



# Standard Administrative Procedure (SAP)

## 31.06.01.L1.01 Sick Leave Pool Administration Procedures

First Approved: March 18, 2015  
Revised: September 28, 2016  
Next Scheduled Review: September 28, 2021

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### Procedure Statement and Reason for Procedure

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This Standard Administrative Procedure (SAP) supplements [System Regulation 31.06.01, Sick Leave Pool Administration](#) and outlines procedures for contributing hours to or withdrawing hours from the Texas A&M International University (TAMIU) Sick Leave Pool (SLP).

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### Procedures and Responsibilities

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#### 1. ELIGIBILITY

- 1.1 Regular employees are eligible to contribute hours to and withdraw hours from the SLP in accordance with eligibility criteria outlined in [System Regulation 31.06.01, Sick Leave Pool Administration](#). A regular (eligible) employee is defined as budgeted by name for 50 percent or more time for at least four and one-half months, excluding students holding positions for which student status is a requirement for employment and, by law, the chief executive officer.

#### 2. ADMINISTRATION

- 2.1 The leave administrator in the Office of Human Resources (HR) shall be the SLP Administrator and shall be responsible for reviewing and approving or denying request(s) for transfer of hours into and from the SLP according to the guidelines established in [System Regulation 31.06.01, Sick Leave Pool Administration](#).
- 2.2 The SLP Administrator will process requests within 10 working days following the receipt of all information necessary to make a decision.

- 2.3 The SLP Administrator will ensure that an employee's official leave record reflects the appropriate deduction for contributions to the SLP and/or the appropriate credit for receipt of hours from the SLP.
- 2.4 Decisions to allocate SLP resources to eligible employees will be equitable, consistent, and without regard to employee classification or any other legally impermissible reason.

### 3. CONTRIBUTION OF TIME

- 3.1 To contribute sick leave hours to the SLP, a regular (eligible) employee or terminating employee must submit a *Sick Leave Pool Donation Form* to the SLP Administrator. The *Sick Leave Pool Donation Form* is available in HR.
- 3.2 A regular (eligible) employee may contribute one or more days of his/her accrued sick leave hours to the SLP at any time during his/her employment. A retiring or terminating employee may contribute to the SLP at the time of his/her retirement or termination from TAMIU. SLP contributions must be in 8-hour increments.
- 3.3 All contributions to the SLP are voluntary.
- 3.4 Individual employees may voluntarily donate sick leave hours to the general SLP or to another employee as authorized by Section 661.207 of the Texas Government Code. Sick leave donations to another employee will be considered a taxable event **to the donor** unless the situation qualifies as a medical emergency pursuant to IRS guidelines.
- 3.5 Employees who wish to donate sick leave to another employee will complete the *Sick Leave Direct Donation – Donor Form* and submit it to HR. This form is available in HR.
- 3.6 An active TAMIU employee who previously contributed hours to the TAMIU SLP and has exhausted all their sick leave may request a reinstatement of the hours s/he previously contributed to the TAMIU SLP, in accordance with [System Regulation 31.06.01, Sick Leave Pool Administration](#). To request returned hours from the SLP, a regular (eligible) employee must submit a *Sick Leave Pool Returned Hours Form* to the SLP Administrator. This form is available in HR.

### 4. WITHDRAWAL OF TIME

- 4.1 To request a withdrawal of sick leave hours from the SLP, a regular (eligible) employee must submit a *Sick Leave Pool Withdrawal Form* to the SLP Administrator. This form is available in HR.
- 4.2 If a direct donation for sick leave has been submitted as provided in section 3.5 above, following the approval of the donation, HR will provide the [Sick Leave Direct Donation – Recipient Form](#) to the recipient for completion and request appropriate medical certification to determine if the situation qualifies as a medical emergency for tax purposes. HR will advise the recipient of the determination and if the donated sick leave time can be applied to the request.

- 4.3 SLP hours must be requested before the hours are needed or as soon as possible as State law prohibits the retroactive granting of sick leave or SLP hours.
- 4.4 A regular (eligible) employee is eligible to receive SLP hours when all of the following conditions are satisfied:
  - 4.4.1 The employee or employee's immediate family member has a catastrophic illness or injury that requires treatment by a licensed practitioner, as defined by [System Regulation 31.06.01, Sick Leave Pool Administration](#).
  - 4.4.2 The employee has furnished the appropriate medical certification form signed by the treating licensed practitioner, providing the general nature of the catastrophic illness or injury, prognosis, and expected recovery date.
  - 4.4.3 The employee has been absent from work due to the employee's or employee's immediate family member's catastrophic illness or injury for a prolonged period. As defined by [System Regulation 31.06.01, Sick Leave Pool Administration](#), a prolonged period is 80 hours of continuous or intermittent missed work, with or without pay. For a less-than-full-time employee, the requirement will be proportional to their percent effort (e.g., 50% effort equals 40 hours of continuous or intermittent missed work).
  - 4.4.4 The employee has exhausted all their sick leave, vacation leave, and compensatory time.
- 4.5 Employees requesting hours from the SLP or utilizing a direct donation of sick leave may be required to submit periodic updates from the treating licensed practitioner regarding the current status of the medical condition and, for the employee, the ability to work upon recovery.
- 4.6 As specified in [System Regulation 31.06.01, Sick Leave Pool Administration](#), an eligible employee may use up to one-third of the total amount of hours in the SLP or up to 90 working days (720 hours), whichever is less, for each catastrophic illness or injury.
- 4.7 As specified in [System Regulation 31.06.01, Sick Leave Pool Administration](#), employees receiving Worker's Compensation benefits are not eligible to withdraw hours from the SLP.

## 5. APPEAL PROCESS

An employee wishing to appeal a decision made by the SLP Administrator must submit the request in writing to the VP for Finance & Administration (VPFA) within two weeks of the denial of the *Sick Leave Pool Withdrawal Form* or the *Sick Leave Donation – Recipient Form*. The VPFA will consult with the Director of Human Resources to review the appeal and render a final decision. The Director of Human Resources will prepare the written decision for the VPFA who will send it to the employee who is appealing the initial decision.

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## Related Statutes, Policies, Regulations, or Rules

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[System Regulation 31.06, Sick Leave Pool](#)

[System Regulation 31.06.01, Sick Leave Pool Administration](#)

[System Regulation 31.06.02, Sick Leave Donation](#)

[System Regulation 31.03.02, Sick Leave](#)

Texas Government Code, Chapter 661

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## Contact Office

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Office of Human Resources, 956-326-2365