

Procedure IV.4000.O.a, Sick Leave

Associated Policy

Policy IV.4000.O, Sick Leave

Procedure

Full-time employees are eligible to receive sick leave. Sick leave provides paid time off for illness or injury or when the medical condition of the employee prevents the performance of the employee's regularly assigned duties. Sick leave may also be used in cases of illness or injury of the employee's spouse, children, grandchildren, mother, father, mother-in-law, or father-in-law. The sick leave benefit for the first year of employment is prorated as of the first day of employment.

Full time exempt employees are eligible for sick leave based on the eligibility criteria below:

- Full-time employees receive sick leave at a rate of eight (8) hours per month, up to a maximum of 96 hours per year.
- All full-time employees will have twenty-four (24) hours of their sick leave accrual allocated to personal business leave at the beginning of each fiscal year. Refer to Procedure IV.4000.L.a, Personal Business Leave.
 - All 12-month contracted employees will be eligible for sick leave at the rate of eight hours per month for the contract period, up to a maximum of 96 hours per year.
 - All 10½-month employees will receive up to a maximum of 84 hours of sick leave per year.
 - Nine-month employees will receive up to a maximum of 72 hours sick leave per year.
 - Full-time faculty with contracts of nine months or 10.5 months will receive sick leave hours for summer employment based on contact hours taught.
 - Nine-month contracted faculty may earn up to a maximum of 24 sick leave hours for teaching 192 contact hours or more in the summer while not under contract.
 - All 10.5-month contracted faculty may earn up to 12 hours of sick leave for teaching 96 contact hours or more in the summer while not under contract.
 - Police Officers who are required to quarantine or isolate in response to a possible or known exposure to a communicable disease while on duty are eligible to receive paid quarantine leave. Refer to the procedure on Sick Bank for detailed information.

Notification Requirements

It is the responsibility of the employee to call their immediate leader when it is necessary to be absent due to illness or injury. In the event of an emergency, someone other than the employee may call to update the leader of the employee's status. The employee may contact the leader via alternative methods, such as text message or email, if the leader previously approved alternative methods of reporting. The employee will contact the leader at least one hour before the employee's shift starts, unless, due to extenuating circumstances the employee is physically unable to do so, in which case the employee will contact the leader as soon as possible.

Use of Sick Leave

- Employees may use sick leave hours to care for themselves or a qualified family member for:
 - Mental or physical illnesses, injuries, or health conditions;
 - The need for medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions;
 - Preventive medical, dental or vision care

Twenty-four (24) hours of sick leave are applied to the personal business leave balance at the beginning of each fiscal year. Personal business leave is intended for use in cases when an employee needs to be off work, but the absence is not covered under sick leave. At the end of the fiscal year, any remaining personal business leave will be rolled back into the sick leave balance.

Employee Traveling to Adopt a Child

An employee who qualifies for leave under the Family Medical Leave Act (FMLA) for adoption may request paid vacation leave, or the employee may use up to 24 hours of personal business leave to facilitate the adoption.

Once the child is in the employee's custody, accumulated sick leave may be used by the employee for leave with pay to travel or to care for the adopted child. Once sick leave, personal business leave, and vacation are exhausted, the employee may continue leave for the remaining balance of the FMLA leave, but without pay. FMLA leave and sick leave run concurrently.

Certification of Reason for Leave/Return to Duty

If an employee's absences exceed five consecutive working days and were due to the employee's own health condition, the employee must submit a return-to-work release from the licensed health care provider certifying that the employee is able to return to duty. The certification form must be submitted to Human Resources, Benefits before the employee returns to duty. Failure to submit the certification form may result in a delay or denial of reinstatement.

If the employee's absences exceed five consecutive working days and were due to a family member's health condition, the employee will provide documentation from the family member's

health provider that substantiates a medical reason for the employee's absence to care for a family member.

If the absence is for family and medical reasons that are covered by FMLA, then the certification must comply with the College's FMLA procedure (see Procedure IV.4000.F.a, Family and Medical Leave).

Extended Absence

In the event an employee requires additional leave beyond what is permitted under this procedure or under FMLA, the employee may request that the College evaluate whether the employee is entitled to extended leave under the Americans with Disabilities Act (ADA). The College will determine whether the employee is a qualified individual with a disability under ADA and will evaluate whether providing additional leave is a reasonable accommodation under the circumstances. The College may request that the employee provide documentation from their health care provider regarding the nature and expected duration of the employee's impairment. The College will determine whether an additional leave of absence would enable the employee to perform the essential functions of the employee's position in the immediate future.

An employee who has a qualifying disability under ADA and is granted leave as a reasonable accommodation is ordinarily entitled to return to their same position. If the employee is not a qualified individual with a disability, or if the College determines that additional leave is not reasonable under the circumstances, or would impose an undue hardship, then the College may fill the absent employee's position. If the employee is a qualified individual with a disability and the College is unable to hold the position open, the College will consider whether it has a vacant, equivalent position for which the employee is qualified and can be reassigned. If an equivalent position is not available, the College will determine whether a vacant position at a lower level is available. An employee who is reassigned or transferred to a lower paying position will receive the salary commensurate with the new position.

If an employee returns to duty after taking a leave of absence, and the employee is unable to perform the essential functions of their job because of a disability, the College will determine whether a reasonable accommodation is available that would enable the employee to remain in their current position. Reassignment is the reasonable accommodation of last resort and is required only after the College determines that no effective accommodations will enable the employee to perform the essential functions of the current position and any other accommodations would impose an undue hardship. The College will evaluate whether appropriate vacancies exist for which the employee is qualified. An employee who is reassigned or transferred to a lower paying position shall receive the salary commensurate with the new position. If no appropriate vacancies will be available within a reasonable amount of time, the employee's employment may be terminated.

Transfer of Sick Leave

Any employee who is directly transferring from another public institution of higher education in Texas may transfer their unused accumulated sick leave to the College. The amount of

transferred leave is limited to the accumulated balance at the former institution or school of employment, or 240 hours, whichever is less. The amount of the sick leave balance to be transferred must be verified by the transferring entity.

Accumulation of Sick Leave:

Effective August 1, 1988, employees may accumulate a maximum of 1,280 hours of sick leave. There will be no accumulation for payout purposes for any sick hours that an employee earns after August 1, 1988.

Leave Accumulated prior to August 1, 1988:

When an employee who was hired prior to August 1, 1988, retires or dies under the terms of the Teacher Retirement System of Texas (TRS) or the Optional Retirement Plan (ORP), the College will pay out up to 800 hours for any sick leave accumulated prior to August 1, 1988. The employee must have completed ten years of continuous employment with the College. Any interruption in employment for reasons other than leave authorized by Board policy will result in loss of all accumulated sick leave. Payment of the accumulated leave will be based on the employee's salary for the fiscal year during which eligibility for payment occurs. If an otherwise eligible employee terminates for reasons other than retirement or death under the terms of TRS or ORP, no payment will be made for accumulated sick hours. For those employees hired prior to August 1, 1988, in the event the absences occur under this sick leave policy, causing hours accumulated for pay to be used as sick leave, those hours shall be lost for any future eligibility for pay. The employee may, however, accumulate more sick hours for sick leave purposes under this policy up to the maximum allowable.

For any employee with less than the maximum 800 hours on August 1, 1988, for any future pay consideration, the sick hours for pay are fixed, e.g., an employee with only 256 hours will never have more than 256 hours for pay purposes. The employee would continue to accumulate up to the maximum allowable, but for pay purposes, would never have more than the number of sick hours earned as of August 1, 1988.

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Associated Policy	Policy IV.4000.O, Sick Leave
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources