

FLORIDA GULF COAST UNIVERSITY

TEMPORARY POLICY

COVID-19 Leave Donation Plan

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-52 in response to the COVID-19 public health emergency which poses a severe threat to the entire State of Florida and requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of this State (Governor's Executive Order 20-52, available at <https://www.flgov.com/wp-content/uploads/2020/03/EO-20-52.pdf>);

WHEREAS, Section 4(B) of Executive Order No. 20-52 provides that each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the order or regulations of that agency, if strict compliance with the provisions of any such statute, order, or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency, including regulations affecting the conditions of employment and the compensation of employees; and

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-91 in response to the spread of the COVID-19 in the State of Florida and requires senior citizens and individuals with a significant underlying medical condition to stay at home and take all measures to limit the risk of exposure to COVID-19 (Governor's Executive Order 20-91, available at https://www.flgov.com/wp-content/uploads/orders/2020/EO_20-91.pdf); and

WHEREAS, various sections of FGCU Policy 3.001, Personal Leave Donation, affect employees with regard to leave and sick leave benefits.

I HEREBY FIND that different terms and procedures in FGCU Policy 3.001 hinder the timely performance of University operations and delivery of critical University services during this public health emergency, as well as the University's performance of disaster response functions related to the COVID-19 public health emergency.

THEREFORE, pursuant to Section 4(B) of Executive Order No. 20-52, and my authority as President as the University's Chief Executive Officer to promulgate University policies, I hereby issue the following authorization(s) and directive(s) through a temporary COVID-19 Leave Donation Plan.

1. Direct the Assistant Vice President of Human Resources to formulate and implement a temporary COVID-19 Leave Donation Plan during the public health emergency.
2. Temporarily suspend any portion of FGCU Policy 3.001 that would restrict in any way the implementation of the FGCU temporary COVID-19 Leave Donation Plan for the particular purpose of modifying and allowing a leave donation pool during the COVID-19 public health emergency.

3. During this time, due to the ongoing emergency presented by COVID-19, employees of the University who cannot perform their work remotely and for whom no alternate assignment is made, the employee may qualify to participate in the COVID-19 Leave Donation Plan. Any leave under these provisions shall be documented.
4. Irrespective of this temporary policy, the University is directed to identify alternative assignments for as many affected employees as possible, while adhering to principles of social distancing as much as feasible, including consideration of split shift assignments to give at least part-time assignments to as many individual employees as possible.
5. Hourly OPS employees shall only be paid for hours worked and will not receive paid leave.
6. Unless earlier revoked or extended, the temporary COVID-19 Leave Donation Plan shall be in effect for a period of time not to exceed the effective period of Florida's March 9, 2020 declaration of a public health emergency in the State, including any extensions of aid order, after which the temporary COVID-19 Leave Donation Plan shall expire and have no further effect.

*s/Michael V. Martin
Michael V. Martin, President

January 4, 2021
Date