

PROCEDURE LIT.5.09.06
SICK LEAVE POOL

SCOPE: Faculty and Staff

1. *Overview:* Lamar Institute of Technology (LIT) has established a Sick Leave Pool to help regular employees and their immediate families who face catastrophic illness or injury. Lamar Institute of Technology also allows for voluntary contributions to the Sick Leave Pool.

2. *Definitions:*

- 2.1. A regular employee is defined as one who is employed to work at least twenty (20) hours per week for a period of at least four and one-half (4 1/2) months. Excluded are students employed in situations which require student status as a condition for employment, elected officers, and appointed officers.
- 2.2. A catastrophic injury or illness is defined by the Employees Retirement System of Texas as:
 - 2.2.1. 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 from the State for the employee.
 - 2.2.2. Licensed practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.
 - 2.2.3. 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 or if not in the same household are totally dependent upon the employee for personal care or services on a continuing basis.
- 2.3. A prolonged period of time is defined as 160 hours.

3. *Eligibility:*

- 3.1. All regular employees as defined may apply to use sick leave from the Pool.
- 3.2. Employees may use sick leave from the Pool for their own or their immediate family member's catastrophic illness or injury, as defined.
- 3.3. Only those employees who have been employed as a regular employee for one year are eligible to apply for leave from the Pool.
- 3.4. Employees must be absent from work for a period of at least 160 hours due to a catastrophic illness or injury before using leave from the Pool. Part time employees must be absent from work for a period that is proportional to full- time employees. For example, a fifty (50) percent employee would have an eighty (80) hour waiting period.

3.4.1. If the combination of sick leave, vacation, and compensatory time does not cover the 160-hour requirement, then the employee will be placed on leave without pay until the balance of the 160-hour requirement is met.

3.4.2. Once the eligible employee has satisfied the 160-hour requirement and all vacation, sick leave, and compensatory time is exhausted, the employee may receive hours from the pool.

3.5. Employees who are off work due to a job-related illness or injury are not eligible.

3.6. Sick leave pool hours are not intended to extend employment when it is determined that the employee will be unable to return. Employees who are approved for disability insurance payments or who are approved for regular or disability retirement are not eligible.

4. *Contributions to the Pool:*

4.1. Contributions are strictly voluntary. Employees contributing to the Pool may not stipulate who is to receive the contribution.

4.2. An employee with accrued sick leave may contribute one (1) to three (3) days (8 to 24 hours) of sick leave in eight (8) hour increments each fiscal year.

4.3. The Pool will be credited with the amount of time contributed by that employee and a corresponding amount of time will be deducted from that employee's sick leave balance, as if that employee had used the time personally.

4.4. Retiring employees are encouraged to donate the remainder of available sick leave after consideration for TRS buy back has been deducted.

4.5. Employees who contribute to the Pool and then exhaust their sick leave in the same fiscal year may reclaim the same number of hours they contributed even though they do not suffer a catastrophic illness or injury.

5. *Withdrawal from the Pool:*

5.1. If granted, Pool leave requests will not exceed the lesser of ninety (90) days/720 hours or one-third (1/3) of the Pool balance.

5.2. An employee may receive up to 720 hours per forward rolling calendar year.

5.2.1. Part time employees are eligible to receive pool leave on a proportionate basis. For example, a fifty (50) percent employee is eligible for a total of 360 sick leave pool hours.

5.3. Employees who use leave from the Pool are not required to reimburse the Pool.

5.4. Employees with catastrophic illnesses or injuries are not required to contribute to the Pool before requesting Pool leave.

5.5. Any unused Pool leave granted to an employee will be returned to the Pool.

5.6. The Estate of a deceased employee is not entitled to payment for unused Pool leave granted from the Pool.

5.7. Employees on sick leave pool will accrue paid leave for that month provided they return to work following the leave.

6. Administration:

6.1. The Pool Administrator will be the Executive Director of Human Resources.

6.2. The Pool Administrator is responsible for developing and implementing a system of management of Sick Leave Pool activity and certifying eligibility for use of leave from the Pool.

6.3. One Sick Leave Pool will be administered for all regular faculty and staff employees of LIT.

7. *Contribution to the Pool:* Employees contributing to the Pool must complete a Contribution to Sick Leave Pool form and submit it to the Pool Administrator.

8. *Withdrawal from the Pool:*

8.1. Employees requesting leave from the Pool must complete a Sick Leave Pool Withdrawal Request Form and submit to the Human Resources Leave Coordinator.

8.1.1. Written confirmation from a licensed practitioner providing a description of the condition, prognosis and expected date of return must be attached to the Sick Leave Withdrawal Request form.

8.2. Requests for leave from the Pool must be made as soon as possible before the leave is to take effect.

8.2.1. If, because of the catastrophic illness or injury, the employee is unable to make a request for withdrawal from the Pool, the employee's immediate supervisor may initiate the request.

8.3. Requests will be considered in the order in which they are received.

8.4. The Pool Administrator will forward the request to a three or more-member committee appointed by the President of LIT. The Committee will meet monthly to review requests. The committee will make a recommendation to approve or deny requests based on a review of:

8.4.1. receipt of Sick Leave Pool Withdrawal Request;

8.4.2. receipt of a doctor's statement;

8.4.3. verification of the employee's depletion of all available leave;

8.4.4. verification of eligibility;

- 8.4.5. availability of hours in the Pool; and
- 8.4.6. verification that the illness or injury is classified as catastrophic.

8.5. The administrator will notify the employee of the Committee's decision.

- 8.5.1. If approved for pool leave, the department will be notified and instructed to prepare an F3.2 placing the employee on leave with pay and, if qualified, on family medical leave.

8.6. A denied request may be appealed in writing to the Vice President for Finance and Operations/CFO. The Vice President's decision is final and not subject to appeal.

Related Policies: LIT.5.09 Employee Leave

Relevant Forms/Documents: Contribution to Sick Leave Pool, Request for Sick Leave Pool Hours

Relevant TSUS Policies/Forms/Documents:

Relevant Statutes: Texas Government Code, Title 6. Public Officers and Employees, Subtitle B. State Officers and Employees, Chapter 661. Leave, Subchapter A. State Employee Sick Leave Pool

Relevant SACSOC Standards:

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