Section 3	Human Resources Policies	04/01/90	-Originated
Subject 3.9	Leave Administration	03/07/13	-Reviewed w/ changes
			-Reviewed w/out changes
Policy 3.6.10	**Sick Leave**	04/08/13	-Effective
		Human Resources	-Author

Sick Leave

Policy

Sick leave is provided to benefit-eligible UTMB employees in order to allow time away from work when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or when the employee is needed to care for and assist a member of the employee's immediate family who is actually ill.

Employees who are parents of children attending a grade from Pre-Kindergarten through 12th grade are also allowed to use 8 hours of sick leave for parent-teacher conferences each fiscal year.

UTMB complies with applicable federal and state laws and regulations, and strives to maintain an environment which does not discriminate against applicants or employees on the basis of race, color, national origin, sex, age, religion, disability, sexual orientation, genetic information, or veteran status.

Immediate Family Defined

Immediate family is defined as those individuals who reside in the same household and are related by kinship, adoption, or marriage, as well as foster children certified by the Texas Department of Protective and Regulatory Services. Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of regular sick leave. An employee's use of sick leave for family members not residing in that employee's household is strictly limited to the time necessary to provide care and assistance to a spouse, child, or parent of the employee who needs such care and assistance as a direct result of a documented medical condition.

Accruals

Eligible employees accrue sick leave beginning on the first day of employment and ending on the last day worked.

Sick leave accumulates at the rate of eight (8) hours for each month or fraction of a month's employment for full-time regular employees. Employees working twenty (20) hours or more per week but less than forty (40) hours will accrue on a proportionate basis. The proportionate rate is calculated by the percentage of time appointed times eight hours.

Using Sick Leave Accruals

Sick leave may be granted when accrued by an employee but **may not be advanced prior to accrual.**

In the case of scheduled sick leave, an employee must submit a

Using Sick Leave Accruals, continued

completed Leave Request Form 16 hours in advance and in accordance with departmental policy and may be required to provide verification of an appointment or planned hospitalization.

In the case of unscheduled sick leave, an employee shall notify their supervisor in accordance with departmental policy. Immediately on returning to work, the employee must complete a Leave Request Form and submit it to the supervisor for approval.

An employee who calls in sick on three (3) consecutive work days shall be required to present a physician's statement verifying the illness and clearing the employee to return to work.

A second opinion may be required at the expense of the department. In such cases, the choice of the second physician must be acceptable to the department. If required, an additional medical opinion may be requested and must be acceptable to both parties.

Accrual Carryover

Accruals of sick leave may be carried forward from one fiscal year to the next with no limit to the number of days accrued.

All unused accumulated vacation hours exceeding the maximum carry forward limits will be credited to the employee's sick leave balance as of the first day of the next fiscal year.

Employee Eligibility Change

An employee who changes from an eligible to an ineligible status will have all sick leave frozen until the employee returns to an eligible status or terminates employment.

Exhausting Sick Leave

Employees who have exhausted all leave accruals but are still unable to return to work may be eligible to apply for additional sick leave hours as described in Policy 3.5.1, *Sick Leave Pool*.

Sick Leave Abuse

Abuse of sick leave will be grounds for disciplinary action which may include termination. (See Policy 3.10.9, *Discipline and Dismissal*.)

Reinstatement of Sick Leave

Employees separated from employment with the State under a formal reduction-in-force policy shall have their sick leave balance restored if reemployed by the State within twelve (12) months of separation.

Employees separated for other reasons shall have their sick leave balance restored if reemployed by the State within twelve (12) months

Reinstatement of Sick Leave, continued

of separation, provided there has been a break in service of at least one (1) month since separation.

Death Benefits

The estate of the deceased employee is entitled to payment for one-half of accrued sick leave or 336 hours, whichever is less, provided that the employee had continuous employment with the State for at least six (6) months.

References

Texas Government Code, Sections 661.201 – 661.206; 661.033-026.661.904
Institutional Handbook of Operating Procedures Policies:

3.5.1, *Sick Leave Pool*
3.9.10, *Family & Medical Leave*
3.10.9, *Discipline & Dismissal*