in an approved workweek.

**(d)** Exempt Temporary employees are eligible to be paid for USF -designated holidays that fall within the period of their appointment proportionate to the time in pay status.

**(e)** Temporary employees are eligible to participate in tax-sheltered annuities and deferred compensation programs offered by USF.

**(3)** Each employee is expected to work the number of hours in the employee’s established workweek unless on approved leave. Benefits will be provided proportionate to the time in pay status in accordance with these Regulations.

26 (4) The minimum workweek is forty (40) hours for full-time employees. Holiday pay, up to a maximum  
27 of twelve (12) hours per holiday (based on the number of hours the employee is normally scheduled to  
28 work on that day) and paid leave are not considered overtime and are paid at the employee's regular pay  
29 rate. Approved leave will be adjusted to ensure an employee's workweek will not exceed forty (40) hours.

30 (5) Compensatory leave will consist of the following types and such unused leave will be transferred or  
31 paid in accordance with these Regulations.

32 (a) Overtime compensatory leave is provided in lieu of payment for overtime for non-exempt Staff  
33 and non-exempt Administration employees at the rate of one and one half times the total hours  
34 worked beyond forty (40) in the workweek.

35 1. Overtime will normally be paid no later than the end of the following pay period, unless  
36 accrued as overtime compensatory leave.

37 2. If an employee changes departments or class title, unused overtime compensatory leave will  
38 be transferred or paid.

39 (b) Regular compensatory leave may be provided to a Staff exempt employee for work beyond forty  
40 (40) hours in the workweek on an hour-for-hour basis in accordance with the approved pay plan.  
41 The transfer or payment for unused regular compensatory leave will be in accordance with the  
42 approved pay plan.

43 (c) Special compensatory leave is provided to Staff and non-exempt Administration employees as  
44 follows:

45 1. Special compensatory leave is provided to compensate an employee for an official holiday, as  
46 designated by USF when:

47 a. The employee observed the holiday and also worked forty (40) hours the week during,  
48 which the holiday occurred;

49 b. The holiday falls on the employee's regularly scheduled day off; or

50 c. The employee is required to work the holiday.  
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53 2. Special compensatory leave is provided to compensate an employee for administrative leave  
54 for jury duty or court appearance provided in Section (17)(a) and (b) below when the  
55 employee also worked forty (40) hours the week during which the jury duty or court  
56 appearance occurred.

57 3. Special compensatory leave is provided to Essential Personnel required to report to work on  
58 campus or at other University facilities during an emergency closing (*i.e.*, complete closure of  
59 the University and discontinuation of services) for the hours worked during the closing.  
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- 61 4. Special compensatory leave is provided to Essential Personnel required to report to work on  
62 campus or at other University facilities for hours worked outside of their normal work  
63 schedule to prepare for or respond to a declared emergency event, as determined by the  
64 University President or designee.
- 65 (d) Special compensatory leave is provided to exempt Administration employees to compensate for  
66 an official USF -designated holiday when the holiday falls on the employee's regularly scheduled  
67 day off or the employee is required to work the holiday.
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- 69 (e) All earned, but unused/unpaid, special compensatory leave balances for all employees will be  
70 paid out bi-annually each October and April. The Chief Administrative Officer ("CAO") may  
71 elect to pay an employee for a part of or all accrued special compensatory leave at other times.  
72 If the employee separates from USF, the employee will be paid for all unused special  
73 compensatory leave at the employee's regular rate of pay.
- 74 (6) An employee, other than a non-exempt Temporary employee, must be in pay status either by having  
75 worked or used leave at least a portion of their last scheduled day before a holiday to be paid for all  
76 holidays designated by USF or Florida law.
- 77 (7) Annual and/or sick leave will be accrued while in pay status in accordance with these Regulations.  
78 Leave will be credited at the end of the pay period in which it is earned, or in the case of separation, on  
79 the last day the employee is on the payroll. Leave may not be used in the pay period in which it is earned.
- 80 (8) During approved unpaid leave for parental, foster care, medical, or military reasons, an employee  
81 may intermittently use accrued leave to continue the contributions to State benefits and other expenses.
- 82 (9) Unless agreed otherwise, an employee will be employed in the same or similar status upon  
83 completion of the approved leave period. While on paid leave, an employee may not be employed  
84 elsewhere unless the requirements for outside activity and/or extra or dual compensation have been met.
- 85 (10) USF may establish reciprocal agreements with other government entities for the transfer of accrued  
86 sick leave and accrued annual leave. Such agreements must be in writing and consistent with applicable  
87 Florida law.
- 88 (11) USF will withhold any payment due to an employee upon separation from employment for accrued  
89 sick leave or accrued annual leave unless and until all property of USF in the custody or control of the  
90 employee is returned or properly accounted for.
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- 92 (12) Sick leave accrual for full-time employees will be as follows with proportionate accrual for less than  
93 full-time.
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Hours Accrued During Pay Period		
	Monthly	Biweekly
Administration	8.667	4
Ex. Services	10.833	5
Staff	8.667	4

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- (a) Sick leave must be accrued before use unless available through a USF -approved sick leave pool program. There is no maximum on the amount of sick leave that can be accrued.
  - (b) With the appropriate approvals, accrued sick leave is authorized for the following purposes:
    1. The employee’s personal illness, injury, exposure to a contagious disease, a disability where the employee is unable to perform assigned duties, or appointments with health care providers.
    2. The illness, injury, appointments with health care providers, or death of a member of the employee’s family; family, for the purpose of this Regulation, 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 on the first day of absence, unless the nature of the illness or injury precludes such notice the first day.
  - (d) Upon separation, an employee 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, will be paid for one-fourth of accrued unused sick leave up to a total of 480 hours. An employee 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 will not be paid for any unused sick leave and such leave shall be forfeited.
  - (e) The CAO will approve continuation and/or modification of the current sick leave pool program when determined to be in USF’s best interests.
- (13) Annual leave for full-time employees will be as follows with proportionate accrual for less than full-time employment. An employee appointed for fewer than ten (10) months does not accrue annual leave. Hours of accrual for Staff employees are based on years of creditable service and such service will be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-Temporary) payroll of USF or during authorized unpaid leave.

	Monthly	Biweekly	Payment Maximums
Administration	14.667	6.769	352 (after 6 month satisfactory service)
Ex. Service	20	9.195	480
Staff (years of service)			
0-6 months	8.667	4	0
Greater than 6 mos. -5 yrs.	8.667	4	240
Greater than 5 yrs. – 10 yrs.	10.833	5	240
Greater than 10 yrs.	13	6	240

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(a) Annual leave must be accrued prior to use. In extraordinary circumstances, annual leave may be advanced to meet employment needs of USF.

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(b) Employees may accrue annual leave in excess of the year-end maximum during a calendar year. Employees with accrued annual leave in excess of the year-end maximum as of December 31 will have any excess converted to sick leave on an hour-for-hour basis on January 1 of each year.

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(c) An employee 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 for the pay plan. Upon reemployment by USF within thirty (30) days or upon recall from layoff by USF within one (1) year, all annual leave paid at the time of separation may be restored upon repayment by the employee. Upon entering into the Deferred Retirement Optional Program (DROP), employees may elect to be paid up to the year-end maximum of their unused accrued annual leave. If an employee does not select to receive payment for all unused accrued annual leave due at the time of entering DROP, any amount accrued remaining due will be paid upon final separation of employment.

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(d) An employee will be paid for unused accrued annual leave up to the allowable maximum upon transfer from an annual leave-accruing position to a non-annual leave-accruing position.

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(14) Compulsory leave provisions will be consistent with the following:

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(a) Medical certification by an approved health care provider will be required. Notice will be provided to the employee 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 Florida law.

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

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(c) Unless agreed otherwise, an employee will 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.

157 (d) Employees who fail to meet the conditions of the compulsory leave, who fail to obtain medical  
158 certification to return to work at the same or similar status as before the leave began and/or are  
159 unable to perform duties will be:

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161 1. Offered part-time employment;

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163 2. Placed on unpaid leave or have such leave extended;

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165 3. Requested to resign; or

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167 4. Dismissed for inability to perform the duties of the position.

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169 (15) Employees are provided with twelve (12) work weeks of Family and Medical Leave within a twelve  
170 (12)-month rolling period, measured backward from the start date of the employee's requested leave  
171 period, in compliance with the Family and Medical Leave Act (FMLA) of 1993 (Public Law 103-3) and  
172 the Final Regulations of the Family and Medical Leave Act of 1993 (29 CFR Part 825), and as may be  
173 amended. Eligible employees, including Temporary, are those who have worked at least twelve (12)  
174 months (these need not have been consecutive) and who have worked at least 1250 hours in the twelve  
175 (12) months prior to the leave. Faculty, Administration, and Staff employees may use accrued paid leave  
176 for an FMLA event and the use of such leave will be counted toward the FMLA entitlement. Leave for  
177 Temporary employees under the FMLA is unpaid leave and such unpaid FMLA leave will only be granted  
178 through the end of the established appointment period or twelve (12) weeks, whichever occurs first.

179 (16) Employees will be provided with up to six (6) months unpaid parental leave unless the employee  
180 already has an established end date prior to that period of time. Non-Temporary employees may use  
181 accrued paid leave when the employee becomes a biological or adoptive parent in accordance with these  
182 Regulations.

183 (a) Employees are provided paid administrative leave as follows, provided that such paid leave will not  
184 cause the full-time employee to exceed forty (40) hours during the workweek. Administrative leave  
185 is not accrued. Administrative leave for jury duty will not cause an employee's total number of hours  
186 to exceed the number of hours in the employee's normal workday or workweek. If jury duty does  
187 not require absence for the entire workday, the employee will return to work immediately upon  
188 release by the court. If jury duty does not coincide with the regular work schedule, the employee will  
189 be granted administrative leave based on the total hours served on jury duty and such leave will be  
190 granted on the next scheduled work shift. Any jury duty pay can be retained by the employee.

191 (b) Administrative leave will be provided to an employee summoned as a witness in a matter not  
192 involving personal interests. Administrative leave will not be provided to an employee serving as an  
193 expert witness. Witness pay can be retained by the employee.

194 (c) Administrative leave for athletic competition in Olympic events will be provided when determined  
195 to be in the best interests of USF.

196 (d) Up to four (4) days of administrative leave will be provided to an employee upon the death of a  
197 family member as defined in Section (12)(b)2 of this Regulation.

198 (e) Administrative leave will be provided as follows for any official emergency closing of facilities of  
199 USF (*i.e.*, complete closure of the University and discontinuation of services). Only employees  
200 scheduled to work during the time of the emergency closing will be provided administrative leave.  
201 Employees already on approved leave at the time of the emergency closing may not have the  
202 approved leave changed to administrative leave. Special compensatory leave will be provided to Staff  
203 employees who are designated as Essential Personnel and required to report to work on campus or  
204 at other University facilities to perform essential services during the emergency closing.

205 (f) When the operation of USF will not be adversely impacted, the CAO will approve administrative  
206 leave for:

207 1. Florida Disaster Volunteers.

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209 2. Up to two (2) days for civil disorder or disaster for an employee who is a member of a volunteer  
210 emergency response team.

211 3. Up to two (2) hours for voting in public elections when the employee lives at such a distance that  
212 he/she cannot vote during the hours the polls are open or when the employee's regularly  
213 scheduled hours are equal to or exceed the hours that the polls are open.

214 (g) When determined to be in USF's best interests, the CAO will grant an employee administrative  
215 leave:

216 1. When the employee is under investigation for a period up to the length of the investigation.

217 2. Between the notice of suspension or dismissal and the effective date of such action.

218 3. When the employee's presence in the workplace may result in damage to property or injury to  
219 employee or others.

220 (17) Military leave and reemployment rights will be provided to Administration and Staff employees  
221 consistent with federal and Florida laws.

222 (18) Workers' Compensation benefits for an injury compensable under the Florida Workers'  
223 Compensation Law will be provided consistent with the following:

224 (a) A Staff or Administration employee will remain in full pay status for a period up to a maximum  
225 of forty (40) hours without being required to use accrued leave credits or take leave without pay.  
226 If, during that period, the employee receives Workers' Compensation benefits, the employee  
227 will reimburse USF the amount of the benefits. Such reimbursement will not include payments  
228 for expenses related to medical, surgical, hospital, or nursing treatment or payments of disability  
229 losses.

230 (b) A Staff or Administration employee may elect to use accrued paid leave to supplement Workers'  
231 Compensation payments to bring the total amount of compensation up to the employee's  
232 regular salary.

233 (c) The period of paid or unpaid job-related disability leave will be in accordance with Chapter 440,  
234 FS, or any other applicable Florida law.

235 (d) When it is determined to be in the best interest of USF, an employee who was injured in the  
236 workplace will be returned to alternate duty when full recovery is anticipated in a reasonable  
237 period of time consistent with these Regulations.

238 (e) If at the end of the leave period an employee is unable to return from leave to work full-time and  
239 perform the duties of the position, the CAO will offer the employee a part-time appointment,  
240 place the employee on unpaid leave or extend the leave status, request the employee's resignation,  
241 or terminate the employee from employment.

242 (19) Learning opportunities for USF employees include:

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244 (a) Learning opportunities for Administration and Staff employees involving professional renewal,  
245 planned travel, study, formal education, research, writing, or other experience of professional  
246 value may include the following:

247 1. Employee development or certification; or

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249 2. Leave to pursue educational goals.

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251 (b) USF -approved employee education programs;

252 (c) Attendance at related professional conferences, workshops or seminars.

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254 (20) Benefits for an injury or illness that occurs while in the service of a vessel and is compensable to  
255 employees who qualify as "Seamen" under the *Merchant Marine Act of 1920*, 46 U.S.C. § 30104, also  
256 known as the "Jones Act," and general maritime law will be provided consistent with the following:

257 (a) Failure to attend a pre-employment medical exam by a doctor of USF's choice and at USF's  
258 expense and/or truthfully answer and complete a pre-employment health questionnaire, if  
259 required by USF, may affect the Seaman's entitlement to compensation under this paragraph.

260 (b) In the event any Seaman is injured or becomes ill, the Seaman may be entitled to maintenance  
261 and cure until the Seaman reaches maximum medical improvement ("MMI") as follows:

262 1. Daily maintenance shall be paid at the rate of fifteen (\$15.00) dollars per day; and

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264 Cure shall be provided through the State Employee Health Insurance Program. USF will reimburse  
265 the Seaman for any medical expenses required for the treatment of the injury or illness.



266 (c) A Seaman who is injured or becomes ill is also entitled to unearned wages for the voyage which  
267 shall be paid from the date of the illness or injury until the specific voyage on which the vessel  
268 is engaged at the time of the illness or injury terminates.

269 (d) A Seaman will remain in full pay status for a period up to a maximum of (40) hours after the  
270 termination of the voyage in which the injury or illness occurred, or the date of the injury or  
271 illness if not on a voyage, without being required to use accrued leave credits or take leave without  
272 pay. After the expiration of this period, and in addition to maintenance, the Seaman may elect  
273 to use up to eight hours of available accrued leave (sick or annual) per day to be equivalent to  
274 his/her salary prior to the illness or injury.

275 (e) Whenever possible, a Seaman who is released to work by the medical provider with restrictions  
276 will be provided an alternate light duty assignment to accommodate these restrictions. The work  
277 assignment may or may not be in a related field of work. UNDER NO CIRCUMSTANCES will  
278 a Seaman be allowed to resume work on a vessel without a written release as fit for duty from  
279 the medical provider and from an authorized member of USF.

280 (f) If at the end of the leave period a Seaman is unable to return from leave to work full-time and  
281 perform the duties of the position, the CAO will offer the Seaman a part-time appointment, place  
282 the Seaman on unpaid leave or extend the leave status, request the Seaman's resignation, or  
283 terminate the Seaman from employment.

284 **(21) Unpaid Leave of Absence (Furlough).** A furlough is a mandatory; temporary; unpaid; partial  
285 or full leave of absence from work for a specified number of hours, days, or weeks within a stated time  
286 frame, with a commensurate reduction in pay. The University may place an employee on furlough at any  
287 time for cost savings/budgetary reasons if the University experiences a significant budget reduction,  
288 reduction in state funding, or other loss of revenue that causes a significant operating budget deficit, or  
289 in the event that work for an employee or employees is temporarily unavailable. At the discretion of  
290 management, a furlough may be a full furlough (with no work hours for a specific period of time) or may  
291 be a partial furlough (imposed for a consecutive number of days, or served intermittently across a  
292 semester or year). A furlough must be approved by the appropriate Vice President and the Central  
293 Division of Human Resources. A furlough may be extended based on the business needs of the  
294 University. A furlough is not a layoff or reduction in workforce; as such, in the event of a furlough, no  
295 layoff rights will apply.

296 (a) No employee affected by a furlough may use accrued *paid* leave of any type (i.e., sick, annual,  
297 compensatory leave or personal holiday) during the furlough period, unless special approval is  
298 granted in writing by the President or designee.

299 (b) Employees are prohibited from performing any *actual work* on behalf of the University during the  
300 furlough period (including checking *work-related* e-mail or *work-related* voice mail.)

301 (c) Furloughed employees may retain their existing employer-provided health insurance through the  
302 State-designated stability period, as per any established State of Florida, Department of  
303 Management Services, Division of State Group Insurance eligibility criteria. Employees are  
304 responsible for arranging employee contributions of benefit premiums when the earnings of their

305 paycheck no longer support the deduction payments.

306 (d) Employees' continuous service, hire date, and employment status will not be affected by any period  
307 of furlough.

308 (e) Where the furlough is partial and the FTE is reduced, the employee may still be eligible for pro-  
309 rated accrual of leave according to University Guidelines.

310 (f) Exempt employees' furloughs must be aligned with the University workweek. Deductions from  
311 the pay of an exempt employee for absences due to furlough disqualify the employee from being  
312 paid on a salary basis in the workweek(s) when the furlough occurs; for those weeks the pay is  
313 accordingly reduced.

314 (g) Employees who are placed on furlough will receive as much notice as practicable, with written  
315 notice required no less than fourteen (14) calendar days prior to the start of the date of the  
316 furlough.

317 (h) A notice of furlough may not be grieved.

318 ~~(21)~~

321 *Authority: Art. IX, Sec 7, Fla. Constitution and Resolutions issued by the FL Board of Governors.*

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323 *History: New (BOT approval) 10-05-03, Amended 3-19-09, 6-20-13, 9-14-15 (technical), 12-1-16, 6-8-17, 6-*  
324 *27-17 (technical), 6-22-18 (technical), 10-25-19 (technical), 3-26-20 (technical).*

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326 *Consolidation Amendments Effective: 7-1-20.*

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