



SICK LEAVE POOL ADMINISTRATIVE PROCEDURES

Section I

A. Purpose

1. The purpose of the Texas Southmost College Sick Leave Pool (Pool) is to provide additional paid sick leave hours to eligible employees in the event of a catastrophic illness or injury of the employee or a member of the employee's immediate family member after the employee has exhausted all accumulated paid leave (sick and vacation).
2. For the purposes of this Pool, a catastrophic illness or injury is interpreted as defined below.
3. The ability of the Pool to pay hours is subject to availability of funds.

B. Definitions

1. Catastrophic illness – is defined as a severe illness requiring prolonged hospitalization or recovery. Examples include heart attack, stroke, cancer, coma or any life threatening illness as determined by a medical doctor. All sick leave hours claimed under catastrophic illness shall be certified by a doctor who is duly registered and licensed.

The uncomplicated delivery of a child at the conclusion of a pregnancy is not considered a catastrophic illness or injury. However, complications from child birth could be considered catastrophic illnesses.

2. Immediate family – is defined as the Family and Medical Leave Act (FMLA) as outlined in Policy DECA (Legal). This includes employee's spouse, son, daughter, or parent.
3. Eligible employees – is defined as all regular full time employees who have worked for Texas Southmost College for at least 180 days (6 months).

Section II

A. Enrollment

1. To become a member of the Pool, an eligible employee must contribute the recommended amount of hours of Sick Leave (8 hours) at the inception of the Pool or at the beginning of each fiscal year thereafter, as necessary, and as established by the Sick Leave Pool Committee (Committee).

Note: The total amount of contribution may not exceed 32 hours per fiscal year. The eligible employee must have a Sick Leave balance of at least 24 hours after the initial contribution is made.

2. There will be one enrollment period during each fiscal year.
3. The introductory enrollment period will be from August 1, 2017 through August 31, 2017. The annual enrollment period will be held April 1-30th of each year thereafter.
4. Eligible employees desiring to join the Pool shall complete the membership application form and submit it to the Office of Human Resources. The applications will be verified for employment eligibility and sick leave balance.
5. For Pool purposes, the plan year will be from September 1st through August 31st. If an eligible employee wishes to continue membership in the Pool, the eligible employee must contribute the “minimum number of hours” (8 hours) at the beginning of each fiscal year. The deduction of sick leave will occur automatically unless the member gives written notice to the contrary to the Office of Human Resources prior to September 1st.
6. If an eligible employee decides to cancel his or her membership in the Pool, any hours contributed remain the property of the Pool. If at a later date, this eligible employee wishes to rejoin the Pool, the employee may do so only during the re-enrollment period by contributing the amount of required Sick Leave hours for that fiscal year.
7. All hours contributed to the Pool become the property of the Pool. Contributions cannot be returned to the employee under any circumstances, nor be transferred.

B. Unused Sick Leave

1. An employee who separates from employment with the College District shall be allowed to donate up to 120 hours of accrued sick leave to the sick leave pool.

Section III

A. Sick Leave Pool Committee:

1. A Committee composed of College personnel will review individual requests for hours from the Pool and determine whether or not a request for paid leave should be granted. The Committee will be appointed by the College President and will consist of the following individuals who must be members of the Pool:
 - a. **Two** full time staff
 - b. **One** faculty member from the Health Professions Division
 - c. **One** administrator from Finance and Administration

- d. The Executive Director of Human Resources will act as Chairperson of the Committee.
2. Members of the Committee will serve two years (staggered terms). If any member is unable to fulfill his or her two year commitment, a replacement will be appointed by the College President. The replacement will serve the remainder of the two year term.
3. A Committee member must inform the Executive Director of Human Resources when there is a conflict of interest with a member. The College President will appoint an alternate so the Committee can proceed with the duties.
4. All information regarding the Sick Leave Pool and donations shall be treated as confidential information in accordance with HIPAA and other applicable laws.

Section IV

A. Procedure for Requesting Sick Leave Pool Hours

1. An eligible employee must submit the following forms to the Office of Human Resources:
 - a. Request for Sick Leave Pool Hours
 - b. Attending Health Care Provider's statement which must be personally signed by attending physician who is duly registered and licensed in the United States.
2. If an eligible employee, or their immediate family, becomes catastrophically ill or injured and unable to return to work, a request for Sick Leave Pool hours is requested by the eligible employee or the eligible employee's designated representative.
3. All requests for Sick Leave Pool hours shall be reviewed individually by the Committee in a called meeting. The Committee will refuse to consider a request that is not complete.
4. An eligible employee or his designated representative may be asked to appear before the Committee to substantiate his or her case. The Sick Leave Pool Committee will meet to review requests as needed.
5. The request for sick leave pool hours must be approved by at least three members of the Sick Leave Pool Committee. If the Committee approves the application, the proper documentation will be forwarded to the Office of Human Resources and the Payroll Department.
6. The Executive Director of Human Resources will notify the eligible employee of the decision to approve or deny the request within three business days from the date the committee meets.

7. The Committee shall review and recommend the number of approved hours. The amount of leave granted for each catastrophic injury or illness cannot exceed one-third (33%) of the number of hours in the pool or a maximum of 90 days (720 lifetime hours).
8. The Committee reserves the right to approve, modify, or disapprove the hours that are requested.
9. An eligible employee who has exhausted their 90 days (720 lifetime hours granted from the sick leave pool) shall not be eligible to request additional sick leave from the sick leave pool.

B. Other Regulations:

1. Sick Leave Pool hours shall be granted only for absences from working days during the length of an employee's contract. The Pool will not grant paid leave for holidays or days when an eligible employee is not under employment.
2. If an eligible employee who has received less than 90 days (720 hours) from the Pool returns to work and becomes ill again with the same or a different illness, the eligible employee may apply to the Pool for the remaining hours not to exceed 720 lifetime hours.
3. At the end of each fiscal year (August 31st), all unused sick leave hours in the Pool shall be carried over to the next fiscal year (September 1st through August 31st).
4. Sick leave hours from the Pool are not transferrable.
5. An eligible employee will lose the right to utilize the benefits of the Pool only by:
 - a. Termination of employment
 - b. Suspension of employment
 - c. Retirement from the College
6. If an eligible employee is receiving hours from the Pool and assumes employment with another entity, the employee will be required to pay back all Pool hours received during the concurrent time of employment.