

The University of North Texas at Dallas Policy Manual	Chapter 5.000
5.017.2 Sick Leave	Human Resources

Policy Statement. The University of North Texas at Dallas provides paid sick leave in accordance with state law. Sick leave may be used to cover periods of actual personal illness, to care for a member of an employee’s immediate family, and for parent teacher conferences.

Application of Policy. This policy applies to all regular faculty and staff employees.

Definitions.

1. **Regular Faculty.** “Regular Faculty” means a faculty member appointed for at least 50 percent time for at least 4 ½ continuous months.
2. **Regular Staff Member.** “Regular Staff Member” means an employee who is scheduled to work at least 20 hours per week for a period of at least 4 ½ months and is not employed in a position for which the employee is required to be a student as a condition of the employment.
3. **Immediate Family.** “Immediate Family” means those individuals living in the same household and related by kinship or adoption or who are spouses; foster children certified by the Texas Department of Protective and Regulatory Services; or a child for whom the employee is the court-appointed guardian. An employee’s minor child is considered immediate family even if the child does not live in the employee’s household.
4. **Income Benefits.** “Income Benefits” means Workers’ Compensation, short term disability or long term disability benefits.
5. **Pregnancy and Confinement.** “Pregnancy and Confinement” means temporary disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery.
6. **Sick Leave Entitlement.** “Sick Leave Entitlement” means leave accrued by full-time employees at the rate of eight hours for each month of state employment and by a part- time employee on a proportionate basis.
7. **Spouse.** “Spouse” means a person in a legally recognized union of two individuals in a marital relationship, including a common law marriage as recognized by the law of the State of Texas.

Procedures and Responsibilities.

1. Sick Leave Accrual and Credit.

- 1.01. Sick leave accrues from the first day of employment and terminates on the last of duty, which is the employee's last physical day on the job.
- 1.02. Regular faculty or staff members employed by the University during any part of a calendar month accrue eight hours sick leave for the month. Regular part-time faculty or staff members accrue sick leave on a proportionate basis.
- 1.03. Sick leave will continue to accrue and will be credited during periods when the staff member is on approved leave with pay.
- 1.04. Sick leave 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. Sick leave accruals are posted on the first day of the month only when the employee is physically on duty. When the employee is not on duty, sick leave accruals will be credited to the employee immediately upon return to duty and the employee may use them after such return.

Responsible Party: Human Resources

2. **Maximum Accrual.** Accruals of sick leave may be carried forward from one fiscal year to another with no limit to the number of sick days that may be accrued.

Responsible Party: Human Resources

3. Use of Accrued Sick Leave.

- 3.01 Sick leave may be taken when sickness, injury, or pregnancy and confinement prevent the employee from doing the employee's job or when an ill member of the employee's immediate family needs the employee's care and assistance.

3.02

3.02 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 child, spouse, or parent of the employee who needs such care and assistance as a direct result of a documented medical condition.

3.03 An employee may use up to eight hours of sick leave each fiscal year to attend parent-teacher conferences for the employee's children in pre-kindergarten through 12th grade. The employee must provide reasonable advance notice of need for this leave.

3.04 For maternity leave, an employee who adopts a child under three years of age is to be treated as if he or she had undergone pregnancy and childbirth. Therefore, an employee who adopts a child under three years of age may use the amount of sick leave that would be necessary to recover from pregnancy and childbirth.

3.05 For medical and dental appointments, examinations or treatments.

3.06 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.

Responsible Party: Human Resources and Employee

4. **Sick Leave Notification and Approval.** To be eligible for sick leave with pay, a faculty or staff member must promptly notify the supervisor or department official of the reason for the absence.

Responsible Party: Employee and Supervisor

5. **Certification.** To be eligible to use accrued sick leave with pay during a continuous period of more than three working days, an employee must provide a licensed medical practitioner's certification showing the cause or nature of the illness, or some written statement of the facts concerning the illness, which is acceptable to the employee's supervisor. It is within the discretion of the department official to require documentation concerning illnesses resulting in absences of three working days or less.

Responsible Party: Employee

6. **Transfers.** An employee who transfers to the University from another State of Texas agency will be given credit by the University for any unused balance of accumulated sick leave, provided there is no interruption of service.

Responsible Party: Human Resources

7. **Leave and income benefits.**

- 7.01 Regular faculty and staff members may elect to use accrued sick leave before receiving income benefits. If an employee elects to use sick leave, the employee is not entitled to income benefits until the employee has exhausted the employee's accrued sick leave.
- 7.02 Regular faculty and staff members may elect to use all or any number of weeks of accrued annual leave after the employee's accrued sick leave is exhausted. If an employee elects to use annual leave, the employee is not entitled to income benefits under this chapter until the elected number of weeks of leave has been exhausted.

Responsible Party: Employee and Human Resources

8. **Restoration of Sick Leave.**

- 8.01 An employee separated from employment with the University under a formal reduction in force shall have his or her sick leave balance restored if re-employed by the state within 12 months of termination.
- 8.02 An employee separated for other reasons shall also have the employee's sick leave balance restored:
- i. If re-employed by the University within 12 months of termination, provided there has been a break in service of at least 30 calendar days since termination; or,
 - ii. If re-employed by the state with an agency or institution other than the University, within 12 months of termination.

Responsible Party: Human Resources

References and Cross-references.

Attorney General Opinion No. JM-1203, M-1222

State Auditor's Office Interpretation 91-02

Texas Labor Code, § 501.044

Texas Government Code § 661

Approved: 8/30/2010

Effective: 8/30/2010

Revised: 1/28/2014, 8/26/16