


Florida Fish and Wildlife Conservation Commission
Internal Management Policies and Procedures (IMPP)

	TITLE	IMPP
	Sick Leave Pool and Sick Leave Donations	6.25
		EFFECTIVE DATE
	03/03/2017	
APPLICABILITY	RESCINDS/AMENDS	
FTE Employees	04/13/2010	

REFERENCES:

AUTHORITY: Sections 110.121, 110.219(5)(f) Florida Statutes, Rule 60L- 34.0042(5) and 34.0042(6), F.A.C., Executive Director

POLICY

The Commission maintains a sick leave pool and participates in the state’s Sick Leave Transfer (Donation) Plan (SLTP) to benefit ill or injured employees:

- A. Pool and donated sick leave may only be used for the employee’s illness or injury which is not related to a workers’ compensation illness or injury.
- B. Leave identified in this policy will be pro-rated for part-time FTE employees.
- C. The requesting employee must provide the Office of Human Resources (HR) a Family Medical Leave Act (FMLA) form completed by their medical practitioner to receive pool or donated sick leave.
- D. Participation in the sick leave pool and the SLTP shall be voluntary and the leave shall have no terminal value upon separation.

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6.25.1 DEFINITIONS

Family Medical Leave Act – Provides eligible employees protected absences due to a serious illness or injury. See [6.48 Family Medical Leave Act](#) for additional information on the FMLA.

Sick Leave Pool/SLTP Coordinator – the Human Resources employee who provides support in administering the sick leave pool and sick leave transfer plan.

Sick Leave Pool - An accumulation of sick leave created from FWC employees pooling portions of their sick leave. The pool hours are then used to provide sick leave benefits for employees who are absent due to their personal illness or injury and have exhausted their entire leave balance.

Sick Leave Transfer Plan - Also referred to as the sick leave donation plan. Allows employees in participating agencies to give to or receive sick leave from other state employees. The donated hours are used to provide sick leave benefits for a specified employee who is absent due to their personal illness or injury and have exhausted their entire leave balance.

6.25.2 SICK LEAVE POOL MEMBERSHIP

- A.** Employees may apply for membership upon hire or anytime thereafter by submitting the Sick Leave Pool Membership Application to the Office of Human Resources. To be eligible to become a member employees must have been continuously employed with the Commission or other agency in the State Agency Personnel System for a minimum of one year in an FTE position and have a minimum of 64 hours of unused sick leave. To join the Sick Leave Pool the employee must donate eight (8) hours of their accrued sick leave.
- B.** Upon receipt of the Sick Leave Pool Membership Application form HR staff will determine if the employee meets the required membership criteria. Employees who meet the criteria will be become a member of the pool. The applications of employees who do not meet the required criteria will be monitored by HR and the employee will be made a member when they become eligible.
- C.** Membership may be transferred to or from FWC from another participating state agency.
- D.** Membership may be revoked by the Committee as outlined in 6.25.4(B)(2).

6.25.3 EMPLOYEE CONTRIBUTIONS TO THE SICK LEAVE POOL

- A.** Upon initial enrollment of membership, employees shall have eight hours of sick leave contributed from their leave balance to the pool.
- B.** Members will be required to donate eight hours of sick leave each time the pool reaches depletion. Depletion occurs when the hours drop below one-half the number of member's multiplied by eight. However, no employee will be required to contribute more than 24 hours per calendar year.
- C.** If a member's individual sick leave balance is less than eight hours at the time the pool is depleted, they shall contribute all sick leave hours accumulated and contribute additional sick leave credits accrued by the employee until the eight-hour contribution is met. The employee shall not be allowed to use sick leave credits until the amount owed the pool has been contributed.
- D.** Employees shall be allowed to donate to the pool up to 16 hours of unpaid sick leave at the time of retirement or termination.
- E.** Members who use sick leave pool benefits shall not be required to replace the hours used.

- F. Sick leave contributed to the sick leave pool by a member shall be forfeited upon the employee's cancellation of membership in the pool, retirement, termination from state government, or upon termination from the Commission unless transferred to another state agency participating in the program.
- G. The Director of Human Resources or designated Sick Leave Pool Coordinator shall annually notify Committee members the number of hours used from and contributed to the pool.

6.25.4 SICK LEAVE POOL COMMITTEE

- A. The committee shall be composed of one employee from each division and two employees from the offices. The Sick Leave Pool Coordinator shall serve as the committee chairman.
 - 1. Only participating employees may be committee members.
 - 2. Committee members shall be appointed by and serve at the pleasure of the appropriate division or office director. Committee members shall serve for a term of two years and may be reappointed for unlimited terms.
- B. Committee members shall determine matters of the pool by majority rule as follows:
 - 1. Approve or deny requests to use pool sick leave.
 - 2. Remove existing members if a pattern of sick leave abuse has been documented in a counseling or discipline document or the employee repeatedly fails to have a sufficient sick leave balance when required to contribute to the pool.
 - 3. Recommend changes to pool procedures to the Executive Director.
- C. Only members have voting privileges except that if the committee has a tie vote the Sick Leave Pool Coordinator shall cast the deciding vote.

6.25.5 APPLICATION FOR SICK LEAVE POOL BENEFITS

- A. A member may apply to use pool benefits thirty calendar days after their membership becomes effective. On the 31st calendar day the member is eligible to pool benefits.
- B. A member must complete the Sick Leave Pool Request for Hours form and forward to the Office of Human Resources to request to use pool benefits.
- C. A member may apply in anticipation of the need for benefits prior to exhausting all leave.
- D. The member's supervisor may apply for benefits for the member if the member is physically unable to complete and sign the request form.

6.25.6 APPROVAL AND USE OF POOL SICK LEAVE

- A.** To use benefits, the member must:
1. Provide HR the Sick Leave Pool Request for Hours form;
 2. Provide HR a Family Medical Leave Act (FMLA) form completed by a medical practitioner recognized under the FMLA;
 3. Have exhausted all personal and donated leave;
 4. Have been absent from work for a minimum of seven consecutive calendar days due to the FMLA injury or illness.

Upon approval for the use of sick leave pool benefits the member will receive the benefits beginning with the first day of absence for which pool hours have been requested. The seven-day requirement will apply to each separate accident or illness.

- B.** The Sick Leave Pool Coordinator shall poll the committee members for their approval or disapproval of a request and notify the requesting member of the committee's decision.
- C.** Leave earned while using pool benefits shall be used to reduce the number of hours the member utilizes from the pool.
- D.** Members may use up to 1,040 hours of pool benefits in any two-year period.
- E.** Members receiving SLTP sick leave credits shall deplete the donated hours before sick leave pool hours are used.

6.25.7 SICK LEAVE TRANSFER PLAN

- A.** An employee of a State Personnel System agency which participates in the Sick Leave Transfer Plan may donate sick leave to employees in their own agency and to employees of other participating agencies. The donating employee must have a minimum of 80 hours of sick leave remaining in their sick leave balance after the transfer. The donating employee cannot cancel the transfer once it has been received in the Office of Human Resources.
- B.** The following limitations apply to sick leave donations:
1. Donated leave may not be used to meet the employees Sick Leave Pool minimum requirement.
 2. Donated leave may only be used for the employee's illness, injury or accident.
 3. An employee receiving donated leave is limited to 1,040 donated sick leave hours within a consecutive twelve-month period.
 4. Donated leave will have no terminal value upon separation of the receiving employee.
 5. Unless waived by the employing agency, transferred sick leave credits shall be used for absences associated with such documented conditions beginning with the sixth missed workday or on the first day the employee has exhausted all leave credits, whichever is later.

6.25.8 SICK LEAVE TRANSFER PLAN DONATIONS

- A.** FWC employees donating to a fellow FWC employee may donate hours by sending an e-mail or memorandum to the Director of Human Resources or his/her designee with the following information:
 - 1. The name of the person to whom hours are being donated.
 - 2. The number of hours donated. The minimum donation is eight (8) hours.
 - 3. The People First ID number of the person donating the hours.
- B.** Employees who wish to donate hours to an employee at another participating state agency must complete the Department of Management Services Sick Leave Transfer – Request to Donate form and return to FWC’s Office of Human Resources.
- C.** Donated leave will be transferred to the receiving employee in the following order:
 - 1. Donations from the employee's spouse and the parents, grandparents, brothers, sisters, children or grandchildren of either the employee or the employee’s spouse in order of receipt;
 - 2. Donations from within the agency in order of receipt;
 - 3. Donations from other agencies in order of receipt.
- D.** Upon the expiration of the FMLA period, any FMLA extension, or the employee's return to work unused donated sick leave credits which have been credited to the employee shall be deleted from the receiving employee and returned to the donating employee.

6.25.9 ELIGIBILITY REQUIREMENTS FOR SICK LEAVE TRANSFER PLAN LEAVE

- A.** To be eligible for donated sick leave an employee must meet the following requirements:
 - 1. Occupy an FTE position.
 - 2. Have exhausted all leave balances.
 - 3. Have been absent from work for a minimum of five consecutive workdays.

6.25.10 APPLICATION FOR SICK LEAVE TRANSFER BENEFITS

- A.** To request use of the donated sick leave the employee must submit the FWC Sick Leave Transfer Plan Authorization form and the completed FMLA form to the FWC Office of Human Resources. If the employee is unable to complete the form it may be completed and submitted by a chain-of-command supervisor.

FORMS

FORM NUMBER	FORM TITLE
DMS SLDonationTemplate Rev. 10/15	Interagency Sick Leave Transfer – Request to Donate
DMS SLRequest 3/99	Interagency Sick Leave Transfer – Request to Use
None	Sick Leave Pool Application for Membership
None	Sick Leave Pool Request for Hours

Approved: **Eric Sutton**
Nick Wiley, Executive Director or Designee

Date: **03/03/2017**

History: Est. 12/01/02; Rev.: 04/22/05, 04/13/10, 09/02/15, 03/03/17