
SICK LEAVE POOL

A. Purpose

The purpose of this policy is to provide administration of The University of Texas Rio Grande Valley (UTRGV) sick leave pool.

B. Persons Affected

This policy applies to any employee who is appointed to work at least twenty (20) hours per week for a period of at least four and one-half (4.5) months. For purposes of this policy, faculty must be appointed for at least fifty percent (50%) time for at least four and one-half (4.5) continuous months. Students employed in positions that require student status as a condition of employment are not covered by this policy.

C. Definitions

1. A catastrophic illness or injury - is a severe condition or combination of conditions affecting the mental or physical health of the employee or member of the employee's immediate family that requires treatment by a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned and therefore results in loss of compensation from the state.
2. Immediate family members - are those individuals who live in the same household as the employee and are related by kinship, adoption, or marriage; or are foster children certified by the Texas Department of Child Protective and Regulatory Services; and an employee's minor child regardless of whether the child lives in the same household. If not in the same household, an immediate family member is strictly limited to the employee's spouse, child or parent. Sick leave may not be taken to care for an employee's parents-in-law if they do not live in the same household as the employee.
3. Licensed practitioner - includes a licensed physician, nurse practitioner, or other licensed health care professional.
4. Paid leave - means any sick, annual, State compensatory, floating holiday, overtime, or other paid leave the employee has accrued prior to or, if using time granted from the sick leave pool on an intermittent basis, during the period of pool leave. See HOP ADM 4-608, Family and Medical Leave, and HOP ADM 4-602, Annual Leave.
5. The Pool administrator - is the Chief Human Resources Officer.
6. A severe condition or combination of conditions - is one that will result in death if not treated promptly; requires hospitalization for more than 72 consecutive hours; or causes a person to be legally declared a danger to him or herself or others. For purposes of this policy, pregnancy and elective surgery are not considered severe conditions, except when life-threatening complications arise from them.

D. Policy

It is the policy of UT Rio Grande Valley to provide paid sick leave to eligible employees who have exhausted all other accrued paid leave and lose compensation because either they or their immediate family member(s) have suffered a catastrophic illness or injury.

E. Procedure

1. The pool administrator will adopt forms and regulations appropriate for the administration of the sick leave pool.
2. The sick leave pool consists of sick leave hours voluntarily contributed to the pool by employees of UTRGV. Although contributions are voluntary, employees who leave State employment should be encouraged to contribute to the pool, unless there is a possibility that they will be reemployed by the State within twelve months and thereby eligible to have their sick leave balance restored.
3. An employee who wishes to contribute sick leave to the pool must submit an authorization form to the pool administrator or designated representative. With approval, employees are permitted to contribute one or more days of sick leave to the sick leave pool at any time. Contributions to the pool must be in units of eight (8) hours. Employees are permitted to contribute an unlimited number of hours to the sick leave pool. Retiring employees are also permitted to contribute to the sick leave pool and may do so in increments of less than eight (8) hours. Sick leave contributed to the pool may not be designated for the use of a particular person.
4. Upon approval of an application to contribute sick leave, the pool will be credited with the contribution and a corresponding amount will be deducted from the contributing employee's sick leave balance.
5. Applications to withdraw sick leave from the pool must be submitted on the form prescribed by the pool administrator. The pool administrator will process applications to use sick leave pool hours in the order in which they are received and will approve or deny an application within ten (10) working days after receipt. The decision of the pool administrator regarding withdrawals from the sick leave pool shall be final. An application must be accompanied by a certification from the licensed practitioner treating the illness or injury that resulted in the exhaustion of the accrued paid leave of the employee making the application. The statement must provide sufficient information regarding the illness or injury to enable the pool administrator to evaluate the employee's eligibility.
6. An employee is eligible to withdraw sick leave from the pool if the pool administrator determines the employee or a member of his or her immediate family suffers from a catastrophic injury or illness and the employee has exhausted all accrued paid leave because of the catastrophic illness or injury or because of a previous donation of sick leave to the pool.

7. In determining the amount of sick leave to be assigned to an eligible employee from the pool, the pool administrator shall take into consideration the information contained in the employee's application, the statement from the licensed practitioner, the number of applications pending, and the amount of sick leave available in the pool. In no event shall the sick leave allocated to an eligible employee from the pool exceed 90 days or one-third of the sick leave pool balance, whichever is less, for the duration of lifetime employment with UTRGV.
8. Upon approval of an application for sick leave pool hours, the employee will be credited with the approved number of sick leave pool hours and the employee and the supervisor will be notified of the amount of time granted from the pool.
9. The employee may use sick leave assigned from the pool in the same manner as sick leave accrued by the employee and will be treated for all purposes as if the employee were absent on earned sick leave.
10. Any unused sick leave hours awarded from the pool may be returned to the pool by the pool administrator if the condition of the catastrophic illness or injury affecting the employee or the employee's immediately family member changes. The estate of a deceased employee shall not be entitled to payment for unused sick leave assigned from the pool.

F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)

Texas Government Code Chapter 661, Leave Subchapter A

The University of Texas System Board of Regents' *Rules and Regulations Rule 30203, Sick Leave Pool*