

Policies of the University of North Texas Health Science Center	Chapter 05 Human Resources
05.606 Sick Leave	

Policy Statement.

Regular faculty and staff members of the University of North Texas Health Science Center at Fort Worth are entitled to a sick leave allowance within the provisions of the Appropriations Act. Sick leave provides each regular faculty or staff member with a leave allowance, to cover periods of actual personal illness.

Application of Policy.

Regular Faculty and Staff

Definitions.

None

Procedures and Responsibilities.

Procedure / Duty

Responsible Party

1. **Rate of Accrual and Accrual Computations:** Sick leave entitlement accrues as follows: Employee

- a.) Sick leave entitlement accrues from the first day of employment and terminates on the last day of duty.¹ Duty day is defined as an employee’s last physical day on the job.
- b.) Regular full-time faculty or staff shall earn sick leave entitlement at the rate of eight (8) hours for each month or fraction of a month of paid employment.² Regular part-time faculty or staff members shall earn sick leave entitlement at their percentage of time employed times eight (8) hours for each month or fraction of a month of paid employment.³ For example, an individual employed for seventy-five (75) percent time will accrue six (6) hours monthly (.75 x 8 = 6).
- c.) Sick leave entitlement will continue to accrue and will be credited during periods when the staff member is on approved leave with pay. Sick leave entitlement will be credited to an employee for time in a leave without pay status if the individual has any fraction of paid employment in that month.⁴
- d.) Sick leave accruals are posted on the first day of the month only when the employee is physically on duty. If the

employee is on leave the first day of the month, sick leave accruals will not be posted until the date of the employee's actual first day of duty in the month.

2. **Sick Leave Utilized:** Sick leave taken must be recorded in hours. Employee
When charging for time less than an hour, sick leave taken must be rounded off to tenths of an hour, i.e., six (6) minutes = 0.1 hrs., twelve (12) minutes = 0.2 hrs., eighteen (18) minutes = 0.3 hrs., etc.
3. **Maximum Accrual:** Effective September 1, 1973, accruals of sick Payroll
leave may be carried forward from one fiscal year to another with no limit to the number of sick days that may be accrued.⁵
4. **Use of Accrued Sick Leave:** An employee is entitled to use sick leave Employee
with pay for the following reasons:
 - a.) When actually ill, injured, or confined because of exposure to contagious diseases which require quarantine or isolation.⁶
 - b.) Sick leave with pay may be taken when sickness, injury or pregnancy and confinement prevent the employee's performance of duty or when the employee is needed to care for and assist a member of 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 Protective and Regulatory 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 documented medical condition.⁷
 - c.) For maternity leave.⁸
 - d.) For medical and dental appointments, examinations or treatments.
 - e.) Sick leave may not be used when an employee has chosen to use vacation leave at termination rather than being paid in a lump sum for accrued vacation.

f.) Employees may use up to eight hours of sick leave each fiscal year to attend parent-teacher conferences regarding their children in grades pre-kindergarten through twelfth grade. The employee must give reasonable notice of the need for this leave.⁹

5. **Supervisor Notification and Sick Leave Approval:**¹⁰ To be eligible for sick leave with pay, a staff member must promptly notify the supervisor or department official of the reason for the absence. The staff member must also keep the supervisor or department official informed of his condition if the absence continues for more than one day. Employee

Upon return to duty the faculty or staff member must, without delay, complete a Request for Leave Form and submit it to the department official with the designated authority to approve leave. The department official who has the authority to approve leave will be the head of the department unless otherwise directed by the President. The employee is responsible for recording sick leave taken on the Departmental Time Record.

6. **Physician's Statement:** To be eligible for accumulated sick leave with pay during a continuous period of more than three (3) working days, an employee who has been absent must provide a physician's statement showing the cause or nature of the illness, or some written statement of the facts concerning the illness, which is acceptable to the department official.¹¹ It is within the discretion of the administrative head to require documentation concerning illnesses resulting in absences of three (3) working days or less.¹² Employee

If abuse of sick leave is suspected, the department official may request that an employee obtain a physician's certificate at any time.

7. **Transfers:** An employee who transfers to the University of North Texas Health Science Center at Fort Worth from another State agency, will be given credit by the health science center for any unused balance of accumulated sick leave, provided there is no interruption of service, i.e., the individual is placed on the payroll of the health science center on the first working day succeeding the day separated from the other agency.¹³ It is the individual's responsibility to secure documentary proof of transfer credits from his/her former employers. Such documentary proof shall be presented to Human Resource Services immediately upon employment. Employee/Human Resource Services

- 8. **Abuse of Sick Leave Privileges:** Malingering and abuse of sick leave privileges may be grounds for suspension or termination. Employee
 - 9. **Disciplinary Action Related to Sick Leave:** Employee/
Supervisor/
Human Resource
Services
- Caution should be used whenever disciplinary action is being considered for an employee's use of sick leave.**

Applicable policy information is found in the University of North Texas Health Science Center Personnel Policies and Procedures Manual.

05.602	Absence and Attendance
05.606	Sick Leave
05.613	Sick Leave Pool
05.612	Leave of Absence without Pay
05.607	Family Medical Leave
05.903	Performance Counseling and Discipline

Any time an employee is experiencing a serious medical condition or otherwise appears to need Family Medical Leave or the Sick Leave Pool, the supervisor should discuss these leave options with the employee or refer him/her to Human Resource Services.

Employees may not be disciplined for absences covered by Family Medical Leave (either paid or unpaid.)

If an employee has used or, is close to having used, all their accrued sick leave, or if it appears the employee is abusing the sick leave policy in any way, the supervisor needs to discuss the problem with the employee and should request in writing, if he/she has not already done so, that the employee provide a physician statement for all future absences due to illness. Any vacation or compensatory time accrual prior to a leave should be used for sick leave purposes if sick leave accrual has been exhausted and the leave is validated by a physician's statement.

Once an employee has been asked to present a physician's statement to verify use of sick leave, the employee must comply with this requirement (or may be disciplined if he/she does not) for as long as the supervisor deems necessary, whether or not the employee begins to accrue sick leave hours again.

If the employee has used all accrued leave and has a valid need for continued sick leave and is not eligible for Family Medical Leave or Sick Leave Pool, the supervisor needs to make a decision whether to place the employee on Leave Without Pay status or terminate the employee. It is important that the supervisor is consistent when taking either of these actions and should inform the employee in advance. (Supervisors are required to review this step with Human Resource Services prior to taking action.)

10. **Sick Leave Payment to Estate of Deceased Employee:** When an employee dies, the estate of the deceased individual will be paid one half of the individual's accumulated sick leave, or for 336 hours of sick leave, whichever is less.¹⁴ The payment made to the estate of the deceased employee for unused sick leave is not wages and is not subject to Social Security deductions.¹⁵ Human Resource Services/Payroll
11. **Sick Leave and Workers' Compensation:** An employee may elect to utilize sick leave until it is exhausted before receiving Workers' Compensation or elect not to use any sick leave in which case, workers' compensation benefits would be paid after the seven-day waiting period.¹⁶ Employee
12. **Sick Leave at Termination:** Sick leave provides a leave allowance to cover only periods of actual personal illness. Thus, unused sick leave at termination is forfeited. A terminated employee may, with the agreement of the health science center, be allowed to remain on the payroll to utilize vacation leave in lieu of being paid in a lump sum, providing that such employee will not be eligible to use paid sick leave prior to final separation from the payroll. Employee
13. **Restoration of Sick Leave:** An employee separated from employment with the state under a formal reduction-in-force shall have his sick leave balance restored if re-employed by the state within twelve (12) months of termination. An employee separated for other reasons shall also have his/her sick leave balance restored: 1) if re-employed by the agency or institution within twelve (12) months of termination, provided there has been a break in service of at least thirty (30) calendar days since termination or 2) if re-employed by the state with an agency or institution other than the agency or institution from which the employee separated, within twelve (12) months of termination.¹⁷ Employee

References and Cross-references.

¹ Texas Government Code, § 661.201

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Attorney General Opinion No. H-684, September 8, 1975

⁶ Texas Government Code, § 661.201

⁷ Ibid.

⁸ Texas Government Code, § 661.201, Attorney General Opinion No. M-1222, September 21, 1972.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Comptroller of Public Accounts Memorandum to All State Agencies and Departments, RE: Payment for Accrued Vacation and Sick Leave Redefined for Social Security Purposes, January 26, 1976.

¹⁵ Ibid.

¹⁶ Texas Labor Code, § 501.044

¹⁷ Texas Government Code § 6.61.201

Forms and Tools.

Request for Leave form

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Effective: 9/1/2006

Revised: