

UNIVERSITY OF HOUSTON SYSTEM  
ADMINISTRATIVE MEMORANDUM

**SECTION: Human Resources**

**NUMBER: 02.D.02**

**AREA: Leave Entitlements**

**SUBJECT: Sick Leave Pool**

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1. PURPOSE

- 1.1. This document provides information about the System's sick leave pool and its operations.

2. POLICY

- 2.1. In compliance with the requirements of Texas Government Code, Section 661, the System developed the sick leave pool to alleviate hardships caused to an employee and the employee's family if a catastrophic illness or injury forces an employee to exhaust all earned leave time and to lose compensation.

3. POLICY PROVISIONS

- 3.1. As required by law, the Board of Trustees of the Employees' Retirement System of Texas (ERS) has defined terms as follows:
- a. A 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 that employee and to lose compensation. The uncomplicated delivery of a child at the conclusion of a pregnancy is not considered to be a catastrophic illness or injury.
  - b. A prolonged illness or injury: An illness or injury lasting in excess of 30 consecutive calendar days in duration. Days the employee is actively at work will not be counted as illness or injury time.
  - c. Licensed practitioner: A practitioner or physician as licensed by their respective state or country.
  - d. Immediate family: Those individuals related by kinship, adoption, marriage or certified foster children who are living in the same household or if not in the same household are totally dependent on the employee for personal care or services on a continuing basis.

3.2. Administrative Guidelines

The Benefits Coordinator for each component university is the System sick leave pool coordinator. The Benefits Coordinator is responsible for:

- Interpreting policy;
- Obtaining approval for pool procedures;
- Designing and implementing a records maintenance system;
- Maintaining sick leave pool records;
- Ensuring that contributions and withdrawals are conducted according to policy;
- Providing quarterly reports of pool activity to the component universities;
- Communicating sick leave pool operating procedures to employees and interpreting procedures and rules;
- Approving withdrawals from the sick leave pool at the component university level; and
- Ensuring that all employees eligible for participation in the sick leave pool program are treated equitably according to established procedures.

3.3. Eligible Employees

- a. Those employed for one-half or more of the standard workload for a definite period of four and one half months or more during an academic year are eligible to participate.
- b. Those who exhaust all accrued sick leave, compensatory leave, extended sick leave, vacation and any other paid leave times to which they are entitled due to a catastrophic illness or injury.

3.4. Ineligible Employees

- a. Those employed less than one-half the standard workload, irregular, seasonal or temporary employment for a definite period of less than four and one-half months during an academic year are ineligible to participate.
- b. Student employees are not eligible if student status is a required condition of their employment.

- c. Retirees are not eligible to participate in the sick leave pool.
- d. Employees on leave without pay are not eligible unless their leave without pay status is a result of depleting accrued paid leave because of the qualifying illness or injury. If an employee has returned from leave without pay, the employee is ineligible until he or she completes a minimum of 30 active workdays.
- e. The Chancellor of the System is not eligible to participate in the sick leave pool.
- f. Employees with a catastrophic illness or injury lasting less than 30 calendar days are not eligible to withdraw time from the sick leave pool.
- g. Employees with a work-related catastrophic illness or injury that is covered by Workers' Compensation Insurance are not eligible to withdraw time from the sick leave pool.

3.5. Sick Leave Pool Contributions

- a. Contributions to the sick leave pool are voluntary and may be made at any time during the year.
- b. Eligible active employees may contribute any amount of sick leave hours up to and including their total sick leave balance.
- c. Contributions to the sick leave pool are irrevocable.
- d. Employees who make contributions may not stipulate who is to receive sick leave pool benefits.
- e. Component university Human Resources Department representatives will inform each eligible terminating employee of the option to contribute to the pool prior to the employee's termination date.

3.6. Sick Leave Pool Withdrawals

- a. Sick leave pool withdrawal requests are voluntary.
- b. Eligible active employees may request sick leave pool time by submitting written requests to the component university's sick leave pool administrator.

- c. Days paid from the sick leave pool will be calculated at the employee's regular full-time equivalency. An employee cannot receive daily sick leave pool pay in an amount greater than his regular base rate, excluding premium pay additions.
- d. The department(s) that normally bear(s) the employee's earned sick leave pool expense will also bear the expense of sick leave awarded from the sick leave pool.
- e. An employee requesting sick leave pool time must provide a licensed practitioner's statement. The statement must include expected duration of the illness and expected return to work date. A licensed practitioner's statement must be submitted for each 30-day period of sick leave pool time requested. No sick leave pool time will be granted for any days not covered by a licensed practitioner's statement.
- f. The System reserves the right to require additional licensed practitioner's statements from providers of its choice. The expense of such additional statements will be borne by the employing component university.
- g. Withdrawal requests will be processed on a first-come, first-served basis, regardless of method of delivery, according to date and time of receipt by the System Benefits Coordinator.
- h. Sick leave pool benefits begin only after a 30 consecutive day waiting period has elapsed. Application for the sick leave pool must be made within 12 months of the date after the 30-day waiting period is met.
- i. Employees will be granted sick leave pool time in an amount not to exceed 30 consecutive working days or one-third of the balance of hours in the sick leave pool, whichever is less.
- j. An employee may receive a maximum of 90 working days from the sick leave pool.

- k. An employee may not request or be granted less than five days from the sick leave pool. If less than five days are available in the sick leave pool, the employee's request will be held and will be processed when five or more days become available in the pool. If five or more days are available in the sick leave pool, but fewer days are available than the employee requests, the employee is granted the number of days in the sick leave pool, up to the limits included in this policy. Though the employee may receive fewer days than the requested number, the request is not held, nor is additional time granted retroactively should days become available at a later time. The employee may make a new request for withdrawal of sick leave pool time. This request would be processed according to regular withdrawal guidelines.
- l. Employees on pool sick leave continue to accrue regular earned sick leave and vacation. Regular earned leave must be exhausted before qualifying for additional sick leave pool time.
- m. An employee enrolled in the System's Short-Term Disability plan must have made application to that plan if the illness is a disability that will continue 30 or more calendar days. An employee enrolled in the System's Long-Term Disability plan must have made application to that plan if the illness is a disability that will continue 90 or more calendar days. Long-term disability benefits will begin after all sick leave pay, extended sick leave pay and sick leave pool pay have been exhausted.
- n. An employee is eligible to use time contributed to the sick leave pool if the employee has exhausted sick leave because of a catastrophic illness or injury or a previous donation of time to the pool. Only the number of days contributed during the fiscal year may be requested. In this case, the employee may withdraw less than five days.
- o. The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the sick leave pool or previously donated to the pool.
- p. Any unused balance of pool leave granted to an employee returns to the pool.

5. REVIEW AND RESPONSIBILITY

Responsible Party: Assistant Vice Chancellor for Human Resources

Review: Every two years on or before December 1

6. APPROVAL

Approved: Arthur K. Smith  
Chancellor

Date: November 29, 2001

7. INDEXING TERMS

Benefits  
Sick Leave Pool