31.03.02.C0.01 Sick Leave

Revised: September 30, 2024
Next Scheduled Review: September 30, 2029
Revision History

Procedure Summary

Texas A&M University-Corpus Christi provides sick leave to eligible employees in accordance with state law. This procedure establishes uniform administration of sick leave and should be read in conjunction with system regulation *31.03.02, Sick Leave*.

Definitions

Immediate family – an individual who resides in the same household as the employee and is related by kinship, adoption, or marriage; a foster child of the employee who resides in the same household as the employee and who is under the conservatorship of the Department of Family and Protective Services; and a minor child of the employee, regardless of whether the child lives in the same household.

Additional definitions are provided in the related statutes and policies cited below.

Procedure

1. GENERAL

   An employee who is budgeted by title for 50 percent or more time for at least four and one-half months, excluding students employed in positions that require student status as a condition for employment, is entitled to sick leave with pay. Employees are eligible to apply for sick leave with pay, sick leave without pay, sick leave pool hours, sick leave pool donation hours, family leave pool hours, family and medical leave, and parental leave subject to the restrictions and requirements of system policies and regulations.

2. CONFIDENTIALITY

   All documents containing medical information are to be handled in confidence and compliance with the Texas A&M University System Records Retention Schedule (see Appendix section of this procedure). Supervisors must be sensitive to the desire of

an employee to have medical information held confidential by Human Resources (HR). Any documents related to a serious health condition should be provided by the employee to HR. Handling of such documents by coworkers and other offices should be avoided. It is a supervisor's responsibility to keep administrative superiors informed about personnel absences and resulting departmental consequences and needs.

3. SICK LEAVE APPLICATION, DOCUMENTATION, AND APPROVAL

3.1. Sick leave with or without pay for an employee must be approved by their supervisor, subject to auditing by HR for compliance with system policies and regulations

3.2. An employee who must be absent from work due to an illness or injury must notify their supervisor or have their supervisor notified as soon as possible. The employee will submit a request for time off in Workday immediately. These requirements apply for all sick leave absences, whether working remotely or onsite, if the absence occurs during the employee's workday.

3.3. When an absence from work due to an employee's or immediate family member's medical condition exceeds three (3) continuous working days, the employee must provide a physician's statement or other written statement that is acceptable to HR and contains the facts concerning the illness, reason for the absence, and the estimated date of return to work. This statement must be provided to HR on or before the fourth day. All medical documentation must be sent to HR to file in a confidential manner. HR will notify the department chair/supervisor when documentation has been received and include the estimated date of return to work. For faculty members, HR will include the dean/director in the notice.

4. FACULTY SICK LEAVE USAGE

4.1. A faculty member at an institution of higher education as defined by section 61.003 of the Texas Education Code, must submit a time off request for sick leave if the absence occurs during the faculty member's normal workday and results in missing work commitments or scheduled events as defined in section 4.2 of this procedure. The request, documentation, and approval of this sick leave must comply with section 3 of this procedure.

4.2. Faculty commitments include, but are not limited to, teaching preparation, curriculum development, grading, research, scholarship, and creative activities. Scheduled events include, but are not limited to, classes, office hours, department/unit/university and committee meetings, and other administratively assigned activities.

4.3. If a faculty member misses all commitments and/or scheduled events in a workday, the faculty member must submit a request for eight (8) hours of sick leave.

4.4. If a faculty member misses only a portion of the commitments and/or scheduled events in a workday, the faculty member will use sick leave for the time missed. For instance, if the faculty member misses two (2) office hours in the afternoon, but meets their evening class, they missed two (2) of the scheduled event hours for the day and must submit a time off request for two (2) hours of sick leave.

4.5. Eligible part-time faculty usage will be based on the proportion of their appointments.

5. USE OF AVAILABLE SICK LEAVE

5.1. Sick leave may be used when a medical condition, injury, pregnancy, or confinement prevents the employee from reporting to work or when the employee is needed to care for an immediate family member, as defined above, who is ill. An employee may use sick leave to care for a child.

5.2. Each fiscal year, an employee may use up to eight (8) hours of their accrued sick leave to attend their own child's educational and/or extra-curricular school activities in grades pre-kindergarten through 12. The employee must provide reasonable advance notice for this leave.

5.3. Additional information on sick leave usage is detailed in system regulation *31.03.02, Sick Leave*.

6. SICK LEAVE POOL

An employee who exhausts all available leave due to a catastrophic illness or injury of the employee or an immediate family member may be eligible for sick leave pool benefits. Also, an employee may be eligible to use sick leave pool benefits due to a previous donation during that fiscal year. An employee should complete these requests on the HR website. For more information, see system regulation *31.06.01, Sick Leave Pool Administration*.

7. SICK LEAVE DONATION

An employee who exhausts all eligible leave may receive a sick leave donation from another employee. The donated sick leave usage must be processed in accordance with system regulation *31.06.02, Sick Leave Donation*.

8. SICK LEAVE WITHOUT PAY

After exhausting all eligible paid leave, an employee who is unable to return to work may be granted sick leave without pay when warranted by medical circumstances, subject to the provisions outlined in system regulations *31.03.02, Sick Leave* and *31.03.04, Leave of Absence without Pay*.

9. FAMILY LEAVE POOL

An employee may apply for family leave pool hours if all eligible compensatory, sick, and vacation leave has been exhausted in accordance with system regulation *31.06.03, Family Leave Pool Administration*.

10. FAMILY AND MEDICAL LEAVE ACT (FMLA)

10.1. Under certain circumstances, employees may take up to twelve (12) weeks of leave under FMLA during a fiscal year due to the following reasons:

(a) the birth and care of a child within one year of birth. This may include leave taken for "bonding time" where there is no medical condition with respect to the parents or newborn,

(b) the adoption, or placement for state-certified foster care, of a child,

(c) the care for a child, spouse, or parent with a serious health condition,

(d) a serious health condition that prevents the employee from performing essential functions of the employee's position, or

(e) any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.

10.2. FMLA runs concurrently with paid and unpaid leave. For more information, see system regulation *31.03.05, Family and Medical Leave*.

10.3. When an employee is absent for more than three (3) continuous working days, has frequent absences including a covered family member's serious medical condition, or has chronic medical condition, that the employee must be advised of their rights under the FMLA. A notice of FMLA eligibility must be provided to the employee within five (5) business days of the employer being notified of a potential FMLA event. The employee's supervisor is responsible for notifying HR of the employee's leave to ensure the employee is advised of their rights under FMLA within the range of absence.

11. PARENTAL LEAVE

Under certain circumstances, employees are entitled to parental leave of absence for the birth of a child or the adoption or placement for state-certified foster care of a child under three (3) years of age. For more information, see system regulation *31.03.05, Family and Medical Leave* and university procedure *31.03.05.C0.01, Parental Leave*.

Related Statutes, Policies, or Requirements

34 Texas Administrative Code § 5.44 Payments for Accrued Vacation and Sick Leave to the Estates of Deceased State Employees
Texas Education Code, Chapter 61.003
Texas Government Code, Chapter 661
System Regulation *31.03.02, Sick Leave*
System Regulation *31.03.05, Family and Medical Leave*
System Regulation *31.03.04, Leave of Absence without Pay*
System Regulation *31.06.01, Sick Leave Pool Administration*
System Regulation *31.06.02, Sick Leave Donation*
System Regulation *31.06.03, Family Leave Pool Administration*
System Regulation *61.99.01, Retention of State Records*
University Procedure *31.03.05.C0.01, Parental Leave*

This procedure supersedes:

- *31.03.02.C1.01, Sick Leave*
- *31.03.02.C1.02, Faculty Sick Leave Usage*

Appendix

Texas A&M University System Records Retention Schedule

Contact Office

Contact for clarification and interpretation: Human Resources
361.825.2630