

**THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
OFFICE OF HUMAN RESOURCES
POLICY AND PROCEDURES MEMORANDUM**

SICK LEAVE POOL

DATE: April 1, 2006

1. PURPOSE

The purpose of this policy is to provide for the administration of the sick leave pool at The University of Texas of the Permian Basin.

2. POLICY

The sick leave pool was designed by the Texas Legislature for catastrophic illness and injury. The sick leave pool is intended to help employees and their families if a catastrophic illness or injury forces an employee to exhaust all paid leave and to lose compensation as a result.

3. CONTRIBUTIONS

The sick leave pool will consist of sick leave hours voluntarily contributed to the pool by the employees of The University of Texas of the Permian Basin.

Employees may contribute one or more days of sick leave, in eight hour increments, to the pool each fiscal year providing the donor's balance does not drop below 50 hours. Retiring and terminating employees may contribute any amount to the sick leave pool and are not restricted to increments of eight hours.

Although contributions are voluntary, employees who leave state employment are encouraged to carefully consider their decision to donate their sick leave balance to the sick leave pool. A terminating employee who contributes sick leave to the pool is not eligible to have those hours restored if they return to state employment within twelve months.

4. ELIGIBILITY

The employee or member of his or her immediate family must be suffering from a catastrophic illness or injury. A catastrophic illness or injury is a severe condition or combinations 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 and that forces the employee to exhaust all leave time earned and therefore results in the loss of compensation from the state. A severe condition or combination or conditions is one that will result in death if not properly treated, or requires hospitalization for more than 72 consecutive hours, or causes a person to be legally declared a danger to him or herself or others.

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

5. APPLICATION

An employee is eligible to apply for the sick leave pool when all the following conditions are satisfied:

The employee or employee's immediate family has a severe condition or combination of conditions, as defined in this policy, that requires the prolonged care of a licensed practitioner;
The employee has exhausted all sick leave because of the condition;
The employee has exhausted all paid leave including compensatory time; and
The employee's condition is not an on-the-job injury covered by Worker's Compensation Insurance.

6. WITHDRAWAL FROM SICK LEAVE POOL

Employees who are awarded sick leave pool are eligible for up to 720 hours per condition or 1/3 of the pool balance, whichever is less. Part-time employees who are awarded sick leave pool are eligible for an amount of hours that is proportionate to their appointment.

Employees who are awarded sick leave pool complete timesheets and receive a paycheck in the same manner as when receiving sick leave.

Employees who have exhausted all accrued leave must be placed on Leave without Pay pending the decision of sick leave pool. Employees are not allowed to carry a negative leave balance.

Definitions

Catastrophic Illness or Injury: 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 the employee and causes the employee to lose compensation from the state.

Immediate Family: Those individuals related by kinship, adoption, marriage or foster children who are living in the same household or if not in the same household are totally dependent upon the employee for personal care or services on a continuing basis.

Licensed Practitioner: A practitioner, as defined in the *Texas Insurance Code*, who is practicing within the scope of his or her license.

Paid Leave: Any sick, vacation, compensatory, overtime or other personal paid leave the employee has accrued prior to requesting time from the sick leave pool.

4. AUTHORITY

Texas Government Code, §§ 661.002-.008

Texas Insurance Code, Article 3.70-2 (B)

5. APPLICATION

This policy applies to The University of Texas of the Permian Basin.