



Angelo State University
Operating Policy and Procedure

OP 52.42: Staff Sick Leave

DATE: March 22, 2019

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish the university's policy on sick leave for staff employees as defined in [OP 52.09 Definitions of Employee Categories](#). For information regarding faculty sick leave please see [OP 06.16 Faculty Sick Leave](#).

REVIEW: This OP will be reviewed in August every three years, or as needed, by the director of human resource with recommended revisions forwarded through the vice president for finance and administration to the president by September 15 of the same year.

POLICY/PROCEDURE

1. Policy

State employees are entitled to sick leave. Sick leave is a benefit to state employees that allows for a paid absence from work under the conditions outlined below.

2. Eligibility

A regular staff employee of Angelo State University is eligible to accrue or take paid sick leave only if the employee:

- a. Is employed to work at least 20 hours per week for a period of at least four and one-half months; and
- b. Is not employed in a position for which the employee is required to be a student as a condition of the employment.

3. Sick Leave for Staff Employees

Full-time staff employees accrue sick leave at a rate of eight (8) hours per month for each month, or fraction of a month, of employment. Accrued amounts of sick leave may be carried forward each month. Part-time employees who are otherwise entitled to sick leave earn such leave in proportion to the amount of time employed. (Example: Employment of 20 hours per week entitles the employee to one half of full sick leave or four hours per month.) The use of sick leave privileges by staff employees shall be governed by the following provisions:

- a. An employee accrues sick leave beginning on the first day of state employment and ending on the last duty day of state employment. Duty day means an employee's last physical day on the job.

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- b. An employee who is on leave the first day of the month may not use that month's accrual until he or she returns to duty.
- c. Sick leave may be used when an employee is prevented from performing his or her job because of sickness, injury, pregnancy, or confinement. It may also be taken to care for an immediate family member who is ill.
- d. For purposes of this policy, the following persons are considered immediate family:
 - (1) Individuals who reside in the employee's household and are related by kinship, adoption, or marriage;
 - (2) Foster children who reside in the employee's household and are under the conservatorship of the Texas Department of Protective and Regulatory Services; or
 - (3) Minor children regardless of whether or not they are living in the employee's household.
- e. An employee's use of sick leave to care for and assist family members not described in 3.d. above is strictly limited to the time necessary to provide care and assistance to a *spouse, child, or parent* of the employee who needs the care and assistance as a direct result of a documented medical condition.
- f. An employee who must be absent from work because of sickness, injury, or pregnancy shall notify his or her supervisor at the earliest practicable time and in accordance with departmental call-in procedures. See [OP 52.04 Attendance](#) for further information.
- g. The employee should make a reasonable effort to schedule health care provider appointments to minimize disruptions to the department's operations.
- h. An absence of greater than three days requires the employee to provide a doctor's certification or a written statement to the Office of Human Resources upon returning to work. This certification should include only the name of the employee, the date and time the employee was seen by the doctor, and the date that the employee is allowed to return to work. The doctor's note should not include any medical information regarding a medical diagnosis or condition.
- i. Sick leave may be used by an employee while he or she is on vacation.
- j. Employees employed by multiple agencies cannot accrue sick leave at a rate that exceeds that of a full-time, 40-hour-per-week employee.
- k. Sick leave may be taken for the adoption of a child under the age of three.
- l. The employee should report sick leave in a manner and form prescribed by the university in order to meet the payroll processing deadlines.
- m. Malingering and other abuses of sick leave will constitute grounds for dismissal from employment. Taking sick leave to work for another employer will be considered abuse of sick leave.

4. Restoring Sick Leave Balances

- a. Employees who transfer directly from one state agency or institution of higher education to another will have their sick leave balances transferred.
- b. Employees who separate from the university under a formal reduction in force are entitled to have their sick leave balances restored if they are reemployed by the State within 12 months.
- c. Employees separated for reasons other than a formal reduction in force are entitled to have their sick leave balances restored only if:
 - (1) The employee is reemployed by the same state agency or institution of higher education within 12 months after the end of the month in which the employee separates from State employment, but only if there has been a break in employment with the State of at least 30 calendar days; or
 - (2) The employee is reemployed by a different state agency or institution of higher education within 12 months after the end of the month in which the employee separates from State employment.
- d. An employee who is restored to state employment following military service is entitled to have his or her sick leave balance restored.
- e. Retirees who return to state employment will not have their sick leave balances restored.
- f. The estate of a deceased employee is entitled to receive payment for one-half of the employee's sick leave balance or 336 hours, whichever is less, provided the employee had six months of continuous service at the time of death. The amount paid to the estate will be based on the employee's compensation rate at the time of death and will not include longevity or hazardous duty pay.