



Angelo State University
Operating Policy and Procedure

OP 06.16: Faculty Sick Leave

DATE: January 8, 2018

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to ensure understanding and a standardized approach to handling faculty sick leave in accordance with Chapter 661 of the Texas Government Code.

REVIEW: This OP will be reviewed in April every three years, or as needed, by the Office of the Provost and the Faculty Senate with recommended revisions forwarded through the provost and vice president for academic affairs (PVPAA) to the president by May 15.

POLICY/PROCEDURE

1. Definition of Regular Faculty Member

An employee with academic rank, paid to teach in full or in part

2. Policy

A regular faculty member shall be entitled to sick leave, without deduction in salary, subject to the following conditions:

- a. An employee will earn sick leave entitlement beginning on the first day of employment with the state and terminating on the last day of duty. Credit for one month's accrual will be given for each month or fraction of a month of employment with the state and will be posted to each employee's leave record on the first day of employment with the state and on the first day of each succeeding month of employment thereafter.
- b. Sick leave entitlement shall be earned at the rate of eight hours for each month or fraction of a month of employment for a full-time employee and accumulate with the unused amount of such leave being carried forward each month. Part-time employees shall accrue sick leave on a proportionate basis. Sick leave shall terminate on the last day of duty.
- c. Sick leave with pay may be taken (1) when sickness, injury, or pregnancy and confinement prevent the employee's performance of duty or (2) when the employee is needed to care for and assist a member of her/his immediate family who is actually ill. For purposes relating to regular sick leave, 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 Family and Protective 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 health care provider visit and identified need. An employee who must be absent from duty because of illness, injury, pregnancy, confinement or to care and assist immediate family shall notify her/his department chair or cause the department chair to be notified of that fact at the earliest practicable time.

- d. To be eligible to take accumulated sick leave with pay during a continuous period of more than three working days, an employee who is absent because of (1) illness, injury, or pregnancy and confinement or (2) is absent to care for and assist family as defined in paragraph c above shall send to the department chair of her/his employing agency a doctor's note showing employee/family member's name, date and time of visit, that employee/family member is/was under the care of a health care provider, and date of when employee/family member can return to work/school. It is within the discretion of the department chair to require further documentation concerning conditions resulting in absences of three working days or less.
- e. Faculty members at institutions of higher education must submit prescribed leave forms for all sick leave taken if the absence occurred during the normal workday for regular employees, even if no classes were missed as prescribed in Section 661.203 of the Texas Government Code.
- f. A faculty member transferring between university departments or state agencies shall retain unused sick leave, provided service is uninterrupted.
- g. When an official university holiday occurs during a paid sick leave, the holiday shall not be charged against sick leave.
- h. Malingering and other abuses of sick leave shall constitute grounds for dismissal from university employment.
- i. In the event of a faculty member's death, one-half unused sick leave accumulation, not to exceed 336 hours, shall be paid to the estate as a death benefit.
- j. A faculty member terminated under a reduction-in-force shall have sick leave balance restored if reemployed by the state within 12 months after the end of the month in which state employment terminated.

3. Procedure

- a. As mandated by the Texas Legislature, a faculty member is responsible for reporting sick leave. The department head is responsible for verifying the sick leave report.
- b. Absence of a faculty member because of illness ordinarily shall be defined in terms of hours.
- c. A faculty member must use the university's electronic leave reporting system to ensure proper reporting and accounting for sick leave.

4. Exceptions

Exceptions to the amount of sick leave an employee may take must be authorized by the president on an individual basis after a review of the merits of each particular case. Requests must be made through administrative channels to the PVPAA and then to the president. A copy of the approved request should be forwarded to the payroll department and to the Office of Human Resources to be filed.

5. Sick Leave Pool

- a. The sick leave pool established for employees of Angelo State University is intended to provide for the alleviation of the hardship caused to an employee and the employee's family if a catastrophic illness or injury forces the employee to exhaust all leave time earned by that employee and to lose compensation from the state (See OP 52.41 for additional information).
- b. An employee may voluntarily transfer not less than one day nor more than three days of accrued sick leave to the sick leave pool per fiscal year. Transfers are made on an annual basis.
- c. An employee is eligible to use time contributed to the sick leave pool if, because of a catastrophic injury or illness or a previous donation of sick leave time to the pool, the employee has exhausted all the sick leave time to which that employee is otherwise entitled. An employee may not draw time from the sick leave pool in an amount that exceeds the lesser of one-third of the total amount of time in the pool or 90 days.
- d. The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the sick leave pool of Angelo State University.
- e. The president shall appoint a pool administrator to administer the university's sick leave pool who is authorized to adopt rules and to prescribe procedures relating to the operation of the sick leave pool.