I. Title
   *Sick Leave Pool*

II. Policy
UTMB provides the sick leave pool program for benefit-eligible employees who have exhausted all accrued time including but not limited to sick, vacation, holiday balances, and compensatory time balances, and are unable to work due to their own catastrophic illness/injury or that of an immediate family member. The purpose of the sick leave pool program is to minimize the financial hardship for employees by providing a source of additional sick leave based on the documented medical need.

III. Eligibility
A. All benefit-eligible UTMB employees not employed in a position for which the employee is required to be a student as a condition of the employment and eligible for sick leave may contribute to or apply to withdraw from the sick leave pool in accordance with this policy.

B. An employee is eligible to withdraw sick leave from the pool due to a catastrophic illness/injury only when the employee has exhausted all accrued leave balances.

IV. Contributions
A. The pool will consist of the sick leave time voluntarily contributed by employees. Although contributions are voluntary, employees who leave State employment will be encouraged to contribute to the pool unless there is a possibility that they will be reemployed by the State within 12 months and thereby eligible to have their sick leave balance restored.

B. An employee wanting to contribute his or her unused sick leave time must complete a *Sick Leave Pool Transfer* form which is located in [HR Forms webpage](#).

C. Contributions to the pool must be in units of eight (8) hours, and employees are permitted to contribute an unlimited number of hours from their accrued sick leave balances.

D. Employees may not specify who shall receive their donated sick leave time. Departing employees may voluntarily donate all accrued sick leave to the pool.

E. An employee who contributes sick leave time to the pool may reclaim for his/her own sick leave purposes as many hours as he/she contributed during the previous 12 months, provided the number of hours exist in the pool. If the employee needs additional sick leave time and he/she meets the eligibility requirements, the employee should apply to the sick leave pool.

V. Withdrawal of Sick Pool Leave
A. An employee may apply to the Sick Leave Pool by completing a *Sick Leave Pool Application*. 
which is located at https://hr.utmb.edu/hrforms/. If the employee is unable to complete the application form, his/her family, friends, or colleagues may do so on his/her behalf.

B. Sick leave granted will not exceed **90 paid days (720 hours) or one-third of the sick leave pool balance, whichever is less**. No employee may receive more than 90 work days (720 hours) per catastrophic illness or injury.

C. If the sick leave pool hours requested are denied because the sick leave pool balance is too low, the employee’s request for withdrawal will be pended and awards made as additional sick leave hours are contributed to the pool. These awards may be made retroactively.

D. Upon approval of an employee’s sick leave pool application, the Sick Leave Pool Administrator authorizes Payroll to credit the employee’s sick leave balance with the number of hours granted.

E. The employee may use sick leave granted from the pool in the same manner as accrued leave. This includes continuing to accrue sick leave, vacation, and holidays. Authorized Sick Leave Pool hours are available only as long as the person identified as needing care remains in such need. When care is no longer required, any unused hours must be returned to the pool.

F. If the employee returns to work before exhausting a sick leave pool allocation, the employee’s manager must notify Human Resources and Payroll so that the remaining balance of hours may be returned to the sick leave pool. If the employee is returning at less than full-time, intermittent use of their remaining sick leave pool hours may be possible.

G. When an employee or immediate family member’s illness improves such that the employee may return to work on less than a full-time basis, it may be possible to utilize some of the awarded sick leave pool hours on an intermittent basis.

H. An employee who is eligible for Worker’s Compensation Insurance (WCI) payments as a result of a work-related catastrophic illness or injury may elect to exhaust all sick leave, vacation, and holiday balances in order to apply for sick leave pool hours. **An employee may not receive both sick leave pool hours and WCI payments.**

I. UTMB will not reimburse the estate of a deceased employee or employee’s family member for granted but unused sick leave pool time.

VI. **Pool Administrator’s Responsibilities**

A. The Pool Administrator is appointed by the President or designee and is responsible for:
   1. Establishing an equitable process by which the sick leave pool approval is to be administered.
   2. Ensuring the process is adhered to and in compliance with the established sick leave pool policy.
   3. Reviewing process for improvement on an annual basis of the sick leave pool process.

VII. **Definitions**

*Catastrophic illness or injury*: A severe medical condition or combination of conditions affecting the mental or physical health of an employee or the employee’s immediate family that requires the services of a licensed physician for a prolonged period of time and that requires the employee to exhaust accrued
leave and to lose compensation from the State.

*Immediate family:* 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 and minor children, regardless of whether they live in the same household. Family members not residing in that employee’s household are 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.

**VIII. Relevant Federal and State Statutes**
Texas Government Code, §§661.002-661.008
Texas Education Code §51.961

**IX. Relevant System Policies and Procedures**
UT System Regents’ Rule and Regulation, Rule 30203

**X. Related UTMB Policies and Procedures**
IHOP - 03.06.10 - Sick Leave
IHOP – 03.07.05 – Worker’s Compensation Insurance
IHOP – 03.06.09 – Family and Medical Leave

**XI. Dates Approved or Amended**

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**XII. Contact Information**
Human Resources – Leave Management
(409) 747-4645