

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY ADMINISTRATIVE PROCEDURE**



31.06.01.P0.01 Sick Leave Pool Administration

Revised September 2, 2010

Revised June 4, 2013

Revised March 1, 2022

Next Scheduled Review: March 1, 2027

UAP Purpose

The purpose of this University Administrative Procedure (UAP) is to support System Regulation [31.06.01 Sick Leave Pool Administration](#) and to outline the procedures for donating or requesting sick leave hours from the sick leave pool.

Definitions

Catastrophic Illness or Injury - a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires treatment by a licensed practitioner for a prolonged period that would result in loss of compensation from the state.

Licensed Practitioner - a practitioner, as defined in the [Texas Insurance Code](#), who is practicing within the scope of his/her license in treating the employee or immediate family member.

Immediate Family - individuals who are living in the same household as the employee and are related by kinship, adoption, or marriage; foster children certified by the Texas Department of Protective and Regulatory Services; a child for whom the employee acts in place of a parent "*loco parentis*"; or if not in the same household, an individual who is totally dependent on the employee for personal care or services on a continuing basis.

80-hour Waiting Period - the requirement stipulating that a full-time employee may not access the pool until he/she has missed 80 cumulative hours of work (50% effort employee = 40 cumulative hours of missed work, etc.) due to any one medical condition.

Official Procedures and Responsibilities

1. ADMINISTRATION

- 1.1 The Leave Administrator in the Office of Human Resources (OHR) shall be the administrator of the sick leave pool and shall be responsible for approving request(s) for contributions to or withdrawals from the sick leave pool in accordance with the guidelines established in System Regulation [31.06.01](#).

- 1.2 The OHR Leave Administrator will process sick leave pool requests within 10 working days of receipt of all required information necessary to make a decision.
 - 1.2.1 Decisions to allocate sick leave pool resources to eligible employees will be equitable, consistent, and without regard to employee classification or any other legally impermissible reason.

2. CONTRIBUTION OF TIME

- 2.1 To contribute sick leave hours to the pool, an employee must submit a [Sick Leave Pool Donation Form](#) to the OHR Leave Administrator.
- 2.2 An eligible employee may transfer one or more days of his/her accrued sick leave to the pool. Sick Leave Pool contributions must be in eight-hour increments. A retiring or terminating employee may designate any number of accrued sick leave hours to the pool.
- 2.3 The OHR Leave Administrator will credit the sick leave pool with the amount of time donated by the employee and will correspondingly deduct the same number of hours from the employee's sick leave balance.
- 2.4 All contributions are voluntary.

3. ELIGIBILITY

- 3.1 Employees may qualify for sick leave pool hours if the employee or employee's immediate family member suffers a catastrophic illness or injury for which the employee/ family member:
 - 3.1.1 Has been under a licensed practitioner's care for a prolonged period; and,
 - 3.1.2 The illness/injury has resulted in the employee being absent from work for a minimum of 80 hours (hours missed do not have to be consecutive). For part time employees, the minimum requirement will be proportional to their percent effort.
- 3.2 A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lost sick leave compensation from the state for the employee
- 3.3 All accrued sick, vacation, and/or compensatory time has been exhausted by the employee. If the employee's paid leave does not cover the minimum requirement for absence, the employee is on Leave without Pay until the balance of the minimum requirement is met.
- 3.4 All eligible employees will have equal access to the sick leave pool hours.

4. WITHDRAWAL OF TIME

- 4.1 Eligible employees must submit a [Certification of Health Care Provider for Employee's Serious Health Condition](#) or [Certification of Health Care Provider for Family Member's Serious Health Condition](#); [Sick Leave Pool Withdrawal Request Form](#); and [Sick Leave Pool Acknowledgement Form](#) to the OHR Leave Administrator.
 - 4.1.1 Sick leave pool hours must be requested before the hours are needed or as soon as possible. Sick leave pool hours may not be granted retroactively more than 30 days or for the prior fiscal year.
 - 4.1.2 In no case may sick leave pool hours be used when Workers' Compensation benefits are payable.
- 4.2 The OHR Leave Administrator will review the documentation provided to determine if sick leave pool hours may be granted from the sick leave pool and will notify the department head and employee in writing of the decision.
 - 4.2.1 For each catastrophic illness or injury, an eligible employee, after fulfilling the minimum hour requirement and exhausting all other leave, may withdraw, if approved, up to one-third of the total amount of hours in the pool or a maximum of 90 working days, whichever is less.
 - 4.2.2 The employee must use the hours in the same manner as sick leave hours earned during the course of employment. Sick leave pool hours may be used for a continuous absence or for intermittent or part-time absences if all other requirements are met. (See Section 3 for eligibility requirements.)
 - 4.2.3 Accrued sick leave and vacation hours are not credited to an employee until the first day that he or she returns to work. (See System Regulations [31.03.01 Vacation](#) and [31.03.02 Sick Leave](#).) Therefore, an employee who is continuously on sick leave pool will not have accrued vacation or sick leave hours credited until he or she returns to work. An employee using sick leave pool part time or intermittently will have vacation and sick leave hours credited and must use the vacation and sick leave hours before using the sick leave pool hours. If an employee does not use all sick leave pool hours, the unused hours will be returned to the sick leave pool.
 - 4.2.4 All sick leave pool hours granted are subject to System Policies and Regulations on use of sick leave; and abuse of sick leave will be subject to disciplinary action.
 - 4.2.5 The granting of sick leave from the pool cannot alter or otherwise change the terms and expected duration of appointment of the employee, if any, or other conditions and rules related to employment.
- 4.3 Employees must submit their sick leave pool withdrawal request via the online leave tracking system by logging into the Texas A&M University System [Single Sign On \(SSO\)](#) application.

- 4.4 If the employee is unable to return to work on the specified date previously provided to the OHR Leave Administrator, the employee will need to provide additional updated information from their treating physician(s) immediately and thereafter on at least a monthly basis. The OHR Leave Administrator will review the documentation provided to determine if additional hours may be granted from the sick leave pool and will notify the department head and employee in writing of the decision.
- 4.4.1 The additional updated information provided by the licensed practitioner treating the employee or family member must be on the practitioner's/health facility's letterhead and include the name of the patient, general nature of the illness or injury, the prognosis and the expected recovery date supporting the medical necessity of the leave.
- 4.5 When an employee transfers to another state agency, including another system member, sick leave time donated to the pool may not be transferred to the new agency.

5. NO ESTATE ENTITLEMENT

- 5.1 The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the sick leave pool or previously donated to the pool.

Related Statutes, Policies, Regulations and Rules

[System Policy 31.06 Sick Leave Pool](#)

[System Regulation 31.06.01 Sick Leave Pool Administration](#)

[System Regulation 31.06.02 Sick Leave Donation](#)

[System Regulation 31.03.01 Vacation](#)

[System Regulation 31.03.02 Sick Leave](#)

[Texas Government Code, Chapter 661, Subchapter A](#)

Forms

[Certification of Health Care Provider for Employee's Serious Health Condition](#)

[Certification of Health Care Provider for Family Member's Serious Health Condition](#)

[Sick Leave Pool Withdrawal Request Form](#)

[Sick Leave Pool Acknowledgement Form](#)

[Sick Leave Pool Donation Form](#)

Contact Office

Office of Human Resources 936-261-1730
