

Policies of the University of North Texas Health Science Center	Chapter 05
05.613 Sick Leave Pool	Human Resources

#### Policy Statement.

Pursuant to Chapter 661 of the Texas Government Code this policy is established for the creation and operation of a sick leave pool to benefit certain employees who suffer a catastrophic injury or illness.

A sick leave pool shall be established and maintained to provide for the alleviation of the hardship caused to an employee and the employee's family if a catastrophic illness or injury forces the employee to exhaust all accrued paid leave (including compensatory time, if applicable) and to lose compensation.

#### Application of Policy.

Regular Faculty and Staff

#### Definitions.

1. **Catastrophic illness or injury** is 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 accrued leave time earned and to lose compensation from the State.

Licensed practitioner means a practitioner as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.

Immediate family is defined as those individuals related by kinship, adoption, marriage or foster children who are so certified by the Texas Department of Human Services who are living 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 who needs care and assistance as a direct result of a documented catastrophic medical condition.

2. **A severe condition or combination of conditions** is one that:

Will result in death or is a severely debilitating condition that will result in the individual not meeting the essential functions of their job if not treated promptly or at regularly scheduled intervals (e.g. chemotherapy treatments, radiation treatments, etc.); or

Has been designated as terminal; or

Will require an absence from work for at least 45 consecutive calendar days (including scheduled holidays) of absence for a single illness or injury.

## Procedures and Responsibilities.

### Procedure / Duty

### Responsible Party

#### **1. Eligibility and Other General Provisions:**

Employee/Human

Resource Services

1. All regular non-probationary faculty and staff members eligible to accrue and use sick leave in accordance with Sick Leave Policy 05.606 may apply to use sick leave from the sick leave pool.
2. Employees may use pool sick leave for their own catastrophic illness or injury or for one in their immediate family, as defined above.
3. Employees may also use pool sick leave if they contributed sick leave to the pool and then exhausted their sick leave balance in the same fiscal year. Such employees may receive only the number of hours they contributed to the pool if available, that fiscal year unless they suffer a catastrophic illness or injury as defined above.
4. Employees must exhaust all accrued leave with pay entitlement before they are eligible to use sick leave from the pool.
5. Employees on pool sick leave for a full calendar month will not accrue paid vacation and sick leave for that month until they return to an active work status.
6. Employees who use pool leave are not normally required to pay back such leave. If after receiving sick pool benefits, it is determined the employee was ineligible for those benefits, all sick pool benefits must be refunded to the pool.
7. Employees eligible for Workers' Compensation Insurance (WCI) benefits are not eligible to use sick leave pool. In no case may sick leave pool benefits be used in conjunction with Workers' Compensation benefits. A request for sick pool benefits will not be processed if the employee has an open Worker's Compensation claim related to the illness or injury supporting the sick pool request, including any appeal to a denial of WCI benefits.

8. Employees who become eligible for disability insurance are no longer eligible for time from the sick leave pool.
9. Employees must have completed their probationary period and be meeting job performance requirements and observing work rules to be eligible for pool leave.
10. A regular part time employee is granted pool leave on a pro rated basis.
11. Employees who are not returning to work for any reason other than disability are not eligible to receive time from the sick leave pool.
11. Employees who are not covered by FMLA (policy 05.607) and who are offered a bonafide job offer under the center's Return-to-Work (policy 05.409) must accept the offer or sick leave pool benefits will end.

**2. Contributing Sick Leave to the Pool:**

Employee

1. Contributions to the pool are strictly voluntary.
2. Active employees may contribute sick leave to the pool in increments of eight hours.
3. Employees who make contributions to the pool may not stipulate who is to receive their contributions.
4. Employees may contribute to the pool at the time of their separation from State employment.
5. Employees who contribute leave to the pool cannot get it back unless they meet the eligibility criteria set out above.

### 3. Requesting Use of Leave from the Pool:

Employee/Human  
Resource  
Services

1. Requests for pool leave must be on the approved sick leave request form and forwarded to the Pool Administrator through appropriate supervisory channels and will be considered by the Pool Administrator on a first come, first served basis.
2. The Pool Administrator will have five workdays from the date of the request is received in which to approve all or part of the request or deny the request. All practitioner's statements and medical updates are subject to be referred to and reviewed by a health science center medical review board.
3. The amount of pool leave granted for each catastrophic illness or injury will be determined by the Pool Administrator. The amount granted cannot exceed one third of the balance of hours in the pool at the time of the first request. However, in no case may an employee use more than 90 workdays from the pool. Ninety days is a lifetime maximum. The Pool Administrator shall approve the use of not more than one month of such leave by one individual at one time. Initiation and renewal of approval for use of such leave shall be subject to review of a current medical report for each such 30 day approval, and subject to availability of appropriate balance in the fund.
4. Medical updates are required every 30 days, unless otherwise indicated. Failure to return required medical documentation may result in delay or loss of pool benefits.
5. Any unused balance of pool leave granted to an employee returns to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave.
6. All requests for pool leave must include a licensed practitioner's statement on the approved form. This form is available in the Department of Human Resource Services.

#### References and Cross-references.

#### Forms and Tools.

Request for Sick Pool Leave

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Effective: 9/1/2006

Revised: