

*Texas A&M University-San Antonio*

**31.06.01.00.01 Sick Leave Pool Administration**

Approved: June 30, 2010

Reviewed: November, 2011

Revised: July, 2014

Next Scheduled Review: July, 2018

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**Procedure Statement**

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Texas A&M University-San Antonio (A&M-San Antonio) provides sick leave pool hours to eligible employees in accordance with state law.

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**Reason for Procedure**

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To provide uniform administration of sick leave pool hours within the university.

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**Process**

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1. GENERAL

1.1 All of the provisions of Texas A&M University System (System) Regulation [31.06.01 Sick Leave Pool Administration](#) apply to eligible A&M-San Antonio employees. As such, eligible employees may draw from the A&M-San Antonio sick leave pool. An employee who exhausts all sick leave, vacation and compensatory time because of a catastrophic illness or injury of the employee or an immediate family member may be eligible for sick leave pool benefits. Also, an employee may be eligible to use sick leave pool benefits because of a previous donation of sick leave time to the pool during that fiscal year.

1.2 The Director of Human Resources will serve as the Sick Leave Pool Administrator.

2. REQUEST TO DRAW FROM SICK LEAVE POOL

2.1 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.

- 2.2 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.
- 2.3 **Employees receiving Worker's Compensation benefits are not eligible to withdraw from the sick leave pool.**
- 2.4 As indicated in System Policy [31.06 Sick Leave Pool](#) to be eligible for sick leave pool benefits, an employee must have been absent from work for a minimum of 160 hours. For part-time employees, the requirement of 160 hours will be proportional to their percent effort (50% effort = 80 hours missed work).
- 2.5 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.
- 2.6 The Chief Executive Officers (CEOs) of System members are excluded by law from participating in sick leave pools.
- 2.7 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.

### 3. REQUEST TO DONATE TO SICK LEAVE POOL

- 3.1 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.
- 3.2 Employees may contribute one or more days of accrued sick leave to the pool. However, all active employees who donate must maintain a minimum sick leave balance of 40 hours after the donation.
- 3.3 Retiring employees may contribute accrued sick leave hours to the sick leave pool upon retirement.

#### 4. REQUEST A REFUND OF DONATED HOURS TO SICK LEAVE POOL

Employees who have donated to the sick leave pool and have exhausted all their sick and vacation leave can request a refund of donated hours.

#### 5. APPROVAL PROCESS

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

#### 6. 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.

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### **Related Statutes, Policies, or Requirements**

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System Policy [31.06 Sick Leave Pool](#)

System Regulation [31.06.01 Sick Leave Pool Administration](#)

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### **Contact Office**

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Strategic Initiatives and Military Affairs, Office of Human Resources (210) 784-2052

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