

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Disclosure and Regulation of Outside Activities and Financial Interests

1.011

SUMMARY: The University proposes to amend Regulation 1.011 to align the regulation for disclosure of outside activities and financial interests with the simultaneous launch of the UFOLIO Outside Activity disclosure system. University faculty and administrators have been involved in the development of UFOLIO as well as the relevant proposed changes to this regulation to reflect the newly developed disclosure system and process. Together with this revised regulation, the University is developing supporting policies and other documentation to further operationalize this regulation and further centralize and manage University employees' outside activities and financial interests.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Amy Hass, Vice President and General Counsel.

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

1.011 Disclosure and Regulation of Outside Activities and Financial Interests.

(1) The University of Florida encourages its Faculty and Staff to engage in activities supporting their professional growth, creating new knowledge and ideas, and furthering the University’s mission of excellence in education, research, and service. University employees, however, have an obligation to commit their primary professional time and intellectual energy to the University and maintain the highest ethical and professional standards. Further, personal gain from Outside Activities or Financial Interests, as defined in the University of Florida Policy on Conflicts of Commitment and Interest, must not influence—or create the appearance of influencing—the decisions or actions of the University.

(2) Accordingly, all Faculty and Staff shall adhere to the University of Florida Policy on Conflicts of Commitment and Interest (the “Policy on Conflicts”) and the Code of Ethics for Public Officers and Employees (Chapter 112, Part III, Fla. Stat.)¹.

(3) The Policy on Conflicts sets forth the Faculty and Staff members’ obligations to disclose certain Financial Interests, potential Conflicts of Commitment or Interest and the potential consequences for violating the Policy on Conflicts.

(4) The University may take administrative or disciplinary action concerning violations of this Regulation up to and including termination of employment.

¹ The Policy on Conflicts can be found here:

<http://generalcounsel.ufl.edu/media/generalcounselufledu/documents/COI.pdf>

The Code of Ethics for Public Officers and Employees can be found here:

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0112/0112PARTIIIContentsIndex.html

Authority: BOG Regulation 1.001.

Law Implemented: 112.313, 112.3185, FS.

History--New 5-28-80, Formerly 6C1-7.391, Amended 3-6-85, Formerly 6C1-1.11, Amended 3-2-87, 5-21-89, 7-11-94, 4-30-95, 12-12-95, 6-28-98, 6-21-00, 5-22-01, 1-7-03, 7-5-04, Formerly 6C1-1.011, Amended 3-17-11, 6-8-12, _____.

~~REGULATIONS OF THE
UNIVERSITY OF FLORIDA~~

~~1.011—Disclosure and Regulation of Outside Activities and Financial Interests.~~

~~(1)—General Requirements.~~

~~(a)—All employees of the University of Florida must be committed to the University's goals of teaching, research, and service and recognize that their primary professional responsibility is to the University. Faculty and staff members may participate in outside activities and hold financial interests as long as the activities and interests do not violate any state or federal law or regulations, including but not limited to this regulation, and such activities and interests do not conflict with their duties and responsibilities to the University. All University employees, which includes Academic Personnel (AP), Technical, Executive, Administrative, and Managerial Support (TEAMS) employees, University Support Personnel System (USPS) employees, and Other Personnel Services (OPS) employees, are responsible for the full and faithful performance of their professional or institutional responsibilities and obligations.~~

~~(b)—All University employees are bound to observe, in all official acts, the highest standards of ethics consistent with the code of ethics of the State of Florida (Chapter 112, Part III, Fla. Stat.), the advisory opinions rendered with respect thereto, other federal and state law, and the Regulations of the University of Florida, including but not limited to this Regulation-1.011.~~

~~(c)—No employee shall solicit or accept anything of value that is based upon an understanding that the official action or judgment of the employee would be influenced thereby.~~

~~(d) — No employee shall have an employment or contractual relationship or engage in a business or personal activity that will create a continuing or frequently recurring conflict between that employee’s private interest and the performance of the employee’s official duties.~~

~~(e) — An employee engaging in an outside activity must take reasonable precautions to ensure that the outside employer or other recipient of services understands that the employee is engaging in such outside activity as a private citizen and not as an employee, agent, or spokesperson of the University.~~

~~(2) — Definitions.~~

~~(a) — “Outside activity” shall mean any private practice, private consulting, employment, teaching, research, business (including managerial interests or positions), or other activity, compensated or uncompensated, which is not part of the employee’s assigned duties and for which the University provides no compensation.~~

~~(b) — “Conflict of interest,” shall mean:~~

~~1. — any conflict between the private interests of the employee and the public interests of the University of Florida or the State of Florida, including conflicts of interest specified under Florida Statutes; or~~

~~2. — any outside activity or financial interest which interferes with the full and faithful performance of the employee’s professional or institutional responsibilities or obligations, including but not limited to conflicts of commitment.~~

~~(c) — “Entity” or “entities” shall mean any for profit or not for profit entity, any public agency, any individual, or any client.~~

~~(3) — Activities and Financial Interests To Be Reported.~~

~~(a) — The following outside activities and financial interests must be reported prior to~~

~~engaging in the activity or acquiring the financial interest:~~

~~1. Outside activities in which there is more than an incidental use of University facilities, equipment, and/or services.~~

~~2. Outside activities in which a University student or other University employee is directly or indirectly supervised by the employee if the employee in any way supervises, evaluates or serves in a formal advisory role for the student or other employee at the University.~~

~~3. Management, employment, consulting, and other contractual activities with, or ownership interest in, any entity (other than the University) that may enter into a business or other contractual transaction with the University. In the case of material financial and managerial interests, the information required extends to the spouse and/or children of the employee, and for managerial interests, to relatives. These disclosures must include a statement of whether any contractual, service or other business relationship exists or is contemplated with the University to the employee's knowledge.~~

~~a. Material financial interest is defined as direct or indirect ownership of more than five (5) percent of the total assets, capital stock, ownership, or voting interest of an entity.~~

~~b. Managerial interest includes serving as an officer, director, partner, proprietor, etc. of an entity.~~

~~c. If the entity with which the employee has an employment, contractual or other business relationship or in which the employee, the employee's spouse, domestic partner and/or children have an ownership interest wishes to enter into a licensing or research agreement with the University or with the University of Florida Research Foundation, Inc., an exemption allowing such an agreement may be approved by the President or the President's designee and the Chair of the Board of Trustees. Application for this exemption is made through the Office of~~

Research.

~~d. — If the employee has an employment, business or contractual relationship, a material financial interest or a managerial interest, concerning an entity that may enter into any business transaction with the University, the employee must disclose the interest to Purchasing Services, and the interest must be allowed and approved by Purchasing Services, in consultation with the Office of the Vice President and General Counsel, prior to any business transaction between the entity and the University.~~

~~4. — Management, employment, consulting, and other contractual activities with, or ownership interest in, an entity which competes with the University.~~

~~5. — Candidacy for or holding a public office.~~

~~6. — Required use of books, supplies, or other resources at the University of Florida when they are created or published by the employee, or the employee's spouse or domestic partner or minor child(ren), or by an entity in which the employee, or the employee's spouse or domestic partner or minor child(ren) has any financial or managerial interest, if more than \$500 is received or expected to be received annually by any or all of them individually or in the aggregate, directly or indirectly, or through the entity in which they have a financial or managerial interest, from the sale, assignment, license or use of such books, supplies or other resources by the employee, spouse, domestic partner, minor child(ren), and/or the entity in which there is a financial or managerial interest.~~

~~7. — Professional compensated activities, including but not limited to honoraria, consulting, teaching at another institution, and employment as an expert witness.~~

~~8. — Service on the board of directors or board of trustees or as an officer, or other management interests or position, with an entity.~~

~~9. — Any outside compensated employment.~~

~~10. — Any employment, contractual relationship, or financial interests, including intellectual property rights, of the employee which may create a continuing or recurring conflict between the employee's interests and the performance of the employee's University responsibilities and obligations, including time commitments. This includes any outside activity in which the employee is required to waive rights to intellectual property.~~

~~(b) — Any employee submitting a federal, state or other government grant or contract proposal or conducting research or educational activities pursuant to a federal, state or other governmental grant or contract must adhere to the applicable requirements of the funding agency, including those involving the disclosure and regulation of outside activities and financial interests. In addition to the disclosure requirements set forth in section (4) of this regulation, all required disclosures for federal, state or other governmental contracts and grants must be made to the Division of Sponsored Research in accordance with applicable federal, state or other governmental requirements.~~

~~(c) — Outside activities which the employee should conclude may create an actual or apparent conflict of interest, including conflict of time commitments, which are otherwise not required to be reported under paragraphs (3)(a) or 3(b) above must be reported as soon as practicable.~~

~~(d) — The selection and use of instructional materials in which the employee, the employee's spouse or domestic partner or minor child(ren) has a financial interest are subject to the following guidelines:~~

~~1. — Employees who are instructors are responsible for the assignment of instructional materials, such as textbooks and other academic materials, for use by their students. The~~

~~selection of these materials must be made for academic reasons and may not be based on financial gains for the individual employee, the employee's spouse or domestic partner or minor child(ren) or the University.~~

~~2. — An employee, the employee's spouse or domestic partner or minor child(ren), and an entity in which the employee or the employee's spouse or domestic partner or minor child(ren) has a financial interest may not receive a financial benefit from materials reflecting general course information or assignments or evaluation materials used in University of Florida courses or other University instructional activities. Examples of such materials are exams, quizzes, syllabi and extra credit assignments.~~

~~3. — If an employee, the employee's spouse or domestic partner or minor child(ren) may financially benefit from the sale or use of required books, supplies, or other resources, these materials may be required only under the following conditions:~~

~~a. — The department chair and dean or director have approved such an arrangement on the University's Disclosure of Outside Activities and Financial Interests), submitted by the employee, and~~

~~b. — The materials have been selected for academic reasons independent of any financial gain for the persons and entities described, are offered at a fair market price, have been adopted for use at other higher education institutions, been through a peer review process, are the original works or creations of the employee and not a collection of the works of others, are protected by copyright, patent, or trademark, and are published or produced by an incorporated or registered publisher, company, or entity. Their use may not require the user to waive any intellectual property rights.~~

~~(e) — The reporting requirements of this regulation shall apply to full time and part-~~

~~time employees. Unless otherwise required under federal, state or other governmental grant regulations, the reporting requirements shall not apply to activities performed wholly during an interval of the year in which the employee is assigned no professional or institutional responsibilities and obligations by the University.~~

~~(4) — Disclosure and Approval Procedures for all University employees.~~

~~(a) — The University's form entitled, “Disclosure of Outside Activities and Financial Interests” shall be filed with the President or designee, who shall normally be a dean, director, or vice president. The form may be obtained online at <http://www.aa.ufl.edu/online-forms>. Disclosures must be completed and filed at the beginning of employment, renewed at the beginning of each 12-month or 9-month appointment period, prior to such time as the outside activity or financial interest begins, or at such time as disclosure is required under applicable federal, state or other governmental grant requirements. If a material change in the information presented occurs at any time, a new disclosure is required. The following information is required as to each outside activity or financial interest reported:~~

~~1. — Name of employing entity, client or other recipient of services, or name of entity in which the financial interest is held, and nature of its business. In the case of service as an expert witness or representation of a party in a lawsuit, the party represented by or employing the expert must be identified along with all other parties involved in the matter.~~

~~2. — Source of compensation, including client fees.~~

~~3. — Involvement of students and other employees in the activity, employing entity, or entity in which the financial interest is held.~~

~~4. — Nature or type of activity or financial interest (description of equity interest or intellectual property), including time spent if an activity is involved (estimated hours per week~~

including travel).

~~5. Location and anticipated dates of activity.~~

~~6. Any conditions of the activity which involve waiving or impairing the employee's or University's right to intellectual property.~~

~~7. Use of University equipment, facilities, or services in connection with the activity.~~

~~8. Number of outside activities and financial interests filed for the current contractual year.~~

~~9. Prior reporting of the activity or financial interest in the previous contractual year, if applicable.~~

~~10. Any other documentation necessary to determine the nature and extent of any actual or potential conflict of interest.~~

~~(b) If there are any questions regarding a potential conflict of interest, the employee should discuss the activity or financial interest with his or her chairperson or immediate supervisor, or designee of the Dean of the college or Director of the unit.~~

~~(c) If the Dean or Director or designee finds that the proposed outside activity or financial interest is a prohibited conflict of interest or a conflict of interest that may be permitted only with conditions, the employee shall be notified promptly of the decision that he or she may not engage in the proposed activity while employed at the University or of the conditions under which the outside activity or financial interest may be permitted.~~

~~(e) Authorization for an outside activity or financial interests is granted for a specific period of time, not to exceed one (1) year ending June 30th. If the outside activity is to extend beyond June 30th, a new Disclosure of Outside Activities and Financial Interests must be submitted prior to July 1 of each year for the new fiscal year period. If the outside activity or~~

~~financial interest is permitted with conditions, the employee is required to adhere to the conditions during the period that the activity or financial interest is authorized.~~

~~(f) — Academic Personnel are required to indicate annually as part of the effort reporting process whether they are involved in outside activities or have financial interests required to be reported under this regulation. USPS and TEAMS employees are required to indicate on their annual Performance Evaluation form whether they are involved in outside activities or have a financial interest required to be reported under this regulation. OPS employees shall follow the reporting procedure as outlined in this regulation. If the answer is affirmative, the employee must submit the Disclosure of Outside Activities and Financial Interests as required in this regulation.~~

~~(5) — Disclosure and Approval Procedures for Additional University Compensation. Any employee who wishes to engage in additional employment in excess of one (1) full-time equivalent position at the University or who receives compensation as a University employee simultaneously from salaries appropriations and any appropriation other than appropriations for salaries must submit a Request for Approval of Additional University Compensation, which may be obtained online at [http://www.ufl.edu/officeoftheprovost/employment/employmentrequestforapproval.htm](#) to the appropriate administrative officials and obtain approval prior to engaging in such activity. A copy of this form may be obtained in the college or unit administrative offices. No “Disclosure of Outside Activities and Financial Interests” need be filed for the activity as the secondary employment is within the University of Florida and the completion of the “Request for Approval of Additional University Employment” form fulfills the employee’s obligation to report. An exception to this procedure is employment by the University Press of Florida (UPF). Approval of UPF employment is granted by the President or designee, and such approval, which is submitted by the UPF to the Office of the Provost, fulfills the~~

~~employee's obligation to report the activity.~~

~~(6) — Procedure for Requesting Use of University Resources. If an employee has the University's approval to engage in outside activity, the employee may request approval for the use of University equipment, facilities, or services in connection with the outside activity. The University must approve the use in advance. The employee must request such approval by completing and submitting the University's form entitled Request to Use University Equipment, Facilities, and Services in Conjunction with Non-University Outside Activity, which may be obtained online at [The form should be attached to the Disclosure of Outside Activities and Financial Interests](#). The use of any of these resources will be allowed only on a non-interference basis, and there may be a charge for such use.~~

~~The changes to this regulation shall be effective August 24, 2012.~~

~~Authority: BOG Regulation 1.001.~~

~~Law Implemented: 112.313, 112.3185, FS.~~

~~History: New 5-28-80, Formerly 6C1-7.391, Amended 3-6-85, Formerly 6C1-1.11, Amended 3-2-87, 5-21-89, 7-11-94, 4-30-95, 12-12-95, 6-28-98, 6-21-00, 5-22-01, 1-7-03, 7-5-04, Formerly 6C1-1.011, Amended 3-17-11, 6-8-12.~~

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Benefits, Retirement Programs, Employment
Services and Holidays

1.200

SUMMARY: The proposed regulation amendment reflects an increase in the number of Higher Education Opportunity Scholarships to be awarded each year from fifty (50) to one-hundred fifty (150) eligible children of TEAMS employees.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Jodi Gentry, Vice President, Human Resources

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

1.200 Benefits, Retirement Programs, Employment Services and Holidays.

(1) Benefits. Benefits made available to faculty; Technical, Executive, Administrative, and Managerial Support (TEAMS) and University Support Personnel System (USPS) employees include paid and unpaid leave as described in University of Florida Regulation 1.201, holidays, state- and University-sponsored insurance programs, and retirement. Under the Family Medical Leave Act (FMLA), Other Personnel Services (OPS) employees are eligible for unpaid leave under the terms of the act. Benefits and hours of work requirements shall be administered in accordance with this regulation.

(2) Related Definitions and Terms. For the purpose of administering this regulation, the following words and terms shall have the meaning indicated.

(a) TEAMS. Technical, Executive, Administrative, and Managerial Support pay plan.

(b) Break-in-Service. Break-in-service occurs upon separation from the University of Florida. Such break-in-service occurs for Deferred Retirement Option Program (DROP) participants when they end DROP.

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

(d) Continuous Service. Continuous service is employment in a salaried (non-OPS) position with the University without a break-in-service. Continuous service as defined in this regulation shall have no effect on the provisions of the Florida Retirement System.

(e) Exempt Classification. A classification designated by the University of Florida as exempt from the maximum hours and overtime pay requirements of the Fair Labor Standards Act (FLSA).

(f) Nonexempt Classification. A classification designed by the University of Florida as not exempt from the maximum hours and overtime pay requirements of the Fair Labor Standards Act (FLSA).

(g) OPS. Other Personnel Services pay plan.

(h) USPS. University Support Personnel System pay plan.

(i) Creditable Service. Creditable service is employment in a salaried (non-OPS) position with the University with or without a break-in-service. Creditable service as defined in this regulation follows the provisions of the Florida Retirement System.

(j) 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 with the exception of faculty in the Health Science Center Colleges, who must participate in the Optional Retirement Program (ORP), all full-time faculty and eligible TEAMS employees whose positions are assigned administrative and management responsibilities or professional duties at the department/unit level or above, shall be enrolled in the ORP, and shall be notified by the employer of such action. Any employee who is eligible to participate in the ORP and who fails to execute a contract with one of the approved companies and to notify the Division of Retirement in writing within ninety (90) days after the date of eligibility, shall be deemed to have elected membership in the 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 that may interfere or may create a conflict of interest in keeping with University of Florida procedures located in University of Florida Regulation 1.011 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 forty (40) hours.

a. Each department or division is required to keep an accurate record of all hours worked by each USPS employee and nonexempt TEAMS employee as well as a complete and accurate record of all authorized leave that is approved in accordance with these regulations 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 that is less than a full hour will be charged with such leave to the closest quarter of an hour.

2. Upon reasonable notice, the appropriate University of Florida administrator shall require an employee to use any part of his or her accrued vacation, overtime, or special or regular compensatory leave, as described in subsection (4) of University of Florida Regulation 1.201, 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 subsection (4) of University of Florida Regulation 1.201, to first use such leave before using accrued vacation 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.

(c) Developmental Research School—P.K. Yonge.

The faculty of the Developmental Research School serve on a 190-196 day work schedule. The academic calendar for the Developmental Research 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) University of Florida Holidays:

(a) The following days 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.

1. New Year's Day.
2. Birthday of Martin Luther King, Jr., third Monday in January.
3. Memorial Day.
4. Independence Day.
5. Labor Day.
6. University of Florida Homecoming.
7. Veteran's Day.
8. Thanksgiving Day.
9. Friday after Thanksgiving.
10. Christmas Day.
11. If any of these holidays fall on a weekend, a day during the workweek will be observed.

(b) An observed holiday benefit (maximum of eight (8) hours) does not count for purposes of overtime.

(c) OPS employees are not eligible for holiday benefits unless they are OPS faculty members who are compensated on a biweekly basis.

(d) To receive holiday pay, TEAMS 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.

(e) USPS employees who have completed their probationary period earn one (1) personal holiday in proportion to their FTEs per fiscal year.

1. Such personal holiday shall be credited to eligible employees on the last day of the pay period in which July 1 falls. It must be taken by the employee or be forfeited at the close of business on the last day of the pay period in which the following June 30 falls.

2. Cash payment is not provided for unused personal holidays. 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).

(f) 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.

a. In the event a USPS or a nonexempt 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 nonexempt 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 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 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 twelve (12)-month period.

(g) No classes shall be scheduled on holidays unless approved by the President or designee. Classes not held because of a holiday shall not be rescheduled.

(h) 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 courses per semester at a public community or state college closest to their assigned work location in Florida, at a Florida state university closest to their assigned work location, or at a vocational technology center closest to their assigned work location under the terms and conditions set forth in subsection (1) of University of Florida Regulation 1.012.

(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 or state college in Florida must complete an application for admission to the University of Florida before the published deadline for the academic year of entry. Before this deadline, the parent TEAMS employee must notify the Office of Human Resource Services of the child's name, via the Higher Education Opportunity of Children of Full-Time TEAMS Employees Application Form, which is incorporated herein by reference and can be obtained at <http://www.hr.ufl.edu/education/heo/>, that the child has filed an application for entrance under this program, and must certify that the child meets the following criteria:

a. He or she must be the natural, adopted, step, foster or any other child for which legal guardianship can be documented of a full-time TEAMS employee.

b. He or she will continue to be eligible for the program through the end of the calendar year in which the child turns twenty-six (26) years of age. The Office of Human Resource Services will send to the Office of Admissions the names of children whose parents have provided the indicated information before the program's deadline so the admissions office may verify application to the University of Florida.

2. One hundred and Fifty (150) children will be chosen at random from the pool of names by the Office of Human Resource Services. Those children among the one hundred and fifty (150) 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 Executive Director of the Office of Admissions. Those children among the one hundred and fifty (150) 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 may enroll at a public community or state college in

Florida.

3. The University will pay the in-state matriculation fees less any Bright Futures Scholarship award for each of the one hundred and fifty (150) children for up to twelve (12) credits per semester during the academic year and for up to six (6) credits per twelve (12) week summer semester at the University of Florida or a public community or state 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:

a. The child's legal guardian must be a full-time TEAMS employee on the first day of classes for each new semester.

b. The child's cumulative GPA must be 2.75 or higher.

c. If the child is attending a public community college, he or she must provide to the Office of Human Resource Services 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 one hundred thirty-two (132) credit hours. All completed courses, passed or failed, and withdrawals are totaled in the count of credit hours.

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

Authority: BOG Regulation 1.001.

History: New 7-15-97, Amended 6-28-98, 3-2-03, 12-31-03, 5-30-04, 7-19-05, 3-30-07 (technical changes only), 3-14-08 (BOT approval), 3-17-09 (technical changes only), 6-12-09 (BOT approval), Formerly 6C1-1.200, Amended 3-17-2011, (BOT approval).

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Leaves

1.201

SUMMARY: The proposed regulation amendment reflects the change in how the University determines an employee’s FMLA eligibility from a fiscal year (July 1 to June 30) basis to a twelve (12) month period immediately preceding an employee’s request for FMLA leave.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Jodi Gentry, Vice President, Human Resources

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

1.201 Leaves.

(1) The following describes the leaves provided to University of Florida employees. Also refer to the University of Florida Regulation 5.0761 for leave provisions for interns, residents and fellows in the College of Medicine and University of Florida Regulation 6.011 for leave provisions for county extension employees.

For the purposes of this regulation, Executive Service shall comprise the President and the members of Technical, Executive, Administrative, and Managerial Support (TEAMS) who hold the title of Vice President or who are otherwise designated by the University President to receive Executive Service benefits.

(2) Each employee is expected to work the number of hours in the employee's established workweek unless on approved leave.

(3) The minimum workweek is forty (40) hours for full-time employees. Holiday pay (maximum of eight (8) hours) and paid leave are not considered overtime and are paid at the employee's regular pay rate. Approved leave shall be adjusted to ensure an employee's workweek will not exceed the employee's full-time-equivalent (FTE) appointment.

(4) Compensatory leave shall consist of the following types and such unused leave shall be paid as follows:

(a) Overtime compensatory leave is provided in lieu of payment for overtime for nonexempt University Support Personnel System (USPS) and nonexempt TEAMS employees at the rate of one and one half times the total hours worked beyond forty (40) or by crediting the

employee with up to one hundred twenty (120) hours of overtime compensatory leave, which is earned at one and one-half hours for each hour of overtime worked. Overtime compensatory leave is only available to nonexempt USPS and nonexempt TEAMS employees and is not available to any other employees.

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

2. If the employee separates from the University, or accepts another position at the University with an exempt designation, such leave shall be paid at the employee's regular rate of pay. An employee who reassigns, promotes or accepts a demotion to another position in a work area paid by a different account number will be paid for unused overtime compensatory leave at the employee's regular rate of pay. If an employee reassigns, promotes or accepts a demotion to another position within the same department, cash out is at the department's discretion.

3. Upon reaching one hundred twenty (120) hours of overtime compensatory leave, the 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.

4. The President or President's designee 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, with approval from the President 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 shall be provided to a USPS exempt employee for work beyond forty (40) hours on an hour-for-hour basis. The University will pay for unused regular compensatory leave with the approval of the President or designee. The President or

designee has the authority to grant approval to an employee to retain regular compensatory leave in excess of one hundred twenty (120) hours for a period not to exceed six (6) months in circumstances 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.

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

2. 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 accepts a position in TEAMS, any unused regular compensatory leave will be transferred. In such cases, the employee must use regular compensatory leave before using vacation leave.

3. 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.

(c) Special compensatory leave is provided on an hour-for-hour basis to USPS and nonexempt TEAMS personnel as follows:

1. Special compensatory leave is provided to compensate an employee for hours over his or her FTE that are attributed to a holiday in the workweek when the employee observed the holiday and worked additional hours in the workweek or when the holiday falls on the employee's regularly scheduled day off or the employee is required to work the holiday and the employee's work schedule is not adjusted accordingly within the workweek.

2. Special compensatory leave is provided to compensate an employee when administrative leave for jury duty or court appearance provided in subsections (16)(a) and (b) below and the employee's time worked hours exceed his or her FTE in the workweek.

3. Special compensatory leave is provided to an employee required to perform essential duties during an emergency closing for the hours worked during the closing if the employee's work schedule is not adjusted accordingly within the workweek.

4. The President or designee has the authority to pay or require an employee to use any or all of the employee's accrued special compensatory leave at any time in order to provide for the efficient management of the unit, to conserve funds, or to provide savings to the University. If the employee separates, the employee shall be paid for all unused special compensatory leave at the employee's regular rate of pay. An employee who reassigns, promotes or accepts a demotion to another position in a work area paid by a different account number will be paid for all unused special compensatory leave at the employee's regular rate of pay. If an employee reassigns, promotes or accepts a demotion to another position within the same department, cash out is at the department's discretion based on budget considerations. With approval from the President 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.

5. An employee who is unable to work due to a compensable workers' compensation injury and is receiving salary indemnification benefits shall not be eligible for special compensatory leave or any paid holiday benefit.

(5) An employee shall be paid proportionate to the FTE in pay status for all holidays designated for University employees.

(6) Leave shall be accrued while in pay status and shall be credited on the last day of

that pay period or, in the case of separation, on the last day the employee is on the payroll.

(7) During an approved leave of absence for parental, foster care, medical or military reasons, an employee may use accrued leave to continue the contributions to State benefits and other expenses.

(8) Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period. While on paid leave, an employee may not be employed elsewhere unless the requirements for outside activity and extra compensation have been met.

(9) Sick leave accrual for full-time employees shall be as follows with proportionate accrual for less than full-time.

	Hours Accrued During Pay Period	
	Monthly	Biweekly
Faculty (except for Postdoctoral Associates)	8.667	4
TEAMS (except for Executive Service)	8.667	4
Executive Service	10.833	5
USPS	8.667	4

(a) Sick leave shall be accrued before use unless available through a sick leave pool. There is no maximum on the amount of sick leave that can be accrued.

(b) Sick leave is authorized for the following purposes: 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.

1. The illness, injury, appointments with health care providers or death of a member of the employee's immediate family.

2. An “immediate family member” shall be defined as an employee’s spouse, domestic partner, great-grandparent, grandparent, parent, brother, sister, child, grandchild or great-grandchild; or the great-grandparent, grandparent, parent, brother, sister, child, grandchild, or great-grandchild of the employee’s spouse or domestic partner, or the spouse or domestic partner of any of them. This also includes individuals for whom the employee is the current legal guardian.

(c) Notice of absence due to illness, injury, disability or exposure to a contagious disease shall be given on the first day of absence.

(d) An employee shall not be paid for any unused sick leave upon separation, and such leave shall be forfeited unless the employee is recalled by the University within 365 days after a formal University layoff. Notwithstanding the foregoing, upon separation from University employment as a result of retirement on or before June 30, 2016, an employee with ten (10) or more years of creditable service who was hired prior to April 1, 2010, shall be paid for one-fourth of unused sick leave up to a total of 480 hours.

(e) An employee at another university in the Florida State University System or State of Florida agency who accepts employment at the University within thirty-one (31) days may transfer up to eighty (80) hours of accrued sick leave. Upon termination, any leave accepted in transfer shall be forfeited or cashed out in keeping with the provisions of this regulation.

(f) Upon reemployment with the University within 180 days, any sick leave paid at separation shall be restored provided the employee repays the full amount of any lump-sum payment received for accumulated sick leave credits within sixty (60) days of reemployment. An employee who was not paid for any unused sick leave shall have such forfeited sick leave restored.

(g) Postdoctoral Associates do not accrue sick leave.

(10) Vacation leave for full-time employees shall be as follows with proportionate accrual for less than full-time. Any exceptions other than those listed below will require approval of the Vice President over the area and the Vice President for Human Resource Services. An academic year (thirty-nine (39) weeks) employee, a Developmental Research School employee, an employee appointed for less than nine (9) months, and Postdoctoral Associates shall not accrue vacation leave. Hospitalist faculty members do not accrue vacation leave because of the unique nature of their duties and work schedules. Hours of accrual for USPS employees are based on years of creditable service, and such service shall be awarded as one (1) month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of the University, on the salaried (non-OPS) payroll of a state agency prior to January 6, 2003, on the salaried (non-OPS) payroll of a state university in the State of Florida prior to January 6, 2003, or on the salaried (non-OPS) payroll of these institutions while on authorized unpaid leave during the indicated time periods.

	Hours Accrued During Biweekly Pay Period	Yearend Maximum	Maximum Lifetime Payment
Faculty (except for Postdoctoral Associate and Hospitalists)	6.769	352	200
TEAMS (except for Executive Service)	6.769	352	200
Executive Service	9.195	352	200
USPS (Months of Service)			
0 to 60	4	240	200
61 to 120	5	240	200
Over 120 months	6	240	200

(a) Vacation leave shall be accrued prior to use unless vacation leave is advanced by the President or designee.

(b) Employees may accrue vacation leave in excess of the year-end maximum during a calendar year. Employees with accrued vacation leave in excess of the year end maximum, shall have any excess converted to sick leave on an hour-for-hour basis at a time or times in the following calendar year to be designated by the University. The President or designee is authorized to grant approval to an employee to retain vacation leave in excess of the year-end maximum in circumstances involving natural disasters and other extraordinary situations lasting for an extended period of time that prevent the employee from using vacation leave.

(c) An employee who separates from employment shall be paid for all unused vacation leave hours up to the lifetime maximum payment allowed for the employee's pay plan. Upon recall by the University within 365 days after a formal University layoff, the employee shall have all unpaid vacation leave restored, and any vacation leave paid at time of separation also shall be restored upon repayment.

Upon entering into the Deferred Retirement Option Program (DROP), an employee may elect to be paid up to the maximum payment allowed of his or her unused vacation leave. Such payment, along with any additional payment to be received upon separating from the University (end of DROP), shall not exceed the maximum payment associated with the employee's established pay plan upon entering DROP.

(d) An employee at another university in the Florida State University System or State of Florida agency who accepts employment at the University of Florida may within thirty-one days transfer up to eighty (80) hours of accrued vacation leave.

(e) Upon moving from a vacation leave-accruing position to a position that does not

accrue vacation leave, the employee shall be paid for unused vacation leave up to the maximum lifetime payment allowed for the employee's pay plan, unless the employee elects to retain all unused vacation leave, for up to two (2) years.

(f) Upon reasonable notice, an employee shall be required to use any part of his or her accrued vacation leave at any time deemed advisable by the President or designee based on the effective functioning of the unit, the efficient use of available personnel and budget.

(11) Compulsory medical leave provisions shall be consistent with the following:

(a) Medical certification by a health care provider designated or approved by the President or designee shall 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 entitlements under the Medical Leave Act (FMLA) of 1993 (Public Law 103-3).

(c) The employee is allowed to use paid leave during compulsory leave to continue the contributions to 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 a current medical certification that the employee is able to perform assigned duties.

(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 shall 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 twelve (12) workweeks of Family and Medical Leave within a twelve (12) month period in compliance with FMLA and the Final Regulations

of the Family and Medical Leave Act of 1993 (29 CFR Part 825). All employees are eligible, including OPS employees who have worked at least twelve (12) months, which need not have been consecutive, and who have worked at least 1,250 hours in the twelve (12) months prior to the leave. The ~~fiscal year of July 1 to June 30 is considered the~~ twelve (12) month period for determining FMLA eligibility is the twelve (12) months immediately preceding an employee's request for FMLA leave. Faculty, TEAMS, Executive Service and USPS employees may use paid leave for an FMLA event, and such shall be counted toward the entitlement. If at the end of the leave period, an employee is unable to return from leave to work full-time and perform the duties of the position, the President or designee shall offer the employee part-time employment, place the employee on unpaid leave, extend the leave of absence or dismiss the employee for inability to perform the duties of the position.

(13) Parental Leave.

(a) Eligible employees shall be provided with up to six (6) months unpaid parental leave during which time the employee may use paid leave when the employee becomes a biological or adoptive parent. OPS employees, including Postdoctoral Associates, are not eligible for parental leave beyond their FMLA entitlement and are not eligible for paid parental leave. Parental leave is also provided to an employee who is a domestic partner to an expected biological or adoptive parent. Parental leave may begin two (2) weeks prior to the expected date of the child's arrival unless otherwise mutually agreed to by the President or designee and the employee.

(b) A Faculty, TEAMS or USPS employee may be advanced up to six (6) weeks of sick or vacation leave to be used in connection with the birth or adoption of a child or the initial placement of a child in the foster care of the employee. The following guidelines would apply:

1. The paid parental leave may be used in conjunction with other accrued leave up to the six (6) months currently provided in University regulation and policy. The paid parental leave may not be used to extend the six (6) months of leave (paid and unpaid) currently allowed.

2. The employee may work part-time during the paid parental leave with agreement by the supervisor.

3. The leave may not be used during periods when the employee would not otherwise be assigned duties or be in pay status.

4. The employee will be required to repay the leave hours advanced within a three-year period from the first date the leave is used. Upon the employee's separation from the University, the number of hours of parental leave taken will be deducted from any sick and/or vacation leave balance or other payment, if owed by the University under other provisions of this regulation, prior to the payment being made. If the paid parental leave taken exceeds the available balance of unused leave that is payable, if any, at the time of separation, the employee will be required to repay the cost of the difference of the hours that have not been repaid.

(14) Up to six (6) months of leave may be granted to an eligible employee for his or her serious personal health condition or when he or she needs to care for a member of his or her "immediate family" as defined under subparagraph (9)(b)3 above with a serious health condition, which may be extended up to one (1) year for extenuating circumstances.

(15) Up to twelve (12) months of leave without pay may be granted for personal reasons to an eligible employee, which must be taken as a complete leave without pay.

(16) Employees provided paid administrative leave shall not exceed forty (40) hours during the workweek. Administrative leave is not accrued.

(a) Administrative leave for jury duty shall not exceed the number of hours in the employee's normal workday. If jury duty does not require absence for the entire workday, the employee shall return to work immediately upon release by the court. If the jury duty does not coincide with the regular work schedule, the employee shall be granted administrative leave based on the total hours served on jury duty and such leave shall be granted on the next scheduled work shift. Any jury pay shall be retained by the employee.

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

(c) Administrative leave for athletic competition in Olympic events shall be provided under the same conditions accorded to state employees in Section 110.118, Fla. Stat.

(d) Administrative leave up to two (2) days shall be provided to a USPS or TEAMS employee upon the death of an immediate family member.

(e) Administrative leave shall be provided for official emergency closing of University facilities. Special compensatory leave shall be provided to eligible USPS and TEAMS employees required to perform essential services during the emergency closing. Only employees scheduled to work during the time of the emergency closing shall be provided leave.

(f) The President or designee shall provide administrative leave for Florida Disaster Volunteers under the same conditions accorded to state agency employees in Section 110.120, Fla. Stat.

(g) The President or designee may grant up to two (2) days of administrative leave for civil disorder or disaster for an employee who is a member of a volunteer emergency

response team based on the nature of the duties performed by the employee and the location and nature of the civil disorder or disaster.

(h) The President or designee may provide administrative leave up to two (2) hours for voting in public elections upon the request of the employee and based upon the nature of the employee's duties and the location of the polling place.

(i) The Vice President for Human Resource Services or designee in conjunction with the appropriate Vice President or designee may place an employee under investigation on administrative leave or may reassign the employee pending the conclusion of the investigation pursuant to University of Florida Regulations 3.045, 3.046 and 7.048.

(j) The Vice President for Human Resource Services or designee in conjunction with the appropriate Vice President or designee may place an employee on administrative leave or may reassign the employee between the notice of reduction in pay, suspension, layoff or dismissal and the effective date of such action pursuant to University of Florida Regulations 3.045, 3.046, and 7.048.

(k) The Vice President for Human Resource Services or designee in conjunction with the appropriate Vice President or designee may place an employee on administrative leave when the employee's presence in the workplace may result in damage to property or injury to the employee or others.

(17) Military Leave. Federal and state laws shall govern the granting of military leave and the employee's reemployment rights as follows:

(a) Disabled Veterans Reexamination or Treatment. An employee who has been rated by the Veterans Administration to have incurred a service-connected disability and has been scheduled by the Veterans Administration to be reexamined or treated for such disability

shall, upon presentation of written confirmation of having been so scheduled, be granted administrative leave or leave not affecting accrued leave balances for such reexamination or treatment without loss of pay, benefits, or efficiency rating, not to exceed six (6) days in any calendar year.

(b) Examinations for Military Service. Upon presentation of a copy of the employee's official orders or appropriate military certification, an employee who is ordered to appear for an examination for entrance into the military service shall be granted administrative leave or leave not affecting accrued leave balances for this purpose.

(c) National Guard State Service. Upon presentation of a copy of the employee's official orders or appropriate military certification, an employee who is a member of the Florida National Guard shall be granted leave with pay on all days when ordered to active service by the state. Such leave with pay shall not exceed thirty (30) calendar days at any one time. Such leave will be counted as administrative leave or leave not affecting accrued leave balances and shall be without loss of time or performance rating.

1. A copy of the official orders shall be filed in the employee's personnel file.

2. Any absence in excess of thirty (30) calendar days may, upon request by the employee and approval by the supervisor, be covered by accrued vacation, sick or compensatory leave.

3. If not requested by the employee or approved by the appropriate supervisor as vacation or compensatory leave, such absences in excess of thirty (30) calendar days shall be approved as leave without pay.

(d) Other Military Leave. Upon presentation of a copy of the employee's official orders or appropriate military certification, an employee, except an employee who is employed

in a temporary position or employed on a temporary basis, who is drafted, who volunteers for active military service, or who is ordered to active duty (not active duty training) shall be granted leave in accordance with Chapter 43 of Title 38, United States Code. Active military service includes active duty with any branch of the United States Army, Air Force, Navy, Marine Corps, Coast Guard, National Guard of the State of Florida or other service as provided in Sections and 115.09, Fla. Stat. Such leave shall be without loss of performance rating.

1. Verification of military certification. Such leave of absence shall be verified by official orders or appropriate military certification. The first thirty (30) calendar days of leave shall be with full pay and shall not affect an employee's vacation or sick leave balance. The remainder of military leave shall be without pay unless the employee elects to use accrued paid leave as described below. Leave payment for the first thirty (30) calendar days shall be made only upon receipt of evidence from an appropriate military authority that thirty (30) calendar days of military service have been completed.

2. Applicability of laws. Federal and state laws shall govern the granting of military leave and the employee's reemployment rights.

3. Use of vacation leave. Beyond the first thirty (30) calendar days of leave, which shall be with full pay and shall not affect an employee's vacation or sick leave balance, use of accrued paid leave is authorized during military leave in keeping with the University's extended leave of absence policy.

4. Reinstatement. The position of an employee granted military leave may be filled on a temporary basis. Upon separation from the military service, the employee is eligible to return to his or her former position or a different position in the same class in the same geographic location if reinstatement is requested within one (1) year after separation. The

University may require the employee to submit to a medical examination to determine the employee's fitness to perform the essential functions of the position to which the employee may be returning. Based on the medical findings, the University may place the employee in another class with duties that employee is able to perform and which is the nearest approximation to the position held prior to the military service.

(e) Short-Term Military Training. Upon presentation of a copy of the employee's official orders or appropriate military certification, an employee who is a member of the United States Armed Forces Reserve, including the National Guard, shall be granted leave with pay during periods in which the employee is engaged in annual field training or other active or inactive duty training exercises. Whether continuous or intermittent, such leave with pay shall not exceed 240 hours in any federal fiscal year (October 1 - September 30). Such leave will be designated as administrative leave or leave not affecting accrued leave balances and shall be without loss of time or efficiency rating.

1. A copy of the official orders shall be filed in the employee's personnel file.
2. Any absence in excess of 240 hours may, upon request by the employee and approval by the appropriate supervisor, be covered by accrued vacation or compensatory leave.
3. If not requested by the employee or approved by the appropriate supervisor as vacation or compensatory leave, such absences in excess of 240 hours shall be approved as leave without pay.

(18) Workers' Compensation. Employees who sustain a work-related injury compensable under the Florida Workers' Compensation Law shall be treated in accordance with Chapter 440, Fla. Stat. and provided with University benefits as follows:

- (a) Time away from work for the initial medical assessment and/or treatment of a

work-related injury shall be counted as work time, but shall not cause employees to exceed their scheduled work hours for that day.

(b) Workplace Injury Leave is an annual benefit available to leave accruing employees only and shall be used to compensate these employees for a portion of their wages lost due to work-related injuries compensable under Chapter 440, Fla. Stat.

1. Workplace Injury Leave shall be pro-rated based on an employee's current FTE, but shall not exceed forty (40) hours per fiscal year for full-time employees. Such leave time shall be counted against an employee's FMLA entitlement. Unused Workplace Injury Leave hours shall not carry forward from one fiscal year to next. Workplace Injury Leave shall be used only when a workers' compensation authorized medical provider documents that an employee is unable to work due to their compensable injury and/or when a work unit cannot provide an employee with modified duty work within the employee's medical restrictions.

2. All authorized work-related injury absences or time away from work that do not meet the criteria for Workplace Injury Leave shall be covered by an employee's FMLA leave, FMLA leave of absence or other leave if all FMLA leave has been exhausted.

(c) Employees receiving workers' compensation salary indemnification benefits may elect to use FMLA personal leave to supplement that benefit; however, such leave usage shall not cause an employee to receive more than the employee's regular University daily earnings.

(d) Employees who are unable to work due to compensable workers' compensation injuries and are receiving salary indemnification benefits shall not be eligible for holiday pay or accrual of special compensatory leave.

(e) Modified/alternate duties, consistent with the University's Modified Duty Program Policy, 2006, shall be provided to employees with work-related injuries. A copy of the

policy is available from the Workers' Compensation Office, PO Box 115008, Gainesville, Florida 32611-5008.

(f) If at the end of the modified duty period, an employee is unable to perform the essential functions of the employee's position, the Vice President or designee responsible for the employee's unit may place the employee on unpaid leave or extend the leave status, offer the employee alternate employment or terminate the employee from employment.

(19) Domestic Violence Leave. Employees may take up to three (3) days of leave in a twelve (12)-month period if the employee or a family or household member is a victim of domestic violence. The fiscal year of July 1 to June 30 will be considered the twelve (12)-month period.

(a) An employer must provide leave for the following specific activities:

1. Seeking an injunction for protection against domestic violence or repeat violence, dating violence or sexual violence;
2. Obtaining medical care or mental health counseling or both for the employee or a family or household member to address injuries resulting from domestic violence;
3. Obtaining services from victims services organizations such as a domestic violence shelter or rape crisis center;
4. Making the employee's home secure from the perpetrator of domestic violence or finding a new home to escape the perpetrator; or
5. Seeking legal assistance to address issues arising from domestic violence or attending or preparing for court related proceedings arising from the act of domestic violence.

(b) An employee seeking leave from work under this section must provide his or her employer advanced notice of the leave except in cases of imminent danger to the health or safety

of an employee, or to the health or safety of a family or household member.

(c) The employee is required to use accrued leave. In the event that the employee does not have sufficient leave hours to cover the event, the leave that is not covered will be unpaid.

(20) Leaves of Absence for Faculty.

(a) Requests for Leave or Extension of Leave.

1. A faculty member shall make a written request at the beginning of the proposed leave. If possible, the request should be made at least one (1) full semester or, in the case of twelve (12)-month faculty, six (6) months prior to the date the leave is requested.

2. For an extension of the leave, the faculty member shall make a written request not less than sixty (60) days before the end of the leave, if possible. If possible, the request should be made at least one (1) full semester or, in the case of twelve (12)-month faculty, six (6) months prior to the date the leave is requested.

3. The University shall approve or deny such request in writing not later than thirty (30) days after receipt of the request.

4. An absence without approved leave or extension of leave shall subject the faculty member to the provisions of the University's regulations dealing with misconduct.

(b) Unpaid or Uncompensated Leaves are provided for eligible faculty members as follows:

1. Upon request of a faculty member, the President or designee shall grant a leave without pay for a period not to exceed one (1) year unless the President or designee determines that granting such leave would be inconsistent with the academic or employment needs of the University. Such leave shall be extended upon mutual agreement. (If possible, the request should

be made at least one (1) semester or its equivalent prior to the beginning of the academic term or date the leave is requested.)

2. Upon return, the salary of the faculty member shall be adjusted to reflect all non-discretionary increases distributed during the period of leave.

3. Retirement credit for such periods of leave without pay shall be governed by the rules and regulations of the Division of Retirement and the provisions of Chapter 121, Fla. Stat. While on leave without pay, the faculty member shall retain accumulated sick leave and vacation leave, but shall not earn sick leave or vacation leave nor be entitled to holiday pay.

4. While on approved leave without pay, a faculty member may use accrued leave with pay for parental, foster-care, medical or military reasons. The use of this leave may be in the amount necessary to cover the faculty member's contribution to the state insurance programs and for other expenses.

(c) Paid or Compensated Leaves are provided for eligible faculty members as follows:

1. Faculty members shall accrue normal leave credits while on compensated leave or while participating in the professional development leaves program. If a faculty member is on compensated leave in less than full pay status for other than professional development programs, the faculty member shall accrue leave in proportion to the pay status. During the professional development leave, a person is considered to be in regular employment status in accordance with the established and assigned FTE even though on reduced pay.

2. No faculty member on compensated leave may be employed simultaneously by another employer unless the faculty member complies with state and University requirements for extra compensation, outside employment/activities and conflict of interest.

(d) A Developmental Research School faculty member may be granted five (5) days (noncumulative) of leave per year for emergencies or for other personal reasons. One (1) day shall be administrative leave and four (4) days shall be taken from sick leave. Except in cases of emergency, the faculty member shall provide at least two (2) days' notice of the intended leave. Such leave shall not be used on the day immediately preceding or following a holiday. These faculty members shall not be required to give reasons for personal leave, except that the leave is for personal reasons.

(e) Professional development leave provides eligible faculty with the opportunity to take a leave for professional renewal, planned travel, study, formal education, research, writing, employee development, certification or other experience of professional value, but not as a reward for service.

1. These leaves are available for faculty after six (6) years of continuous full-time University service.

2. In the case of faculty on a contract or grant, the terms of the leave must be consistent with the terms of the contract or grant.

3. Specific leave programs for eligible employees include:

a. One semester leaves or six (6)-month leaves for twelve (12)-month employees are available at one-half pay or full-pay.

b. Two (2) semester leaves or twelve (12)-month leaves for twelve (12)-month employees are available at one-half pay.

c. One (1) semester leaves for academic year employees are available at one-half pay or full-pay.

d. Two (2) semester leaves for academic year employees, are available at half-pay.

4. In the case of IFAS and the Health Science Center, contact the appropriate Dean, Director or Senior Vice President's Office for information. For other units, contact the appropriate Office of the Dean. Each application shall include a statement describing the program to be followed while on leave, the expected increase in value of the employee to the University, specific results anticipated from the leave, any expected supplementary income, and a statement from the applicant agreeing to comply with the terms of the leave program.

5. The President or designee shall select applicants when the University believes that completion of the proposed project or work would substantially improve the productivity of the department or function of which the employee is a part.

6. Terms of Program.

a. If an employee receives fellowships, grants-in-aid or financial assistance from sources other than the University to assist in accomplishing the program, the University salary shall be reduced so that the total income is equal to the faculty member's regular salary. Non-salary funds for travel and living expenses from sources other than the University will not result in a reduction in University salary during the leave.

b. Employment unrelated to the purpose of the professional development leave is governed by applicable outside activity and conflict of interest provisions of University regulations and state law.

c. Contributions made by the University to the retirement and Social Security programs shall be continued on a basis proportional to the University salary received during the professional development leave. University contributions made to the employee insurance programs and other employee benefits shall be continued during the leave.

d. Twelve (12)-month employees shall continue to accrue vacation and sick leave

on a full-time basis during the professional development leave.

e. Nine (9)-month employees shall continue to accrue sick leave on a full-time basis during the professional development leave. If accepting the leave, the employee must agree to return to the University for at least one (1) academic or calendar year (depending on the employee's appointment) following participation in the program. If the employee does not fulfill that agreement, or does not participate in the program as stated in the proposal, the employee shall reimburse the University the amount of salary received from the University during the professional development leave.

f. Upon returning to the University, the employee shall submit to the chair or supervisor, with a copy to the Dean or Director, a written report of the employee's accomplishments during the leave. This report shall include information regarding the activities undertaken during the leave, the results accomplished during the leave as they affect the employee and the University and the research or other scholarly works produced or expected to be produced as a result of the leave.

g. Employees shall not be eligible again for a full-pay sabbatical in this program until six (6) years of full-time service have been completed following prior participation.

(21) The President or designee has authority to provide an employee leave with or without pay or to reassign an employee when such leave or reassignment is in furtherance of the mission of the University.

(22) December Personal Leave Days for TEAMS Employees, Faculty, and Postdoctoral Associates.

(a) TEAMS employees, faculty (except Hospitalists) and Postdoctoral Associates earn four (4) personal leave days in proportion to their FTEs per fiscal year in addition to the

University holidays.

(b) Such personal leave days shall be credited to eligible employees on December 1 of each year. Personal leave days 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 FTE employees) on workdays between the dates December 26 and December 31, inclusive.

(c) Eligible essential personnel who are required to work between December 26 and December 31 shall have their schedules adjusted to provide equivalent paid leave time within December 2 and June 30 of the current fiscal year based on departmental need.

(d) Cash payment is not provided for unused personal leave days. Any unused personal leave days expire at the end of each fiscal year.

(23) Personal Leave for Postdoctoral Associates

(a) Full-time Postdoctoral Associates will accrue five (5) hours of personal leave each biweekly period, with proportionate accrual for less than full-time, up to a maximum of 352 hours. Such leave may be used in lieu of sick leave and vacation leave under the policies and procedures regulating such leaves.

(b) Postdoctoral Associates shall not be paid for unused personal leave upon separation from employment.

Authority: BOG Regulation 1.001.

History: New 6-28-98, Amended 1-12-00, 5-20-02, 3-12-03, 6-28-04, 3-30-07, 9-5-08 (technical changes only), Formerly 6C1-1.201, Amended 3-16-10, 12-10-10, 3-17-11 (technical changes only), 9-6-11, 2-01-12, 4-3-15, 3-23-18 (technical changes only), (BOT approval).

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Traffic & Parking; Definitions

3.006

SUMMARY: University Transportation and Parking Services proposes to amend Regulation 3.006 to add new definitions for “back-in parking” and “micromobility devices”. The University will begin using new license plate technology that requires new rules with respect to “back-in parking”. The University also needs the ability to capture the use of “micromobility devices” on campus, as the City of Gainesville moves toward permitting dockless scooter operations in the City of Gainesville and on the University campus.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Curtis Reynolds, Vice President for Business Affairs

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

3.006 Traffic & Parking; Definitions.

(1) The operation and parking of a motor vehicle on the University of Florida campus is a privilege granted by the University rather than a right. All vehicles parked on campus during hours of restriction must properly display a University parking decal or permit. A parking decal is not a guarantee of a parking space. Each vehicle operator is responsible for finding a legal parking space. Lack of a space is not a valid excuse for violating any parking regulation. Parking meters are located throughout the campus for visitors to the University. Transportation and Parking Services operates a pay parking facilities for campus visitors at the Welcome Center Garage and adjacent to Shands Hospital for use by patients and patient visitors to Shands Hospital and the J. Hillis Miller Health Center. The University assumes no liability for damage to vehicles operated or parked on the campus. Any such damage is a risk assumed by the owner or operator of the motor vehicle.

(2) The following are definitions of words and phrases used in the regulations governing traffic, parking and registration of vehicles on the University of Florida campus.

(a) Back-in parking – Parking a vehicle so that the front end is facing the drive aisle and rear facing license plate is not visible.

~~(a)~~(b) Bicycle—Includes every vehicle propelled solely by human power and every motorized bicycle as defined in Section 316.003(2), Fla. Stat.

~~(b)~~(c) Business Days—All days except weekends and official University holidays.

~~(e)~~(d) Campus—Includes all of the property of the University of Florida located in

Gainesville or adjacent areas.

~~(d)~~(e) Decal—Instrument displayed on the vehicle allowing parking in designated areas when space is available.

~~(e)~~(f) Employee—Any employee of the University of Florida including faculty, TEAMS, University Support Personnel System staff and Other Personnel Services (non-student) staff, and any (non-student) employee of Shands Hospital. For the purpose of these regulations, non-student employees of University direct support organizations and non-university organizations contracted to provide services to the University shall have the same parking privileges as University employees.

~~(f)~~(g) False Registration—Applying for, receiving or displaying a parking permit or decal by showing or giving false information or by other fraudulent means which shall include reproducing, altering or defacing a decal, a permit or any other document used for registration or used in lieu of a valid registration.

(h) Impound—To tow a vehicle away from the place in which it is parked, to boot a vehicle by use of an immobilization device, or to seize and hold legal custody of a vehicle.

~~(g)~~(i) Micromobility Device – Any small transportation device powered by a motor, with or without a seat or saddle for the use of the rider, which is not capable of traveling at a speed greater than 20 miles per hour on level ground, used to travel short distances. This term includes bicycles, e-bicycles, motorized bicycles, scooters, e-scooters, motorized scooters, one-wheels and skateboards as defined in the Florida Statutes 316.2065, 316.2128. This term excludes wheelchairs, golf carts and other low speed vehicles (LSV's).

~~(h)~~(j) Moped—Includes all vehicles described in Section 316.003(77), Fla. Stat.

~~(i)~~(k) Motorcycle and Motor Scooter—Includes all motor vehicles with two (2) or three

(3) wheels.

~~(j)~~(l) Motor Vehicle—Includes all vehicles other than bicycles, mopeds and Segways.

~~(k)~~(m) Parking Space—Areas governed by the University of Florida parking regulations with parking spaces delineated by white, yellow or blue striping, a parking meter or physical barriers delineating parking parameters.

~~(h)~~(n) Permit—A card temporarily displayed in the vehicle allowing parking for a specified period of time in designated areas as space is available.

~~(m)~~(o) Registration—Providing valid and accurate information to obtain authorization to operate and park a vehicle on campus by receiving an appropriate decal or permit for a specified area(s).

~~(n)~~(p) Restricted Area—An area within which an automobile may be parked only if it bears the appropriate decal or permit for that area.

~~(o)~~(q) Reserved Space—An individual parking space, as approved by the President, appropriately marked for a particular license tag number, individual, position or purpose.

~~(p)~~(r) Restricted Hours—The hours between 7:30 A.M. and 5:30 P.M., Monday through Friday, unless otherwise indicated.

~~(q)~~(s) Service Area or Drive—Parking areas reserved only for properly identified service or emergency vehicles, commercial vehicles, or vehicles bearing proper authorization from Transportation and Parking Services. Service Areas or Drives are delineated by signs or pavement markings.

~~(r)~~(t) Student—Includes all persons not classified as an employee as defined in paragraph ~~(e)~~(f) above, carrying one or more credit hours of graduate or undergraduate work. This includes students from other institutions who enroll in courses on campus.

~~(s)~~(u) Student Classification—The student’s classification as established by the University of Florida Registrar.

~~(t)~~(v) Transportation and Parking Services—The University unit responsible for issuing decals and permits for parking on campus and for collecting parking fees and parking fines. It is located on campus at ~~1273254~~ Gale Lemerand Drive, (352) 392-7275 (voice) and (352) 846-0304 (facsimile), and the mailing address is P.O. Box 112400, University of Florida, Gainesville, Florida 32611. Its hours of operation are Monday through Friday from 8:00 A.M. to 4:30 P.M. except on University holidays.

Authority: BOG Regulation 1.001.

History--New 9-29-75, Amended 8-15-78, 8-19-79, 8-26-81, 8-12-82, 3-6-85, Formerly 6C1-3.06, Amended 5-14-87, 4-27-88, 4-23-89, 4-17-90, 5-7-92, 5-19-93, 4-30-95, 5-1-96, 6-7-00, 5-22-01, 3-31-06 (technical changes only), 3-30-07 (technical changes only), 3-14-08 (technical changes only), 3-17-09, Formerly 6C1-3.006, Amended 3-17-11, 3-28-14 (technical changes only), Amended _____.

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Traffic & Parking; Parking Registration.

3.007

SUMMARY: University Transportation and Parking Services proposes to amend Regulation 3.007 to: (1) implement the fourth and final installment of the BOT approved multi-year non-student decal price increase by an average of 5.5%; and (2) introduce a new student decal parking plan whereby the decal rate is adjusted based on proximity to campus.

The proposed changes to decal rates shall be effective as of May 1, 2020.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Curtis Reynolds, Vice President for Business Affairs.

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

3.007 Traffic & Parking; Parking Registration.

(1) Transportation and Parking Services is responsible for issuing decals and permits for parking on campus and for collecting parking fees.

(2) To purchase a decal, students and employees must present the license plate number of a vehicle registered or titled to the individual, his or her guardian, or to some person in his or her immediate family and a valid University identification card.

(3) Students and employees may own no more than one (1) current decal at any one time except as provided in paragraph (9)(g) and subsection (12) below.

(4) Any person applying for or receiving a parking permit or decal by showing or giving false information or by other fraudulent means, which shall include reproducing, altering or defacing a decal, a permit, or any other document, shall be guilty of false registration.

(5) The registrant must park in accordance with his or her decal assignment. The decal is not transferrable and may be used only by the registrant. The receipt of a parking permit or decal does not guarantee that a parking space will be available at all times.

(6) Annual, semester, monthly, weekly or daily decals may be purchased. For employees, annual decals shall be effective from May 1 through April 30 of the year for which purchased. For students, annual decals shall be effective from September 1 through August 31 of the year for which purchased. Semester-term decals shall be effective for one (1) of the following semesters for which purchased:

- (a) Summer—May 1 through August 31.
- (b) Fall—September 1 through December 31.
- (c) Spring—January 1 through April 30.

(NOTE: Registration fee may be higher when purchased by semester, month, week or day.

All fees include the required state sales tax.)

(7) Reserved spaces: Employees who register to park at the University and have a valid Official Business or a Restricted Area decal may purchase an individually reserved parking space, as approved by the President of the University, upon payment of the appropriate fee shown below.

<u>Annual</u>	<u>Semester</u>
\$882.00 <u>\$930.00</u>	\$297.00 <u>\$310.00</u>

(8) Annual or semester decals for reserved parking areas may be purchased by eligible employees upon payment of the appropriate fee shown below. (NOTE: Health Science Center reserved parking decals are not valid in other Blue lots.)

	Annual	Semester
Reserved Gated Decals	\$1,278.00 <u>\$1350.00</u>	\$426.00 <u>\$450.00</u>
Official Gated Decals	\$1,434.00 <u>\$1,512.00</u>	\$478.00 <u>\$504.00</u>
Medical Resident Reserved Area Decals	\$558.00 <u>\$588.00</u>	\$186.00 <u>\$196.00</u>

(9) Parking decals are sold under the following guidelines:

(a) Faculty, Technical, Executive, Administrative, and Managerial Support (TEAMS) and University Support Personnel System (USPS) employees are eligible for an Official Business decal, authorizing parking in Restricted Area lots except where signs prohibit it. An Official Business decal is issued upon payment of the appropriate fee shown below:

<u>Annual</u>	<u>Semester</u>
\$540.00 <u>\$570.00</u>	\$180.00 <u>\$190.00</u>

(b) Faculty, TEAMS and USPS employees are eligible for Restricted Area Orange and Blue decals, authorizing parking in designated restricted and Green lots. A Restricted Area decal is issued upon payment of the appropriate fee shown below:

<u>Annual</u>	<u>Semester</u>
\$396.00 <u>\$420.00</u>	\$132.00 <u>\$140.00</u>

(c) Disabled employees possessing a State of Florida issued Disabled Persons Parking Placard are eligible for a University of Florida Disabled Employee Parking decal upon approval and payment of the appropriate fee shown below. This decal is required to park in any designated disabled space on campus. This decal also will allow parking in any Restricted Area parking lot or garage on campus. If requested, the disabled employee is eligible to receive a reserved parking space near his or her primary work site at no extra charge.

<u>Annual</u>	<u>Semester</u>
\$396.00 <u>\$420.00</u>	\$132.00 <u>\$140.00</u>

(d) Any employee is eligible for ~~Green-Staff Commuter~~ parking in designated lots. A Staff ~~Commuter Green~~ decal is issued upon payment of the appropriate fee shown below:

<u>Annual</u>	<u>Semester</u>
\$204.00 <u>\$216.00</u>	\$68.00 <u>\$78.00</u>

(e) Any student of the University of Florida is eligible to register for parking as authorized on campus upon payment of the appropriate fee shown below.

1. On-campus student residents living in university housing, fraternities and sororities

and wishing to park on campus may choose from the following parking decal options:

	<u>Annual</u>	<u>Semester</u>
<u>Red 1, areas most proximate to campus core</u>	<u>\$340.00</u>	<u>\$170.00</u>
<u>Red 2, areas mid-proximate to campus core</u>	<u>\$170.00</u>	<u>\$85.00</u>
<u>Red 3, areas least proximate to campus core</u>	<u>\$85.00</u>	<u>\$42.50</u>

2. All students wishing to park a motorcycle or scooter on campus may choose from the following parking decal options:

	<u>Annual</u>	<u>Semester</u>
<u>Motorcycle/Scooter 1, areas most proximate to campus core</u>	<u>\$340.00</u>	<u>\$170.00</u>
<u>Motorcycle/Scooter 2, areas mid-proximate to campus core</u>	<u>\$170.00</u>	<u>\$85.00</u>
<u>Motorcycle/Scooter 3, areas least proximate to campus core</u>	<u>\$85.00</u>	<u>\$42.50</u>

3. Pricing for all other student parking decal is as follows:

<u>Annual</u>	<u>Semester</u>
\$160.00 <u>\$170.00</u>	\$80.00 <u>\$85.00</u>

(f) Disabled students possessing a State of Florida or out-of-state Disabled Persons Parking Placard specifically issued to them are eligible for a University of Florida Disabled Student Parking decal upon approval and payment of the appropriate fee shown below. This decal is required to park in any designated disabled space on campus. This decal will also allow parking in any Restricted Area parking lot or garage on campus.

Annual

Semester

~~\$160.00~~\$170.00

~~\$80.00~~\$85.00

(g) In cases where an individual lives in Graduate and Family Housing and also works for the University, he or she may purchase two (2) decals for the same vehicle. In these cases, the full price for the higher-priced decal must be paid, and the price for the second decal is \$25.00.

(h) Individual monthly, weekly and daily parking permits may be sold to those requiring parking privileges on a short-term basis upon approval of Transportation and Parking Services and payment of the appropriate fee shown below:

	Monthly	Weekly	Daily
Staff Restricted Area	\$60.00	\$25.00	\$5.00
Staff Commuter	\$35.00	\$15.00	\$3.00
Student	\$35.00	\$15.00	
Commercial	\$75.00	\$35.00	\$7.00

(i) Additional parking policies affecting students include the following:

1. Eligibility requirements for the various student decals will be established each year by Transportation and Parking Services prior to May 1st.

2. Eligibility for student decals will be determined by an annual analysis of the capacity of parking facilities, projected enrollment levels of students, the anticipated mix of students by class and credit hour designations, and the appropriate demand/supply ratios that will occur from the proposed eligibility standards.

3. Eligibility requirements will be established with the goal of providing the most efficient and effective management of campus parking facilities. Assignment of parking eligibility

for facilities close to the core of campus will be made to graduate and professional students, as available, up to the level that those parking facilities can provide reasonable accommodation.

(j) Gold and Diamond level members of the President's Council, as determined by the University of Florida Foundation, are eligible for a President's Council Official Business decal, authorizing parking in Restricted Area lots except where signs prohibit it, upon payment of the appropriate fee shown below:

Annual

\$500.00

(k) Officials of University groups and organizations, as defined in paragraph (1)(f) of University of Florida Regulation 2.004, may be issued Restricted Area permits during their terms of office upon request and approval by the Parking and Transportation Committee.

(10) Decal sales and refunds:

(a) The purchase price of a staff decal will be prorated on a bi-weekly basis over the term of the decal. The prorated price will be determined at the time of purchase.

(b) A full refund is issued on annual and semester parking decals when requested within fifteen (15) calendar days from the purchase or effective date. Monthly, weekly and daily decals are non-refundable.

(c) One twenty-fourth (1/24) of the annual price for each unused period may be given on an annual decal, based on when the decal is returned.

(d) For employees making payments by payroll deduction, payments made in excess of the amount due will be refunded.

(e) No refunds will be issued unless and until the decal or remains of the decal is

returned to Transportation and Parking Services.

(11) Any person may operate a bicycle on the University of Florida campus. Bicycles may be registered with the University Police Department.

(12) Any ~~student or~~ employee having a valid operator's license is eligible to register a motorcycle, moped, or motor scooter and purchase a decal for parking in designated motorcycle parking spaces only, upon payment of the appropriate fee shown below:

Student Annual	Student Semester
\$160.00	\$80.00
<u>Employee Annual</u>	<u>Employee Semester</u>
\$198.00 <u>\$210.00</u>	\$66.00 <u>\$70.00</u>

An employee owning an automobile decal whose secondary vehicle is a motorcycle or scooter, may transfer that decal for use on the motorcycle or scooter provided a secure locking decal display device is used to ensure against unauthorized removal of the decal. However, a motorcycle or scooter decal may not be transferred to an automobile. The locking decal display device may be provided by the user subject to approval by Transportation and Parking Services or may be purchased from Transportation and Parking Services at a cost of \$25.00.

(13) Any commercial visitor engaged in official business with the University of Florida is eligible to register and purchase a Commercial decal for each vehicle brought on campus. This entitles the holder to park in approved Restricted Area lots. The decals may not be used by the registrant or by members of the registrant's family or others to conduct personal business on campus. A Commercial decal may be purchased upon payment of the appropriate fee shown below:

Annual

Semester

~~\$546.00~~\$576.00

~~\$182.00~~\$192.00

(NOTE: Students do not qualify for a Commercial decal and must register and purchase a student decal in accordance with paragraph (9)(e) above.)

(14) Any appropriately marked vendor, delivery or commercial vehicle engaged in official business with the University of Florida may be permitted to go about that business without obtaining a permit or paying a fee. The vehicle must be clearly, conspicuously and permanently marked on both sides of the body of the vehicle with the company name and/or logo. Markings that are removable, transferrable, displayed on dashboards, affixed to windows, or otherwise added for the express purpose of avoiding purchasing a Commercial decal shall not grant the vehicle any campus parking privilege.

(15) At the request of the University of Florida Project Manager, contractors, subcontractors and construction workers may be permitted to either purchase a Commercial decal or receive a no-cost permit valid only in remote contractor parking areas, for use solely while actively engaged in construction projects at the University of Florida.

(16) Designated parking spaces will be reserved for: (1) deans and assistant vice presidents or higher positions when the employee's office is not near a gated parking lot, (2) employees having sufficient medical reasons, and (3) full-time professional resident staff living in the residence halls.

(17) Official Business parking permits are issued to University departments or other appropriate administrative units upon approval of a written request submitted by the department chairperson or unit director to Transportation and Parking Services and upon payment of the

appropriate fee shown below:

Annual

~~\$138.00~~\$146.00

These permits are to be used by employees while in the performance of official duties at several locations on campus and may also be used for parking to load and unload in Service Areas for up to one (1) hour. Permits with extended Service Area time limits may be approved by Transportation and Parking Services if compelling justification is provided. Permits with a Service Area time limit greater than four hours, if approved, require payment of an additional \$100 fee. A decal may or may not be required, as specified on the permit.

(18) Temporary parking permits may be issued to employees and students at no charge upon approval of Transportation and Parking Services.

(19) The Parking and Transportation Committee shall have authority to hear requests and recommend special parking accommodations as needed.

(20) Decals or permits must be properly displayed on vehicles at all times while parked on campus.

(a) A decal evidencing registration is issued to the registrant and must be immediately affixed in accordance with the instructions supplied with the decal. No grace period is allowed.

(b) A vehicle bearing an illegal, transferred or improperly attached decal is not entitled to the privileges normally afforded by such decal.

(c) Lost, misplaced, or defaced decals must be replaced immediately.

(d) Changes in affiliation, classification, eligibility or address affecting the validity of the decal issued must be reported immediately to Transportation and Parking Services and the

appropriate replacement decal purchased. The former decal must be surrendered.

(21) The cost for a replacement decal is \$25.00.

(22) Eligible pupils at P.K. Yonge Developmental Research School may park in the parking lot located on its campus upon the purchase of a Student Parking Permit for a fee of \$25 per school year. The requirements and application for the issuance of this permit are found at http://pkyonge.ufl.edu/wp-content/uploads/2016/08/PKY_ParkingPermit-Students_1718.pdf.

Authority: BOG Regulation 1.001.

History: New 9-29-75, Amended 8-15-78, 8-19-79, 8-4-80, 8-26-81, 8-12-82, 3-6-85, 5-9-85, 10-14-85, Formerly 6C1-3.07, Amended 5-19-86, 5-14-87, 4-27-88, 4-23-89, 4-17-90, 5-7-92, 5-19-93, 4-30-95, 5-1-96, 7-15-97, 5-3-98, 5-10-99, 6-7-00, 5-22-01, 7-19-01, 5-20-02, 6-3-03, 7-9-5, 4-13-06, 3-13-07, 3-14-08 (BOT Approval), 4-23-08 (BOG Approval), 3-17-09 (BOT Approval), 3-24-09 (BOG Approval), Formerly 6C1-3.007, Amended 3-17-11 (BOT Approval), 4-8-11 (BOG Approval), 3-28-12 (BOT Approval), 4-6-12 (BOG Approval), 3-22-13 (BOT Approval), 4-1-13 (BOG Approval), 3-28-14 (BOT Approval), 4-11-14 (BOG Approval), 4-3-15 (BOT Approval), 4-16-15 (BOG Approval), 3-17-17 (BOT Approval), 3-23-18 (BOT Approval), 3-29-19 (BOT Approval), _____ (BOT Approval).

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Traffic & Parking; Fine Schedule

3.014

SUMMARY: University Transportation and Parking Services proposes to amend Regulation 3.014 to add a new fine for unsafe or improper operation of a micromobility device or bicycle.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Curtis Reynolds, Vice President for Business Affairs

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

3.014 Traffic & Parking; Fine Schedule.

- (1) The schedule of violations, and the accompanying fines are:
 - (a) No or expired decal or permit -- \$35.00;
 - (b) Parking out of assigned area -- \$35.00;
 - (c) Parking in a restricted area -- \$40.00;
 - (d) Parking in a reserved parking space -- \$40.00;
 - (e) Overtime Parking -- \$20.00;
 - (f) Parking over lines -- \$20.00;
 - (g) Parking on grass -- \$35.00;
 - (h) Parking facing traffic -- \$30.00;
 - (i) Parking on sidewalk -- \$35.00;
 - (j) Parking obstructing traffic -- \$40.00;
 - (k) Parking illegally in a service area -- \$40.00;
 - (l) Parking in No Parking Zone -- \$35.00;
 - (m) Decal improperly attached or displayed -- \$15.00;
 - (n) False registration -- \$150.00 plus the cost of the equivalent parking decal;
 - (o) The use of an unauthorized duplicate or lost or stolen decal -- \$150.00 plus the cost of the equivalent parking decal;
 - (p) Unauthorized use of decal or permit -- \$35.00;
 - (q) Driving/parking on campus while eligibility is suspended -- \$100.00;

- (r) Failure to pay parking lot fee -- \$35.00;
- (s) Unauthorized operation of a vehicle in a restricted area -- \$50.00;
- (t) Backed into parking spaces where prohibited -- \$35.00;
- (u) Parking without a permit in a parking space reserved for persons with disabilities -- \$250.00;
- (v) Bicycles parked out of assigned area -- \$10.00;
- (w) Tampering with or unauthorized removal of an immobilizing device -- \$200.00 plus the replacement price of the device if not returned to the University undamaged;

(x) Motorcycle/scooter not parked in direction of pavement-marked arrows -- \$20.00.

(y) Unsafe or improper operation of a micromobility device or a bicycle -- \$50.00.

(2) The above schedule covers all motor vehicles, mopeds and bicycles, as appropriate, and applies to all offenders. All listed fines are maximums and may be reduced at the discretion of the University Traffic Authority.

(3) Any individual who receives a citation must pay the fine or file a statement of appeal with the University Traffic Authority as provided in University of Florida Regulation 3.015. Failure to pay the fine or to file a statement of appeal within fifteen (15) calendar days from the date of the citation constitutes a default and the citation will be considered delinquent. The appropriate penalty, plus an additional \$10.00 administrative fee shall be imposed. Failure to respond to a citation may result in the impoundment of the vehicle at the owner's expense. The impounded vehicle will not be released until all fines and fees are paid.

(4) Accumulation of five (5) guilty citations (paid or unpaid) from September 1 through August 31, will be grounds for vehicle impoundment upon issuance of each subsequent citation. Accumulation of ten (10) or more guilty citations (paid or unpaid) from September 1 through

August 31 will result in suspension of campus parking privileges upon issuance of the next citation.

Authority: BOG Regulation 1.001.

History--New 9-29-75, Amended 8-12-82, 3-6-85, 5-9-85, Formerly 6C1-3.14, Amended 5-14-87, 4-27-88, 4-23-89, 4-17-90, 5-19-93, 4-30-95, 6-28-98, 6-7-00, 5-22-01, 1-11-05, 3-30-07, 3-14-08 (BOT Approval), 4-23-08 (BOG Approval), 3-17-09 (BOT Approval), 3-24-09 (BOG Approval), Formerly 6C1-3.014, Amended 3-16-2010 (BOT Approval), 3-29-2010 (BOG Approval), 3-28-14 (BOT Approval), 4-11-14 (BOG Approval), 4-3-15 (BOT Approval), 4-16-15 (BOG Approval), (BOT Approval).

NOTICE OF REGULATION REPEAL

Date: February 25, 2020

REGULATION TITLE:

REGULATION NO.:

Finance and Administration; University Support
Personnel System and Technical, Executive,
Administrative, and Managerial Support Staff
Performance Appraisals

3.050

SUMMARY: Current regulation 3.050 will be repealed. The University implemented a new evaluation system “UF Engaged” for quarterly feedback to employees. Refer to the University Human Resources web page for information on the new UF Engaged system.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Jodi Gentry, Vice President, Human Resources.

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

~~REGULATIONS OF THE
UNIVERSITY OF FLORIDA~~

~~3.050 Finance and Administration; University Support Personnel System and
Technical, Executive, Administrative, and Managerial Support Staff Performance Appraisals.~~

~~(1) Appraisals for University Support Personnel System (USPS) and Technical,
Executive, Administrative, and Managerial Support (TEAMS) Employees in Non-
Exempt Positions.~~

~~(a) All newly hired non-exempt TEAMS employees must successfully complete a
six month probationary period.~~

~~(b) All USPS employees changing to a new classification in which they have not
attained permanent status must successfully serve a six month probationary period in that
position.~~

~~(2) Probationary Performance Appraisals for Non-Exempt TEAMS and USPS
Employees. A probationary performance appraisal is required for all employees serving in a
probationary period. Employees must meet the performance standards of their designated
position. The performance appraisal rating period shall be the same as the probationary
period. The probationary performance appraisal should be completed and presented within
the last 30 days of the rating period. If an extended probationary period is required, the rating
period shall be extended by the same length of time.~~

~~(a) The Dean, Director, or Department Chair, or designee, has the authority to extend
by letter a probationary period for up to six (6) months if the employee is not meeting~~

~~performance standards and the supervisor determines more time is needed for assessment, or the supervisor decides that additional time is needed for appropriate training or on the job experience.~~

~~(b) — If a performance appraisal is not completed to evaluate an employee's original or extended probationary period, then the employee will be considered to be performing at an acceptable level of competence and thereby default to a satisfactory rating.~~

~~(3) — Annual Performance Appraisals for Non-Exempt TEAMS and USPS Employees.~~

~~(a) — The performance appraisal rating period shall normally be 12 months in length, beginning March 1 and ending the last day in February of each year. All annual performance appraisals are due by March 31 of each year.~~

~~(b) — An employee shall not receive an annual performance appraisal if, by March 1 he or she has less than 60 days in the current position, if the probationary period has ended within 60 days of March 1, or if he or she has been evaluated within the last 60 days for any other purpose.~~

~~(c) — Prior to a supervisor's departure from his or her position, a preliminary performance appraisal should be completed on all employees that reporting to that position. This preliminary performance appraisal shall be retained and considered by the incoming replacement supervisor to accomplish the annual appraisal for the affected employees.~~

~~(4) — Annual Performance Appraisals for TEAMS Employees in Exempt Positions.~~

~~(a) — The performance appraisal rating period shall normally be 12 months in length, beginning March 1 and ending the last day in February of each year. All annual performance appraisals are due by March 31 of each year.~~

~~(b) — The initial performance appraisal period for exempt TEAMS employees who are~~

~~contracted for a 6-month period shall be accomplished via narrative within the last 30 days of the contract period.~~

~~(c) — An employee shall not receive an annual performance appraisal if by March 1 they have he or she has less than 60 days in their current position, or if their the initial 6-month contract period has ended within 60 days of March 1, or if he or she has been evaluated within the last 60 days for any other purpose.~~

~~(5) — Special Performance Appraisals for USPS and TEAMS Employees. A special performance appraisal shall be conducted whenever it is determined that the employee's performance warrants being evaluated. Special performance appraisals shall be coordinated with the Division of Human Resources. These appraisals may cover a period of no less than 60 days and no more than 180 days.~~

~~(6) — Record Retention and Forms. A copy of each completed appraisal shall become a part of the employee's official personnel file maintained by the Division of Human Resources. The original completed appraisal shall be provided to the employee.~~

~~Authority: BOG Regulation 1.001. Law Implemented 1012.91 FS.~~

~~History: New 7-1-96, Amended 6-28-98, 5-22-01, 3-12-03, 5-30-04, 7-19-05, 3-17-17.~~