

Institutional Handbook of Operating Procedures Policy 03.06.11	
Section: Human Resources	Responsible Vice President: Vice President and Chief Human Resources Officer
Subject: Benefits	Responsible Entity: Human Resources

## I. Title

*Reduced Paid Leave (RPL)*

## II. Policy

The Reduced Paid Leave program is designed to assist employees with an illness or injury who have exhausted all of their available leave accruals. RPL provides a reduced salary benefit for a maximum of two (2) illness episodes in a rolling 12-month period and a maximum of 480 hours. This benefit is provided through the Paid Time Off (PTO) program and is case managed by the HR Leave Management Office.

While on RPL, employees receive up to 50% of their base monthly or hourly pay prior to required deductions. If an approved institutional holiday occurs while on RPL, employees will receive 50 percent of their base salary for that holiday (not holiday pay).

The two illness periods may be 1) two unrelated diagnoses for an employee's own illness/injury, 2) one illness or injury of the employee and one catastrophic illness or injury of an immediate family member, or 3) two unrelated catastrophic illnesses/injuries of immediate family members.

The University of Texas Medical Branch, in compliance with applicable federal laws and regulations, strives to maintain an environment free from discrimination against individuals on the basis of race, color, national origin, sex, age, religion, disability, sexual orientation, gender identity or expression, genetic information, or veteran status.

## III. Eligibility

Employees who meet the following criteria are eligible to apply for RPL:

- Appointed to work at least 20 hours per week (0.5–1.0 FTE) in a benefits-eligible position;
- Have exhausted all available accruals or have met a seven (7) calendar day elimination period, whichever is longer; and
- Are either:
  - Unable to perform the essential job functions of their position due to a personal illness/injury that directly results in a significant, adverse change to their physical or mental condition, or
  - Unable to work due to the catastrophic illness/injury of an immediate family member and have had at least six months of continuous employment; a catastrophic illness/injury is a severe condition or combination of conditions affecting the family member's physical or mental health that is immediately life-threatening or likely to be fatal within the next 12 months, or
  - eligible for and seeking parental leave.

### Situations Not Eligible for RPL

RPL cannot be used for:

- Intermittent absences, even when associated with an approved leave of absence.
- Absences due to any treatment or procedure that is deemed non-medically necessary (e.g., cosmetic, infertility, sterilization).
- Employee's illness/injury requiring care outside of the United States other than unplanned, emergency care while traveling.
- Absences related to dental services such as those provided for the routine care, treatment, extraction, removal or replacement of teeth or structures directly supporting the teeth.
- Absences related to dental-in-nature oral and maxillofacial surgery or any procedures related to dental implants.

RPL will run concurrently with Family and Medical Leave (FML), parental leave or health-related Leave of Absence (LOA).

If an employee has applied or been approved for short-term disability payments through the UT System benefits program, they are not eligible for RPL for the same qualifying illness/injury.

If an employee has been approved for long-term disability payments through the UT System benefits program, they are no longer eligible for RPL if there is an overlap of the payment periods.

Employees may not receive both Workers' Compensation Insurance (WCI) and RPL. If an employee has filed, is filing or intends to file a WCI claim or appeal, they are not eligible to apply for RPL.

## **IV. Procedures**

After the employee is approved by HR Leave Management for either a Family Medical Leave, Parental Leave, or Health Related Leave, the employee can apply for RPL through HR Leave Management. If the medical certification for the currently approved leave was not completed by a licensed practitioner as defined by this policy, employee must also submit a Licensed Practitioner's Statement for RPL. Failure to provide the required certification may result in the denial of the request.

HR Leave Management reviews all requests and supporting documentation to determine if the leave qualifies for RPL.

The number of RPL hours granted is based on the physical and/or cognitive demands of the employee's position; diagnosis leading to treatment or surgery; and the medical disability standards for the specified health condition. The number of RPL hours granted may not be sufficient to cover the full length of incapacity noted by the licensed practitioner in the required certification.

RPL ends either on the earlier of:

- For an employee's personal illness/injury:
  - The date the employee is released to return work by a licensed practitioner; or
  - The point at which the sum of all illness/injury periods reaches 480 hours within a rolling 12 months.
- For an immediate family member's catastrophic illness/injury:

- The date the immediate family member's illness/injury ceases to be catastrophic; or
- The point at which the sum of all family member illness/injury periods reaches 480 hours within a rolling 12 months.

The rolling 12 months begins at the end date of the RPL grant.

When an employee is on RPL, UTMB will continue to contribute its share of the employee's insurance premiums. The employee is required to pay their share of the premiums in accordance with applicable billing procedures. Failure by the employee to make the monthly payments may result in the discontinuation of insurance coverage.

## **V. Rules and Exceptions**

- A. If the employee is taking leave for childbirth or a planned surgical procedure, they should initiate the RPL application process before going out on leave.
- B. Employees on an approved leave of absence for the birth, adoption or foster care placement of a child may receive up to 480 RPL hours, minus their personal paid leave accruals. (Example: If an employee has 300 hours in available accruals, then the employee will be granted 180 RPL hours for a combined total of 480 hours.) Employees must use their available accruals before using granted RPL hours. RPL hours may be used to cover care and bonding time.
- C. Granted, unused RPL hours expire upon the employee's return to work.
- D. Each new illness/injury period requires employees to satisfy a new elimination period, and RPL hours cannot be supplemented with other accrued leave.
- E. When an employee is receiving RPL, they will not accrue any leave. PTO accruals and any missed EIB awards will be restored upon return to active status.
- F. Granted RPL hours may not be donated to another employee or to UTMB's Major Disaster Recovery Bank (MDRB), upon activation.
- G. Abuse of RPL or falsification of any documentation may result in disciplinary action up to and including termination.

## **VI. Separation from UTMB**

Employees who separate or retire from UTMB with granted, unused RPL hours will not be paid for these hours.

Upon the death of an active employee, the estate of the deceased is not entitled to any remaining RPL hours (or pay) allocated.

## **VII. Confidentiality**

All information relating to requests for RPL is confidential and is shared on a need-to-know basis. Medical certifications will be treated as confidential and HIPAA protected. Relevant medical information may also be reviewed in relation to other job protected leave as requested by the employee.

## **VIII. Definitions**

1. Immediate Family Member - for the purposes of the myPTO program, an employee's immediate family members are limited to:
  - Parent (includes biological parent or individual who acted in the capacity of a parent)
  - Spouse (includes opposite-sex or same-sex spouse)
  - Child who is either under 18 years of age or is 18 years of age or older and is incapable of self-care (includes biological, adopted, foster, or stepchildren, legal wards and other individuals for whom the employee acts in or acted in the capacity of a parent). Stepchildren must have permanently resided in the employee's household prior to the onset of their illness.

2. Catastrophic illness or injury – illness or injury that is immediately life-threatening or likely to be fatal within the next 12 months.
3. Licensed Practitioner – a practitioner who is a health care provider with a current license with one or more of the following credentials:
  - MD, DO, podiatrist, dentist, or clinical psychologist,
  - Nurse practitioner and nurse midwife acting within the scope of their specialty, or
  - Physician assistant acting within the scope of their practice.
  - For the employee's own health condition, the practitioner must also have authorization to practice within the United States
4. Elimination period – seven (7) calendar waiting period that must be met before RPL is payable.

#### **IX. Related UTMB Policies and Procedures**

IHOP – 03.06.00 – Paid Time Off

IHOP – 03.06.10 – Extended Illness Bank (EIB)

IHOP – 03.06.11 – Major Disaster Recovery Bank

IHOP – 03.01.05 – Attendance

IHOP – 03.06.09 – Family and Medical Leave

IHOP – 03.06.08 – Parental Leave

IHOP – 03.07.05 – Worker's Compensation Insurance

#### **X. Additional References**

[Reduced Paid Leave \(RPL\) Fact Sheet](#)

[Extended Illness Bank \(EIB\) Fact Sheet](#)

[Family and Medical Leave \(FML\) Fact Sheet](#)

[Parental Leave Fact Sheet](#)

[Reduced Paid Leave and Short-Term Disability Insurance Fact Sheet](#)

#### **XI. Dates Approved or Amended**

<i>Originated: 04/26/2022</i>	
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>

#### **XII. Contact Information**

Human Resources Employee Relations

(409) 772-8696