
 Florida Institute of Technology Personnel Policies & Procedures	Reinstatement Policy			
	Applicability Employee Classes: All non-student and non-Temporary Classes	Effective: 8/19/96	Approved:  Lynn E. Weaver, President	Page 1 of 4

A. POLICY

Under certain conditions, individuals who have left the employ of the university are eligible for reinstatement and will receive credit for prior eligible university service as detailed by this policy.

B. DEFINITIONS AND PROCEDURES

1. Employees assigned to the following employee classes are covered by this policy: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 16, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61. See the *Employee Class* policy for an explanation of the employee classes.
2. In order to be eligible under the provisions of this policy, the employee must have separated from the university on a voluntary basis or as the result of the elimination of a position. If the separation was due to a general reduction in force, the provisions of the university's *Layoff/Recall* policy will apply. Under no circumstances will a discharged employee be eligible for the provisions of this policy.
3. Employment as a Temporary, College Roll, Federal Work Study, and/or Graduate Student Assistant employee will not count as service to the university for the purposes of this policy.
4. A former employee is eligible for reinstatement under this policy if he/she has been separated from the university for a minimum of two (2) months and is re-hired within twelve (12) months of his/her separation. It is the individual's responsibility to self-identify as a former employee seeking reinstatement. The self-identification must occur at the time of application. Under no circumstances will an employee be eligible for the provisions of this policy if he/she failed to self-identify prior to re-hire.
5. A partial month will count as one full month for all provisions of this policy except for Section B(4).

6. Employees are eligible for coverage under this policy if they were employed for a minimum of two years (24 months) in an eligible employee class, as defined in Section B(1) of this policy, without a break in service immediately prior to their separation from employment. However, nothing in this policy obligates the university to re-hire a former employee.
- a) A leave of absence under the provisions of the Family and Medical Leave Act will count as service without a break subject to the provisions of the *Family and Medical Leave* policy.
 - b) A leave of absence under the provisions of military leave are governed by the provisions of Section D(2) of the *Leave of Absence* policy.
 - c) A faculty sabbatical, with or without pay, will count as service without a break subject to the provisions of the Faculty Handbook.
 - d) A nine-month employee (faculty or staff) who does not work during the summer term but returns in the fall term, will receive credit for the summer term as service without a break.
 - e) A leave of absence without pay as defined in the *Leave of Absence* policy, will count as a break in service for the purposes of this policy.

C. EFFECT UPON BENEFITS

An employee who is reinstated will receive credit for prior service if reinstated to a comparable employee class but will not receive credit for service for the period of the separation.

For example, prior to separation an Hourly Part-Time employee (employee class 05) was not eligible for group insurance benefits or vacation leave. If that employee is reinstated to the same employee class (or another part-time employee class), all provisions of this policy will apply as appropriate for those employee classes. However, if that employee is reinstated to an employee class that would make him/her eligible for benefits that he/she was not eligible to receive under previous employment, he/she will not receive service credit for those benefits. Specifically, group insurance benefits waiting periods and service requirements for vacation leave accrual would start from the date of re-hire. In these cases, the employee will be considered a new hire.

1. Vacation

Previous eligible service will be credited to the reinstated employee for the purposes of calculating accrual rates and maximum balances permitted to carry

over during the vacation leave roll at the end of the fiscal year. Since available leave balances are paid upon termination, the employee's balance will start at zero, but the restriction upon use of vacation leave during the first six (6) months of employment will be waived.

2. Sick Leave

Previous eligible service will be credited to the reinstated employee for the purposes of calculating maximum balances. The sick leave available balance at separation will be restored and the restriction upon use of sick leave during the first three (3) months of employment will be waived.

3. Personal Holiday

If the employee did not use his/her Personal Holiday for the calendar year in which he/she is reinstated, the holiday will be restored. If the employee used his/her Personal Holiday for the calendar year in which the reinstatement occurs, then he/she will not receive another holiday upon reinstatement.

4. Service Dates

The employee's service date (as used for the purpose of calculating leave accruals) will be adjusted forward one month for each month of the reinstated employee's separation. As a result, prior service will apply to leave accruals and service awards but the period of the separation will not apply. The only exception to this provision is explained in the opening paragraph of this section.

5. Anniversary Day

If the employee did not use his/her Anniversary Day for the calendar year in which he/she is reinstated, the Anniversary Day will be restored. If the employee used his/her Anniversary Day for the calendar year in which the reinstatement occurs, then he/she will not receive another Anniversary Day upon reinstatement.

6. Group Insurance

Reinstated employees will be eligible for group insurance benefits effective on the first day of the month following the re-hire or as provided under the terms and conditions of each specific plan document, whichever is earlier. Any waiting period imposed by the university will be waived subject to the eligibility for the coverage as discussed in the opening paragraph of this section.

7. Retirement Plan

All provisions of the plan document will apply, subject to the eligibility for the coverage as discussed in the opening paragraph of this section.

D. COMPENSATION

A reinstated employee will not be treated as a new hire. Since reinstatement will return the employee as if he/she had not had a break in service, the provisions of the *Compensation Policy* that relate to current employees will be applied.

E. PROBATIONARY PERIOD (Hourly Employees only) and Employment-at-Will (all employees)

A reinstated hourly employee is not subject to the six (6) month probationary period.

The university maintains its employment-at-will status as it relates to all categories of employment.

F. EFFECTIVE DATE / RETROACTIVITY

This policy is effective August 19, 1996 and will only apply to employees re-hired on or after that date. No provision of this policy will be applied retroactively prior to the effective date of this policy.