

Governing Regulations, Statutes, Collective Bargaining Agreements (CBAs)

The University of South Florida (USF) is governed by the overtime and reporting provisions of the Federal Fair Labor Standards Act and the entitlement and reporting provisions of the Family and Medical Leave Act (FMLA). USF augments these provisions with local processes and philosophies and, in some cases, USF regulations and applicable collective bargaining agreements (CBAs).

Hour of Operation and Workweek

At USF, the regular hours of operation are 8:00 a.m. to 5:00 p.m. Monday through Friday. Some departments may have extended hours of operation one or more days per week, shifts, or staggered hours of work to accommodate students, customer needs and work demands. Generally, university offices are to be staffed to provide full services during the regular university hours of operation, except when the university is closed for holidays or emergencies. The workweek for all employees is from Friday to Thursday. Unless on an approved leave of absence, each employee is expected to work the number of hours in his/her established workweek. The minimum workweek for full-time Administration, Faculty and Staff employees, is 40 hours.

Administration and Faculty are expected to work the number of hours necessary to accomplish their assigned responsibilities. After working the established number of hours in the workweek, Administration and Faculty are not required to use accrued leave for an absence of 4 hours or less, if approved by the dean/director.

Holiday pay up to a maximum of twelve (12) hours per holiday (based on the number of hours the employee is normally scheduled to work on that day) and paid leave are not considered overtime and are paid at the employee's regular rate of pay.

Flextime is an incidental or permanent change in the work schedule. It may be requested by an employee and may be authorized when it: 1) does not alter the number of hours in the workweek, 2) does not interfere with the operations of the work unit or the university, and 3) is approved in advance by the employee's supervisor. Flextime is a privilege and is not to be used to rectify an employee's problems with absenteeism or tardiness. Any permanent change (flextime or non-standard workweek) in the work schedule must be approved by the supervisor, in writing, and in advance of the change as required by bargaining agreements. Approval may be rescinded if it interferes with the operations of the unit or the university.

Overtime

Only non-exempt Staff and hourly Temporary employees are eligible to be compensated for overtime. When approving an absence for a full-time employee, a supervisor approves the number of hours of leave required for the total number of work and leave with pay hours in a workweek does not exceed 40 hours. When an overtime situation cannot be prevented by adjusting the employee's work week, based on the practice for the vice presidential area and appropriate collective bargaining agreements, a non-exempt Staff employee may receive either overtime payment or earn overtime compensatory leave hours, except for those employees in the Law Enforcement bargaining unit. Employees in this bargaining unit are compensated for overtime worked according to the provisions of the applicable collective bargaining agreement. Employees who receive payment for overtime hours worked are to receive such payment no later than the end of the pay period immediately following the pay period during which the overtime was worked.

Administration and Faculty are expected to work the number of hours necessary to accomplish their assignments. Because of their non-exempt status in accordance with FLSA, they are not eligible to receive overtime pay or overtime compensation. Administration, Faculty and salaried Temporary employees do not complete time sheets. Administration and Faculty employees maintain leave balances in the Automated Leave Tracking System (ALT).

Accrual, Use, and Payment (Cash Out) of Leave

As a benefit, employees, except 9 month Faculty and Temporary employees, accrue and, with approval, may use accrued annual leave to take time off from work for paid vacation and other personal reasons. Postdoctoral scholars receive paid time off (PTO) that is wiped away and replenished at the calendar year and will not be paid out upon termination. Sick leave is earned by all employees, except Temporary employees, and permits time off from work with pay primarily, although not exclusively, for personal and family medical reasons. The accrual and use of leave is a benefit. A Temporary employee is not eligible to accrue, use, or be compensated for leave. A Temporary employee is compensated at an hourly rate of pay for the number of hours of actual work in a workweek, up to 40, and is eligible for overtime pay for hours actually worked over 40. Professional salaried (exempt) Temporary employees, adjuncts and phased retirees are paid to accomplish an assignment or project and receive their bi-weekly rate of pay and holidays. A phased retiree receives and uses leave in accordance with the provisions described in the USF/United Faculty of Florida Collective Bargaining Agreement. Graduate assistants and graduate associates receive and use leave in accordance with the provisions described in the USF/Graduate Assistants United, UFF Bargaining Agreement. For Staff and Temporary employees, the supervisor authorizes an absence and determines the pay status at the end of each work week of the pay period.

Administrative leave for Staff, Administration and Faculty employees may be approved for specific purposes. Administrative leave is not accrued but is used for some purposes with the approval of the supervisor. An example of this type of administrative leave involves voting in public elections. Approval of administrative leave for reasons such as military leave and veteran examinations is not considered discretionary and must be granted when requested. When administrative leave is approved, it is to be in an amount to bring the employee's compensated hours up to, but not in excess of, the number of hours in the employee's regular workday or workweek.

An absence, with or without pay, of any employee, including Temporary employees, which meets the eligibility criteria of the Family and Medical Leave Act of 1993 (FMLA), must be granted in accordance with the provisions of the law. The absence should be counted towards the employee's leave entitlement under the FMLA on a fiscal year basis. All FMLA requests must be submitted to Human Resources for approval and will be tracked by the employee and/or departmental A&L coordinator in the Automated Leave Tracking System (ALT) in GEMS.

Religious observances, practices, and beliefs of employees will be reasonably accommodated with regard to attendance and work scheduling.

It is the responsibility of the employing organizational unit to ensure the timely and accurate processing of terminal leave payments for employees. Departments must immediately submit an ASF to Human Resources for employees who resign, retire, or experience an appointment change that allows for payment of leave. Payroll will make final payment to individuals who cease employment based on leave balances in ALT. To ensure accuracy, it is imperative that the department promptly audit leave balances for the employee no later than the end of the pay period immediately following the pay period during which the separation, appointment change or retirement, occurred. To comply, attendance and leave documents should be maintained and reviewed on a bi-weekly basis.