Procedure

In conjunction with System Regulation 31.06.01 Sick Leave Pool Administration, this Procedure establishes the process that will be followed by Texas A&M University-San Antonio (A&M-San Antonio) in the administration of the university's sick leave pool program. All eligible, regular employees (excluding positions for which student status is required) are able to participate in the employee sick leave pool. The definition of regular employee can be found in System Regulation, 31.06.01 Sick Leave Pool Administration.

Reason for Procedure

To provide guidance on how A&M-San Antonio will administer an equal access sick leave pool program.

Process

1. GENERAL

   1.1 The President will appoint the Manager of Employee Services as the university’s Sick Leave Pool Administrator and the Director of Human Resources as the alternate Sick Leave Pool Administrator.

   1.2 The Sick Leave Pool Administrator is the primary point of contact and responsible for the following:

      1.2.1 develop and update sick leave pool request forms as needed;

      1.2.2 oversee the process to approve or deny a sick leave pool request within 10 working days from receipt of the request form;

      1.2.3 review LeaveTraq history and balance;
1.2.4 maintain database of all approvals, deposits, and withdrawals in the LeaveTraq system under the Sick Admin profile;

1.2.5 file all sick leave request forms in the employee’s medical file; and

1.2.6 inform the President of special circumstances in which his or her approval is needed to grant more than 90 days or 33% of the sick leave pool balance.

1.3 The Payroll department will oversee the following:

1.3.1 verify all earned vacation, sick, and comp-time balances;

1.3.2 certify that earned vacation, sick, and comp-time will be exhausted prior to utilizing sick leave pool hours; and

1.3.3 review the past 12 months of leave used and any scheduled leave to qualify an employee for sick leave pool by certifying the employee had a prolonged period of 160 hours of missed work for the specific illness or injury.

1.4 Request to draw from sick leave pool

1.4.1 All requests for sick leave pool will be submitted to the Sick Leave Pool Administrator and will require either a Certification of Health Care Provider (if eligible) or the Sick Leave Pool Request Form for Non FMLA Eligible Employees. Only during emergencies or unforeseen incidents will a letter from the treating licensed practitioner stating diagnosis, prognosis, expected date of recovery, and expected date of return to work be accepted, in lieu of a Certification of Health Care Provider or Sick Leave Pool Request Form for Non FMLA Eligible Employees.

1.4.2 All sick leave pool request forms must be submitted to the Sick Leave Pool Administrator before the hours are needed or as soon as possible for unforeseen emergencies. State law prohibits the retroactive granting of sick leave or sick leave pool hours without prior notification. An employee’s supervisor is authorized to inform the Sick Leave Pool Administrator that the employee is out for medical purposes and cannot complete the required documentation for sick leave pool.

1.4.3 Employees receiving Worker’s Compensation benefits are not eligible to withdraw from the sick leave pool.

1.4.4 Employees may only utilize up to 90 days or 33% of the sick leave pool balance (whichever is less) for each catastrophic illness or injury.

1.4.5 The University President has the authority to approve additional hours on a case-by-case basis.
1.4.6 The Chief Executive Officers (CEOs) of System members are excluded by law from participating in sick leave pools.

1.4.7 As determined in System Regulation 31.06.01 Sick Leave Pool Administration, pregnancy will not be treated as a catastrophic illness except when severe illness and prolonged complications arise with respect to either the mother or child.

1.5 Employees will be eligible for Sick Leave Pool hours as follows:

1.5.1 Employees will be eligible for up to 80 hours (2 weeks) of sick leave pool hours after six months of employment with A&M-San Antonio. Additional eligible hours will be earned as follows:

1.5.1.1 State Service (employment with a State of Texas agency such as UT System, Attorney General Office, CPS, or HHS) outside for the System will accrue one week for every two full years of service with a maximum of 400 total hours (10 weeks) of eligibility. This does not include service time earned as a student worker;

1.5.1.2 System service (not including A&M-San Antonio) will accrue one week for every full year of service with a maximum of 400 total hours (10 weeks) of eligibility;

1.5.1.3 A&M-San Antonio service (not including System) will accrue one week for every full year of service with a maximum of 720 hours (18 weeks) of eligibility;

1.5.1.4 Service years can be combined however, hours beyond 480 (12-weeks) will not be approved unless earned with A&M-San Antonio service up to the maximum of 720 hours (18 weeks) and covered under section 3.4.5.

1.5.1.5 Service hours earned through State service, System service, and A&M-San Antonio service are mutually exclusive and may only be counted once.

1.6 Request to donate to sick leave pool

1.6.1 All eligible employees may contribute to the sick leave pool at any time during their employment or upon termination. All contributions are voluntary and are applied to the general pool, not a specific individual.

1.6.2 Employees may contribute one or more days of accrued sick leave to the pool. However, all employees who donate must maintain a minimum sick leave balance of 40 hours after the donation.
1.6.3 Retiring employees may contribute accrued sick leave hours to the sick leave pool upon retirement.

1.7 Request a refund of donated hours to sick leave pool

Employees who have donated to the sick leave pool and have exhausted all sick leave can request a refund of donated hours. If the sick leave balance is exhausted, sick leave hours donated will be returned to the employee.

1.8 Approval Process

1.8.1 The Sick Leave Pool Administrator will review and approve or deny request.

1.8.2 The VP for Finance and Administrator will review and approve or deny all requests up to 90 days or up to 33% of the sick leave balance.

1.8.3 The President, will review and approve or deny all sick leave pool request beyond 90 days or more than 33% of the sick leave pool balance.

1.9 Appeal Process

If an employee wants to appeal decisions made by the Sick Pool Administrator, the employee must submit the request in writing to the Vice President on the Executive Team who supervises Human Resources within two weeks of the denial of application for sick leave pool. This Vice President will consult with the Director of Human Resources to review the appeal and the VP with oversight over Human Resources will make a decision on the appeal. The HR Director will prepare a written communication for the VP who will send a final decision to the employee making the appeal.

Related Statutes, Policies, or Requirements

System Regulation 31.06.01 Sick Leave Pool Administration

Contact Office

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