

Policies of the University of North Texas System Administration	Chapter 03
03.610 Sick Leave Pool	Human Resources

Policy Statement. The UNT System Administration has established and maintains a sick leave pool to provide for the alleviation of the hardship caused to an employee and the employee’s immediate family if a catastrophic illness or injury forces the employee to exhaust all accrued paid leave.

Application of Policy. Eligible Employees.

Definitions.

1. **Catastrophic Illness or Injury.** “Catastrophic illness or injury” means 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 illness or injury and that forces the employee to exhaust all eligible accrued leave.
2. **Eligible Employee.** “Eligible employee” means an employee who is scheduled to work at least twenty (20) hours per week for a period of at least four and one-half continuous months and is not employed in a position for which the employee is required to be a student as a condition of employment.
3. **Immediate Family.** “Immediate family” means those individuals related by kinship, adoption, marriage, or foster children who are so certified by the Texas Department of Protective and Regulatory 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 medical condition.
4. **Intermittent Leave.** “Intermittent leave” means leave taken in separate blocks of time to cover a single illness or injury.
5. **Licensed practitioner.** “Licensed practitioner” means a licensed physician, nurse practitioner, or other licensed health care practitioner who is practicing within the scope their license.
6. **Prolonged Illness or Injury.** “Prolonged illness or injury” means 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

7. Severe condition or combination of conditions. A “severe condition or combination of conditions” means a condition that:
 - a. 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.);
 - b. Has been designated as terminal; or
 - c. Will require hospitalization for more than 72 consecutive hours.

For purposes of this policy, pregnancy, delivery of a child, and elective surgery are not considered severe conditions, except when life-threatening complications arise from them.

8. Spouse. “Spouse” means a person in a legally recognized union of two individuals in a marital relationship, including common law marriage as recognized by the law of the State of Texas.

Procedures and Responsibilities.

1. Eligibility. An employee who is appointed to work at least twenty (20) hours per week for a period of at least four and one-half continuous months is eligible to apply for sick leave pool. Students employed in a job that require student status as a condition of employment are not covered by this policy.
2. General Provisions.
 - a. Employees must exhaust all eligible accrued leave before they are eligible to use sick leave hours from the sick leave pool.
 - b. Employees must use sick leave pool in accordance with the Sick Leave policy.
 - c. Sick leave pool hours may be used for a continuous absence, for intermittent leave, or for a reduced schedule.
 - d. Employees may use sick leave pool for their own catastrophic illness or injury or for immediate family members.
 - e. Sick leave pool benefits will end upon a full release to work from a licensed practitioner or when the maximum seven hundred and twenty hours (720) hours have been reached, whichever comes first.
 - f. Employees eligible for Workers Compensation Insurance (WCI) benefits are not eligible to use sick leave hours from the sick leave pool. Sick leave pool

hours may not be used in conjunction with Worker's Compensation benefits. A request for sick leave pool benefits will not be processed if the employee has an open Worker's Compensation claim including any appeal to a denial of WCI benefits.

- g. An employee is not entitled to leave accruals earned while utilizing sick leave pool unless the employee returns to work.
- h. Unused sick leave pool balances are not eligible for payment upon separation of employment.
- i. An employee using sick leave pool for intermittent leave must use eligible accrued leave before using any remaining sick leave pool hours.
- j. Any unused balance of pool leave granted to an employee returns to the pool.

3. Application for Sick Leave Pool.

- a. Requests for an award of time under the sick leave pool are made to Human Resources and will be considered on a first-come, first-served basis. The amount authorized cannot exceed one-third of the balance of hours in the pool or 90 workdays from the pool, whichever is less.
- b. All requests to use sick leave pool must include a Sick Leave Pool Licensed Practitioner Certification form. The form must provide complete and sufficient information regarding the illness or injury to enable Human Resources to evaluate the employee's eligibility.
- c. Human Resources will approve or deny the request based on supporting medical documentation.
- d. Requests for an extension of sick leave pool requires completion of the above application process.

4. Utilization of Sick Leave Pool.

- a. An updated Sick Leave Pool Licensed Practitioner Certification form is required every 30 days for intermittent leave. Failure to return required medical documentation may result in delay or loss of pool benefits.
- b. The employee must notify his or her supervisor of the expected date of return and if the expected date of return changes.
- c. Employees must submit a leave request in the leave application management system for supervisor approval.

- d. Employees must consult with supervisors when establishing a schedule for intermittent leave and, to the extent possible, schedule leave for times that will minimize interruption to business operations.

5. Contributing Sick Leave to the Pool.

- a. Employees may make voluntary contributions of accrued sick leave hours to the sick leave pool at any time.
- b. Employees who contribute to the sick leave pool may not stipulate who is to receive their contributions.
- c. Employees who are terminating or retiring may designate the number of accrued sick leave hours to be donated to the sick leave pool prior to the last day of employment.
- d. Employees who contribute leave to the sick leave pool upon termination or retirement cannot have their contributions restored.

6. Refund of Contribution.

Any current employee who has contributed to the sick leave pool may submit a written request to HR to receive a refund of contributed time without suffering a catastrophic illness or injury if:

- a. The employee has exhausted his or her sick leave balance;
- b. The employee contributed sick leave to the pool and then exhausted their sick leave balance in the same fiscal year; and
- c. The employee has an immediate need to use sick leave.

Employees may receive only the number of hours they contributed to the pool that fiscal year.

7. Equal Treatment.

- a. An employee absent on sick leave through the sick leave pool will be treated for all purposes as if the employee were absent on earned sick leave.
- b. All eligible employees will have equal access to the pool. Decisions to allocate pool resources to eligible employees will be equitable, consistent, and without regard to employee classification or any other legally impermissible reason.

8. Misrepresenting Reasons for Leave.

Intentionally misrepresenting the reasons for requesting sick leave pool may lead to disciplinary action up to and including termination.

References and Cross-references.

Texas Government Code Chapter 661, Subchapter A
Texas Insurance Code Chapter 1451
Family and Medical Leave Act
System Administration Policy 03.403, Staff Employee Discipline
System Administration Policy 03.609, Sick Leave

Forms and Tools.

Sick Leave Pool Application
Sick Leave Pool Licensed Practitioner Certification

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