

Sick Leave Pool

Responsible Officer: Vice President for Human Resources

Sponsoring Department: Human Resources

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Contents

- I. Policy
 - II. Purpose
 - III. Definitions
 - IV. Eligibility
 - V. Employee Contributions of Sick Leave to Pool
 - VI. Application and Award Process
 - VII. Use and Modification of Sick Leave Pool Award
 - VIII. Application for Extension or New Sick Leave Pool Awards
 - IX. Sick Leave Pool Award Timekeeping and Recording Responsibilities
 - X. Coordination with Other Leave and Benefits
 - XI. Return to Work Certification
 - XII. Estate Entitlement
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I. Policy

Benefits eligible employees of The University of Texas at Arlington who accrue sick leave are eligible to apply to use hours from the Sick leave Pool (SLP) if, because either they or their immediate family member(s) have suffered a catastrophic illness or injury, the employee has exhausted all leave to which that employee is otherwise entitled.

II. Purpose

This policy provides for the alleviation of the hardship caused to an employee and the employee's immediate family if the catastrophic illness or injury forces the employee to exhaust all leave time earned by that employee and to lose compensation from the University. Up to a maximum of 90 days (720 hours) of SLP hours can be awarded per catastrophic illness or injury.

III. Definitions

- A. **Catastrophic Illness or Injury** is a severe condition or combination of conditions affecting the mental or physical health of an employee or the employee's immediate family that requires the services of a licensed

practitioner for a prolonged period of time and that requires the employee to exhaust accrued leave and to lose compensation from the State.

- B. **Severe condition or combination of conditions** is one that:
1. will result in death if not treated promptly
 2. requires hospitalization for more than 72 consecutive hours; or
 3. causes a person to be legally declared a danger to him/herself or others.

Note: Pregnancy and elective surgery are not considered severe conditions except when life-threatening complications arise from them.

- C. **Employee:** a regular employee of The University of Texas at Arlington appointed for at least twenty hours per week for a period of four and one-half months or more, excluding employees employed in positions which require student status as a condition for employment. Regular salaried employees are paid monthly and regular hourly employees are paid twice a month.
- D. **Immediate Family:** Those persons living in the same household with the employee who are either related to the employee by kinship, adoption, or marriage, or who are certified by The Texas Department of Human Services as foster children of the employee. Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of SLP. An employee's use of SLP for the care of family members not residing in that employee's household is strictly limited to the time necessary to provide care and assistance to a spouse, child or parent of the employee and they must be totally dependent upon the employee for personal care or services on a continuing basis.
- E. **Licensed Practitioner:** A person who is licensed to practice in one of the health professions set forth in Paragraph (B) of Article 3.70-2 of the Texas Insurance Code, and who is practicing within the scope of their license.
- F. **Sick Leave Pool:** The accumulated sick leave donated by employees for utilization in accordance with this policy.
- G. **Pool Administrator:** The person who is appointed to administer the sick leave.

IV. **Eligibility**

- A. All employees eligible to accrue sick leave may apply to use leave from the SLP by submitting *Sick Leave Pool Application* ([Form 3-18](#)) — subject to the other provisions of this policy.
- B. An employee does not have to contribute to the pool in order to apply to use leave from the pool; employees granted SLP hours are not required to pay back the sick leave hours granted them.

- C. The employee's condition cannot be an on-the-job injury covered by Worker's Compensation Insurance.

V. **Employee Contributions of Sick Leave to Pool**

- A. To contribute time to the SLP, the employee must submit *Sick Leave Pool Contribution Form* ([Form 3-204](#)) to the SLP Administrator. Upon approval of the transfer, the SLP Administrator shall credit the SLP with the sick leave contributed by the employee and shall deduct a corresponding amount from the employee's accrued sick leave.
- B. An employee may contribute to the pool in eight (8) hour increments accrued sick leave time earned by the employee.
- C. Employees may not designate a specific person to receive their contribution.
- D. Any employee who has donated to SLP can request a refund of their donated hours within the same fiscal year without suffering a catastrophic illness.
- E. Employees may contribute to the pool at termination or retirement.

VI. **Application and Award Process**

A. **Application Requirements**

An employee may apply once for each catastrophic illness or injury, unless the maximum of 90 days (720 hours) was not previously received for the catastrophic illness or injury. An employee is eligible to apply to the SLP when all of the following conditions are satisfied:

1. All requests to use leave from the pool shall be accompanied by a statement from a licensed practitioner specifying the nature of the illness or injury, prognosis, and the approximate duration of the employee's absence.
2. The employee or employee's immediate family member has a severe condition or combination of conditions that requires the prolonged care of a licensed practitioner;
3. The employee must have been absent from work because of the severe condition or combination of conditions for a period of (10) working days during the four month period prior to the date that use of the SLP becomes necessary.
4. The employee has exhausted all accrued paid leave, including compensatory time because of the condition.

B. **Submission of Application**

1. The employee or the employee's personal representative can request an award of hours from the SLP by submitting *Sick Leave Pool Application (Form 3-18)* to the Office of Human Resources. The application should be submitted two weeks before the hours are needed or as soon as possible after the need arises. The application shall include a Licensed Practitioner Statement (included in the application packet) that provides sufficient information to allow an appropriate evaluation of the severity of the condition for which hours are requested. The Application Packet is also available on the web or from the Office of Human Resources.
2. Employees who have exhausted all accrued paid leave will be placed on leave without pay status pending a decision on their application for SLP time. Employees are not allowed to carry a negative leave balance. Departments are responsible for placing the employee on Leave Without Pay when it becomes necessary.

C. Application Review and Award of Sick Leave Pool Hours

1. The Vice President for the Office of Human Resources or designee shall be the SLP Administrator.
2. The SLP Administrator will review application for SLP hours within ten (10) working days of receipt of a fully completed application and verify that the applicant meets all eligibility criteria. Applications will be considered in the order in which they are received.
3. The SLP Administrator will determine the number of hours to be withdrawn from the SLP and credited to the employee and promptly notify the employee and employee's department of any determinations related to the application for SLP hours.
4. Part-time employees who are awarded SLP hours are eligible for an amount of hours that is proportionate to their appointment.
5. Award Limits: The amount of hours approved for award cannot exceed the maximum of 720 hours per catastrophic illness or injury. An employee may not receive sick leave in excess of one-third of the total time in the pool. The maximum award for employees appointed to work less than forty (40) hours a week shall be proportional to the percent time of their appointment.
6. The decision of the SLP Administrator is final.

VII. Use and Modification of Sick Leave Pool Award

- A. SLP hours must be used only for the reason requested. Employees shall immediately notify the Administrator if there is any change in the nature or severity of the condition that modifies their need for SLP hours.

- B. Awarded SLP hours that are no longer needed will be cancelled and returned to the SLP by the Administrator.
- C. Only the SLP hours actually used will count against the maximum of 720 hours per catastrophic illness or injury maximum.
- D. Probationary employees who receive an award from the SLP will have their probationary period extended upon returning to work by the number of SLP days or fraction of days used.

VIII. Application for Extension or New Sick Leave Pool Awards

- A. Employees who exhaust an award of hours from the SLP may submit an application for an extension of a current award if they have not reached the 720 hour per condition maximum. Each request for an extension must include a written statement from a licensed practitioner providing sufficient information regarding the condition to enable the Administrator to evaluate the employee's eligibility.
- B. Applications for new awards must meet all application requirements.
- C. Extension Requests for SLP beyond exhaustion of FMLA will require departmental approval in addition to meeting established criteria.

IX. Sick Leave Pool Award Timekeeping and Recording Responsibilities

- A. Employee shall record use of SLP hours in the same manner as they record the use of accrued sick leave.
- B. Administrator will credit the hours awarded to an employee's SLP accrual balance.
- C. Department shall monitor the use of SLP hours as they are used and upon their exhaustion shall place the employee on leave without pay status, if necessary.

X. Coordination with Other Leave and Benefits

- A. Vacation Leave and Sick Leave Accruals are not available to the employee until the first day the employee returns to work. An employee using intermittent SLP who returns to work must use the paid leave accruals before using any remaining SLP hours.
- B. [Family Medical Leave](#): An employee applying for SLP hours shall be placed on FMLA when applicable.
- C. Premium Sharing: the employee will continue to receive premium sharing while on SLP.

XI. Return to Work Certification

When the employee is absent from work due to a catastrophic illness or injury, a Return to Work Certification signed by a licensed practitioner must be provided to the supervisor with a copy to the SLP Administrator prior to the employee's return to work. The statement must also specify what limitations, if any, exist to the employee's ability to perform his or her job duties or pose a threat to the safety of the employee or others. If limitations exist, the supervisor shall contact Office of Human Resources.

XII. Estate Entitlement

The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the SLP. Any unused SLP hours will revert back to the SLP.