



The Texas A&M University System
Texas A&M Engineering Extension Service

Standard Administrative Procedure

31.03.02.N0.01 Sick Leave

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Summary

Budgeted employees earn up to eight hours of sick leave a month, beginning on the first day of employment and ending on the employee's last physical date worked.

Requirements

The amount of sick leave that a budgeted employee accrues will depend on their percentage of work effort. The accrual rate for part-time budgeted employees is proportional to the percentage of effort worked. If employed by the state during any part of a calendar month, the employee accrues sick leave for that month. If the employee is on leave without pay for the entire calendar month, no sick leave will be accrued/awarded for that month.

Unlike vacation leave, employees can use their accrued sick leave immediately, and there are no maximum carryover limits from one fiscal year to the next. The one exception is if an employee who is on paid leave on the first workday of a month, they may not use the sick leave accrual for that month until he or she returns to work.

1. Employees can use sick leave only in the following instances:

1.1. Personal Illness or Injury

1.1.1. Sick leave may be used when sickness, injury, or pregnancy and confinement prevents the employee from performing his or her job.

1.1.1.1. If the sick leave exceeds three (3) consecutive days, the employee must provide a doctor's note or medical certification before returning to work.

1.2. Use of Sick Leave for Family Members

1.2.1. Sick leave may be used when an employee is needed to care for and assist a member of the employee's immediate family who is sick, this includes spouse, children, parents, or children who the employee is a legal guardian appointed by the courts.

1.3. Use of Educational Activity Leave

- 1.3.1. An employee can use up to 8 hours of Educational Activity leave per fiscal year to attend educational activities for his/her children (grandchildren not included) in pre-kindergarten through 12th grade.
- 1.3.2. Educational Activity means a school-sponsored activity, including parent-teacher conference, tutoring, a volunteer program, a field trip, a classroom program, a school committee meeting, an academic competition and an athletic, music or theater program.

1.4. Use of Sick Leave for Births or Adoptions

- 1.4.1. For the birth of a child, an employee, who is the father of the child, may use sick leave in conjunction with the child's birth, if the child is ill following birth, or to care for his spouse while she is recovering from delivery.
- 1.4.2. An employee adopting a child younger than the age of three can use the same amount of sick leave following the adoption that would normally be used to recover from childbirth beginning the date the child is placed in the home of the adoptive parent. The amount of sick leave should not exceed six weeks.

1.5. Use of Sick Leave while on Vacation

- 1.5.1. An employee on vacation can reclassify the leave type to sick leave if they are eligible for sick leave and documentation is provided. This does not apply to those who have left employment with TEEX but were given permission to remain on the payroll to exhaust their vacation leave balance.

1.6. Use of Sick Leave Determined by the Supervisor

- 1.6.1. An ill or injured employee may be required to take a leave of absence if the supervisor's judgment, continued work would create a substantial risk to the employee and/or coworkers, and/or a physician statement restricts the employee's activity or environment, and/or the employee's needs cannot be reasonably accommodated.
- 1.6.2. The employee will be requested to use sick leave, then vacation, then any compensatory time, then sick leave pool if applied for and approved, and then may be placed on leave without pay until given a release that certifies the employee can safely return and perform duties.

2. Physician Documentation Requirements

- 2.1. When a sick leave request is entered for more than 3 consecutive days, a doctor's note will be required. Possibly a Certification of Health Care Provider Form for Employee's Health Condition or a Verification of Certificate of Health Care Provider Form for Family Member's Health Condition may be required to determine if FMLA is applicable. If the estimated recovery date or other information concerning the illnesses changes, the employee will be required to submit supplemental written documentation from the doctor.
- 2.2. If the employee is out due to an illness or injury for more than 3 consecutive days and the employee chose not to seek doctor's care, sick leave can only be requested for 3

consecutive days and the rest of the leave for this absence will need to be requested as vacation leave, if available.

- 2.3. The CEO, or designee, may require a physician's statement for absences of three working days or less. The supervisor will contact Human Resources before requesting a physician's statement for absences less than three working days.

3. Restoration and Transfer of Sick Leave as outlined in Section 2.1

- 3.1. An employee who retires or separates from employment cannot be paid for accrued sick leave.
- 3.2. During the exiting process, the employee will have the opportunity to donate some or all his or her sick leave balance to the agency Sick Leave Pool or the Family Leave Pool (taxable or non-taxable option)
- 3.3. If the employee obtains employment with another Texas state agency within 12 months of terminating employment with TEEX, the sick leave balance not donated to the Agency's Leave Pools, will be reinstated, and transferred to the employee at the new Texas state agency.
- 3.4. Request for restoration of accrued sick leave must be supported by written confirmation from the prior state agency which includes the employment separation date and the accrued sick leave balance.

4. Employee Death

- 4.1. Upon the death of an employee who had at least 6 months of continuous state service during the employee's lifetime, the member pays the employee's estate for the balances of the employee's vacation leave and sick leave.
- 4.2. The payment may not exceed all the employee's accumulated vacation leave and the lesser of half of the employee's accumulated sick leave or 336 hours of sick leave.

5. Procedures for Sick Leave Notification, Documentation, and Approval

- 5.1. All sick leave requests must be coordinated with, approved by the employee's supervisor, and entered in Workday.
- 5.2. Employee discusses sick leave needs with their supervisor as early as possible.
 - 5.2.1. Upon agreement with their supervisor, the employee will enter the leave request into Workday.
- 5.3. If the employee is unexpectedly out, the employee should notify their supervisor as early as possible. Upon return to work, the employee will submit the appropriate leave request in Workday or request the supervisor to enter for the employee.
- 5.4. If entering more than 3 consecutive days of sick leave, required documentation must be submitted as outlined previously before an employee will be allowed to return to work.

Quality Assurance Measures

Human Resources continuously monitors the sick leave usage in Workday by running weekly leave reports to ensure all State requirements on use of sick leave meet state guidelines.

Related Statutes, Policies, or Requirements

[Texas A&M System Policy 31.03, *Leaves of Absence*](#)

[Texas A&M System Regulation 31.03.02, *Sick Leave*](#)

Office of Responsibility

TEEX Human Resources

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