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 or her license.

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.

160-hour Waiting Period - the requirement stipulating that a full-time employee may not access the pool until he/she has missed 160 cumulative hours of work (50% effort employee = 80 cumulative hours of missed work, etc.) due to any one medical condition.

Official Procedures and Responsibilities

1. ELIGIBILITY

1.1 Employees may qualify for sick leave hours if:

1.1.1 The employee or family member has been under a licensed practitioner’s care and the illness/injury has resulted in the employee being absent from work for a minimum of 160 hours (hours missed do not have to be consecutive); and,
1.1.2 All accrued sick, vacation, and/or compensatory time has been exhausted.

2. **ADMINISTRATION**

2.1 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 transfer of hours from and into the sick leave pool according to the guidelines established in System Regulation 31.06.01. 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.

3. **CONTRIBUTION OF TIME**

3.1 To contribute sick leave hours to the pool, an employee or exiting employee must submit a [Sick Leave Pool Donation Form](#) to the OHR Leave Administrator.

3.2 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.

3.3 All contributions are voluntary.

4. **WITHDRAWAL OF TIME**

4.1 The employee 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. State law prohibits the retroactive granting of sick leave or sick leave pool hours.

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 their decision within 10 working days.

4.2.1 For each catastrophic illness or injury, an eligible employee, after fulfilling the 160-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 1 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 Regulations on use of sick leave; and abuse of sick leave will be subject to disciplinary action.

4.3 Employees must submit their request online using the Leave Traq system by logging into the Texas A&M University System Single Sign On (SSO) web site. Please be sure to select “Sick Leave Pool” from the Leave Type drop down menu.

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) 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 their decision.

4.4.1 The additional updated information provided by the licensed practitioner treating the employee or family member must be on practitioner/health facility letterhead and include the name of the patient, general nature of the illness or injury, prognosis and the expected date of return to work.

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**Related Statutes, Policies, Regulations and Rules**

- System Policy 31.06 Sick Leave Pool
- System Regulation 31.06.01 Sick Leave Pool Administration
- System Regulation 31.03.02 Sick Leave
- Texas Government Code, Chapter 661, Subchapter A

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**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