

Sam Houston State University
A Member of The Texas State University System

Finance & Operations Human Resources Policy B-1
Employee Leaves

SUBJECT: Employee Leaves Procedures

PURPOSE: To provide a standard policy for administering and granting employee leaves for absence from their jobs in accordance with university, system, state, and federal rules and regulations.

POLICY: It is the policy of Sam Houston State University to grant leaves to all regular benefits eligible, non-student employees (employees who are appointed at least one-half time or more for a continuous period of at least four and one-half months or one long semester for faculty) on a consistent basis without regard to race, color, national origin, sex, religion, age, disability or veteran status.

- CONTENTS:**
1. Vacation Leave
 2. Sick Leave
 3. Leave for Organ or Bone Marrow Donors
 4. Donation of Blood
 5. Sick Leave Pool
 6. Bereavement Leave
 7. Emergency Leave
 8. Military Leave
 9. Volunteer Firefighters and Emergency Medical Services Training Leave
 10. Certified Red Cross Activities Leave
 11. Leave for Employees with a Disability
 12. Time Off to Vote
 13. Jury Service, and Appearance in Official Capacity or as a Witness
 14. Foster Parent Leave
 15. Federal Family & Medical Leave Act (FMLA) and Parental Leave
 16. Leave Without Pay
 17. Administrative Leave for Outstanding Performance
 18. Parent-Teacher Conference Leave
 19. Employee and Department Responsibilities for Leave
 20. Leave Request/Approval and Medical Certification Forms

1. Vacation Leave

- a. Staff employees and faculty with twelve month appointments shall be entitled to a vacation in each fiscal year without deduction in salary. Part-time eligible employees will accrue vacation leave on a proportionate basis and the maximum carryover will also be proportionate. Such entitlement shall be earned in accordance with the following schedule based on full-time employment:

| <u>Employees with Total State Employment of:</u> | <u>Hours Accrued Monthly</u> | <u>Maximum Hours Carried to Next Fiscal Year</u> |
|--|------------------------------|--|
| 0 but less than 2 years | 8 (12.0 days/yr) | 180 |
| 2 but less than 5 years | 9 (13.5 days/yr) | 244 |
| 5 but less than 10 years | 10 (15.0 days/yr) | 268 |
| 10 but less than 15 years | 11 (16.5 days/yr) | 292 |
| 15 but less than 20 years | 13 (19.5 days/yr) | 340 |
| 20 but less than 25 years | 15 (22.5 days/yr) | 388 |
| 25 but less than 30 years | 17 (25.5 days/yr) | 436 |
| 30 but less than 35 years | 19 (28.5 days/yr) | 484 |
| 35 years or more | 21 (31.5 days/yr) | 532 |

Sam Houston State University
A Member of The Texas State University System

- b. An employee will earn vacation entitlement beginning on the first day of employment with the state and terminating on the last day of duty based upon the chart above. The net balance of unused leave, not to exceed the maximum cited above, shall be carried forward each fiscal year. All hours of unused accumulated vacation, which exceeds the maximum carryover, may be credited to the employee's sick leave balance as of the first day of the next fiscal year.
- c. Credit for one month's accrual will be given for each month or fraction of a month of employment and on the first of each succeeding month thereafter, provided that an employee who is in a leave status on the first day of the month shall not be eligible to use leave accrued for such month until the employee returns to duty. Credit for the higher rate of accrual shall be given on the first calendar day of the month, if the employee's anniversary date falls on the first calendar day of the month; otherwise, the increase will occur on the first calendar day of the following month. If an employee begins working in an eligible status on the first workday of the month, the employee is deemed to have begun working on the first calendar day of the month for the purpose of this subsection.
- d. Vacation with pay may not be taken until the employee has been continuously employed with the state for six months, although credit will be accrued during that period. Continuous employment means that no leave without pay (i.e., for a full calendar month which does not count as state service credit) has been taken. The six-month eligibility requirement means that once an employee has completed six (6) months or more of continuous state employment and then leaves state employment, that person is eligible to take vacation leave as it is earned upon re-employment, or be paid for it on termination following such re-employment.
- e. Employees are encouraged to take vacation in the fiscal year in which the entitlement is earned. Vacation leave should be scheduled in advance by the employee at a mutually agreeable time to both the employee and supervisor.
- f. In computing vacation time taken, time during which an employee is excused from work because of holidays shall not be charged against the employee's vacation.
- g. Vacation accruals will be used for absences due to illness after all accumulated sick leave and compensatory time has been exhausted.
- h. If as a condition of employment you accept or transfer to a position not eligible for vacation accrual, your current vacation balance will be vested and compensated at the final rate of compensation in the last position held that accrued vacation time. Employees are not eligible to use accrued vacation time while in a position not eligible for vacation accrual.
- i. An employee who resigns, is dismissed, or separated from employment (including death) shall be entitled to be paid for all their unused balance of vacation within thirty (30) days, provided the employee has had continuous employment with the state of Texas for six (6) months; and is not directly transferring to another Texas state agency into a position which accrues vacation time.
- j. Employees who retire on or after June 1, 2005, and return to work on or after September 1, 2005, will have vacation accruals based upon state service since their rehire date. However, return to work retirees are not required to re-establish the six (6) months continuous service requirement in order to take vacation with pay.

2. Sick Leave

- a. An eligible employee will earn sick leave entitlement beginning on the first day of employment and terminating on the last day of duty. Credit for one (1) month's accrual will be given for each month or fraction of a month of employment and will be posted to each employee's leave record on the first day of employment and on the first day of each succeeding month of employment

Sam Houston State University
A Member of The Texas State University System

thereafter. An employee who is on leave on the first day of a month may not use the sick leave that the employee accrues for that month until after they return to duty. An employee must be in a status of pay each month to be eligible to accrue.

- b. Sick leave entitlement shall be earned at the rate of eight (8) hours for each month or fraction of a month employment, and shall accumulate with the unused amount of such leave carried forward each month. Part-time regular employees accrue proportionate to their appointment. Sick leave accrual shall terminate on the last day of duty.
- c. 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 a member of their immediate family who is actually ill.
 - (1) 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 State.
 - (2) Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of regular sick leave.
 - (3) 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 to a spouse, child, or parent of the employee who needs such care as a direct result of a documented medical condition. This provision does not extend to an employee's parent-in-law if they do not live in the same household.
 - (4) If an employee is on vacation and would otherwise be entitled to sick leave then the fact that such sick leave is requested while on vacation does not affect the employee's entitlement to sick leave.
- d. An employee who must be absent from duty because of illness shall notify their supervisor or cause them to be notified of that fact as soon as possible. To be eligible for accumulated sick leave with pay during a continuous period of more than three (3) working days (includes absences for part of a scheduled work day), an employee absent due to illness shall send to the supervisor a doctor's certificate showing the cause or nature of the illness, or some other written statement of the facts concerning the illness which is acceptable to the Director of Human Resources. The administrative head has the discretion to require documentation concerning illnesses resulting in absences of three (3) working days or less. Also, a physician's statement certifying ability to return to work when the nature of the illness has been such that the safety, health, or fitness of the employee to do their work may need assurance or clarification from a physician. Abuses of sick leave privileges shall constitute grounds for dismissal from employment by the University.
- e. Upon return to duty after sick leave the employee concerned shall, without delay, report on the bi-monthly "Leave Report" or "Personnel Time Report" any such leave taken. The "Leave Report" or "Personnel Time Report" shall be signed by the departmental supervisor and sent to the Payroll Office. The method for keeping current sick leave records between payroll reporting periods shall be prescribed by the departmental supervisor. Faculty members must submit prescribed leave forms for all sick leave even though no classes were missed if the absence occurred during the normal workday.
- f. An employee who transfers directly from one state agency to another, shall be given credit by the receiving agency for the unused balance of sick leave, provided employment with the state is uninterrupted.

Sam Houston State University
A Member of The Texas State University System

- g. The estate of an employee, when the employee dies while employed, is entitled to payment for one-half of the employee's accumulated sick leave or for 336 hours of sick leave, whichever is less, provided that the employee had continuous employment with the state for at least six (6) months at the time of death.
- h. Accumulated sick leave shall not constitute claim for reimbursement when an employee leaves the employment of the University. However, an employee separated from employment with the state under a formal reduction-in-force shall have their 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 their sick leave balance restored if re-employed by the state within twelve (12) months of termination, and provided there has been a break in service of at least thirty (30) calendar days since termination if re-employed by the same state agency.

Employees that become ineligible to accrue sick leave, as a result of a reduction in their employment to less than half-time or by changing to a student job status, will have their accrued balance frozen, but are eligible to transfer the time (if not earned in a state multiple employment status) when directly transferring to another state agency in an eligible accrual capacity; can have the accrued balance reinstated if after terminating by satisfying the re-employment period reinstatement requirements as described in the above paragraph; or can use the accrued balance upon returning to a non-student regular benefits eligible position.

- i. For employees returning to work as a retiree, there must be an official separation (termination) of employment to effect retirement status. In addition, there must be a thirty (30) calendar day break to have their sick leave balance restored when re-employed by the same state agency.
- j. Sam Houston State University does not grant extended sick leave.

3. Leave for Organ or Bone Marrow Donors

A state employee is entitled to a leave of absence without a deduction in salary for the time necessary to permit the employee to serve as a bone marrow or organ donor. The leave of absence provided by this section may not exceed:

- Five working days in a fiscal year to serve as a bone marrow donor; or
- 30 working days in a fiscal year to serve as an organ donor.

4. Donation of Blood

A state employee shall be allowed sufficient time off, without a deduction in salary or accrued leave, to donate blood. An employee may not receive time off under this section unless the employee obtains approval from his or her supervisor before taking time off. On returning to work after taking time off under this section, an employee shall provide his or her supervisor with proof that the employee donated blood during the time off. If an employee fails to provide proof that the employee donated blood during the time off, Sam Houston State University shall deduct the period for which the employee was granted time off from the employee's salary or accrued leave, whichever the employee chooses. An employee may receive time off under this section not more than four times in a fiscal year.

5. Sick Leave Pool

- a. Employees who have at least twelve (12) continuous months of regular staff or faculty employment with SHSU immediately preceding their eligible condition, may request pool leave for their own catastrophic illness or injury or for one in their immediate family. A catastrophic injury or illness is defined as a severe condition or combination of conditions affecting mental or physical health which requires the services of a licensed practitioner for a continuous, prolonged period of time, usually at least forty-five (45) calendar days. Employees may also use sick leave pool if they contributed sick leave to the pool and subsequently exhaust their sick leave balance.

Sam Houston State University
A Member of The Texas State University System

Such employees may receive only the number of hours they have contributed to the pool unless they suffer a catastrophic illness or injury. Employees must exhaust all earned leave with pay entitlements before they may use leave from the pool. Employees on sick leave pool for a full calendar month accrue paid leave for that month, provided they return to work following the leave. Employees with catastrophic illnesses or injuries are not required to contribute to the pool before they can use pool leave. Also, employees who use pool leave are not required to pay back pool leave.

- b. Contributions to the pool are strictly voluntary. To contribute time to the pool, an employee must complete a "Leave Request/Approval Form". Employees who contribute leave to the pool cannot get it back unless they are eligible to use it in accordance with this policy. Employees may contribute an unlimited number of their accrued days. Contributions should be in full day increments.
- c. Requests for pool leave will be in writing along with a completed "Leave Request/Approval Form" and documentation from the treating physician and forwarded to the Pool Administrator through appropriate supervisory channels. Requests will be considered by the Pool Administrator on a first-come, first-serve basis. The Pool Administrator will have up to ten (10) working days from the date they receive a request in which to approve all or part of the request, or deny the request. The amount of pool leave granted for each catastrophic illness or injury will be determined by the Pool Administrator. The amount cannot exceed one-third of the balance of hours in the pool, or ninety (90) working days, whichever is less. Any unused balance of pool leave granted to an employee returns to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave.
- d. Illnesses of the same type or that may routinely re-occur, such as cancer, will have a lifetime maximum of ninety (90) days.
- e. The employee should advise in the sick leave pool request if they are receiving subrogation benefits, i.e., by legal right collecting pay, reimbursement for loss of work time, or damages from a third party as a result of the catastrophic illness or injury.

6. Bereavement Leave

- a. The death of a member of the employee's **immediate family** shall constitute adequate need for bereavement leave. Employees who experience a death in their **immediate family** may receive, if needed, up to five (5) days bereavement leave. **Immediate family** members are defined as:
 - Employee's spouse
 - Employee's parents, children, brothers, sisters, grandparents, and grandchildren
 - Spouse's parents, children, brothers, sisters, grandparents and grandchildren
- b. An employee who must be away from the job due to a death of a member of his/her **immediate family** shall notify the supervisor on or before the first day of such absence.
- c. Request for approval of bereavement leave must be submitted to the supervisor on or before the first day the employee returns to work. The request for leave must show the name, relationship and date of death of the employee's **immediate family** member.
- d. Leave for the death of anyone other than members of the employee's **immediate family** (as defined above in Section 6. a.) shall be charged to vacation, compensatory time, or leave without pay.

Sam Houston State University
A Member of The Texas State University System

7. Emergency Leave

The President of Sam Houston State University may grant leave with pay to an employee for good cause, subject to the recommendation of the Director of Human Resources and the Divisional Vice President. Emergency leave is normally approved with a provision to pay back the granted time off with future leave accruals.

8. Military Leave

a. ***State employees are eligible for leave to accommodate:***

- Authorized training or duty for the state's military forces and members of any reserve branch of the U.S. Armed Forces.
- Activation of the State's National Guard by the Governor.
- National emergency activation for members of a reserve branch of the U.S. Armed Forces.

b. ***Adjusted Work Schedule for Military Leave:*** State agencies and institutions of higher education are required to adjust the work schedule of a military member so that two of the employee's days off each month coincide with two days of military duty.

c. ***Authorized Training for Duty:*** A state employee who is called to active duty or authorized training is entitled to a leave of absence of fifteen (15) days in each **federal** fiscal year (*October 1 – September 30*) without loss of pay or benefits. The fifteen (15) days need not be consecutive. In addition, these days are "working" days, not "calendar" days. After exhausting the fifteen (15) days, the employee may use accrued vacation or be placed in a leave without pay status (or combination of the two) for the remainder of the active duty period.

d. ***Call to National Guard Active Duty by the Governor:*** A member of the National Guard called to active duty by the Governor because of a state emergency is entitled to receive emergency leave without loss of military or annual leave. This leave is not limited and will be provided with full pay.

e. ***Call to National Duty:*** A member of the National Guard or any reserve branch of the U.S. Armed Forces called to federal active duty during a national emergency is entitled to an unpaid leave of absence after exhausting the fifteen (15) days of paid military leave. The employee retains any accrued sick or vacation leave. The employee does not earn sick or annual leave during this period; however, he or she does accrue state service credit. The employee may use any accrued annual leave, compensatory time, or overtime leave to maintain benefits for the employee or the employee's dependents while on military duty. Before the employee departs for military service, the area Human Resources Representative in the Human Resources Department shall review with the employee any issues relating to maintaining health insurance coverage. Additionally, the employee may continue to accrue service credit by receiving at least one hour of state pay during each month of active military service. The employee may use any combination of paid leave to qualify for state pay.

f. ***Differential Pay:*** The President of Sam Houston State University shall grant sufficient emergency leave to provide a pay differential if the employee's military gross pay is less than the employee's state gross pay. The combination of gross military pay and emergency leave may not exceed the employee's actual state gross pay.

g. ***Restoration of Employment:*** To be eligible for restoration of employment at the conclusion of military service, the employee must be honorably discharged no later than five (5) years after induction, enlistment, or call to duty and must be physically and mentally qualified to perform the duties of the job.

Sam Houston State University
A Member of The Texas State University System

9. Volunteer Firefighters and Emergency Medical Services Training Leave

Employees who are volunteer firefighters and emergency medical services volunteers shall also be granted a leave of absence with full pay to attend training schools conducted by state agencies provided such leave does not exceed five (5) working days in any one (1) fiscal year. The leave of absence, authorized by this subsection, shall in no way be charged against the employee's vacation or sick leave privileges by this Act.

10. Certified Red Cross Activities Leave

An employee who is a certified disaster service volunteer of the American Red Cross, or who is in training to become such a volunteer, may be granted leave of up to ten (10) days each year to participate in specialized disaster relief services. The employee must have supervisory authorization in addition to a request from the American Red Cross and the approval of the Governor's Office. If the above conditions are met, the employee will not lose pay, vacation time, sick leave or earned overtime, and/or compensatory time during such leave. The pool of certified disaster volunteers must not exceed 350 participants at any one time.

11. Leave for Employees with a Disability

A state employee who is a person with a disability as defined by the Human Resources Code section 121.002 shall be granted a paid leave of absence not to exceed ten (10) days each fiscal year for the purpose of attending a training program to acquaint the employee with an assistance dog to be used by the employee.

12. Time Off To Vote

Employees should be allowed sufficient time off, without a deduction in pay, to vote in each national, state, or local election.

13. Jury Service, and Appearance in Official Capacity or as a Witness

- a. An employee is entitled to serve on a jury during regular work hours without any deduction from wages, including a deduction for any fee or compensation the employee receives for the jury service. The employee must be responding to a jury duty summons, serving on a jury, or appearing in an official capacity for the state. Appearances in another capacity or anytime required for jury service outside the employee's regular work schedule is on the employee's own time.
- b. An employee called to appear in an official capacity in any judicial action or legislative investigation is not entitled to any witness fees for such a governmental appearance. However, if the appearance is not in an official capacity but is for the purpose of testifying from personal knowledge, an employee may accept any customary witness fees. In the case of an employee whose appearance as an expert witness is not in an official capacity, the employee may receive compensation only when such an appearance is made on his or her own leave time. Employees may receive per diem, expense reimbursements, and mileage allowances for serving as a witness in an official governmental capacity, as long as there is no double reimbursement to the employee for expenses.
- c. In order for an employee to receive pay for jury duty, certification from the Court Clerk or some other written statement which is acceptable to the Director of Human Resources, must be attached to the approved "Leave Report" or "Personnel Time Report" form.

Sam Houston State University
A Member of The Texas State University System

14. Foster Parent Leave

An employee who is a foster parent to a child under the protection of the Department of Protective and Regulatory Services (DPRS) is entitled to a leave of absence with full pay for the purpose of attending staffing meetings held by the DPRS regarding the employee's foster child. In addition, the employee may attend, with a paid leave of absence, the Admission, Review, and Dismissal (ARD) meeting held by a school district regarding his or her foster child.

15. Federal Family & Medical Leave Act (FMLA) and Parental Leave

- a. State employees who have a total of at least twelve (12) months of state service credit and who have actually worked at least 1,250 hours during the 12-month period immediately preceding the commencement of leave, are hereby entitled to FMLA provided that the employee utilizes all available applicable paid vacation and sick leave while taking leave pursuant to this provision.
 - (1) As an exception to the requirement to utilize all paid vacation and sick leave, employees on FMLA leave who are receiving temporary disability benefit payments or workers' compensation benefits are not required but may utilize paid vacation and sick leave while receiving such benefits.
 - (2) If an employee elects to use Fair Labor Standards Act [FLSA] (overtime) compensatory time while out on FMLA, that time is not counted toward the 12-week entitlement. State compensatory (equivalent) time is counted toward the 12-week entitlement.
 - (3) If FMLA leave is used in one continuous block, a business closing will count against the employee's entitlement. The exception to this is a closing of a week or more. Holidays, inclement weather days, and shutdowns do not count against employees who are on intermittent FMLA leave or a reduced work schedule.
 - (4) Furthermore, a state employee who is the father of a child, may use his sick leave in conjunction with the child's birth only if the child is actually ill or to care for his spouse while she is recovering from labor and delivery.
 - (5) The State Auditor's Office has advised that the employee does not have the option of choosing whether or not to designate leave as FMLA leave for a qualifying event. In all circumstances, it is the employer that determines whether leave qualifies as FMLA leave. SHSU counts FMLA qualifying events toward the maximum total of 12 workweeks of FMLA leave in a 12-month period. This would include paid leave time using sick or vacation accruals and unpaid leave time. This policy statement shall serve as official notice to SHSU employees that qualifying events count toward the maximum 12 workweeks of FMLA leave.
- b. Those employees with less than twelve (12) months of state service or who have worked less than 1,250 hours in the 12-month period immediately preceding the commencement of leave are eligible to take a Parental Leave of absence, not to exceed twelve (12) weeks (480 hours), provided that the employee utilizes all available applicable paid vacation and sick leave while taking the parental leave. The leave period begins with the date of birth of a natural child or the adoption or foster care placement with the employee of a child under three years of age.
- c. *Eligible Reasons for Leave* -- FMLA requires that employers provide up to twelve (12) weeks of unpaid leave in a twelve (12) month period by an eligible employee for one or more of these reasons: SHSU considers the employee on FMLA leave, for all FMLA qualifying events, regardless of designation by the employee.
 - (1) To care for the employee's child after birth, or placement for adoption or foster care;

Sam Houston State University
A Member of The Texas State University System

- (2) to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
 - (3) for a serious health condition that makes the employee unable to perform their job. A serious health condition means one that involves either inpatient care in a hospital, hospice, or residential medical facility; or an incapacity requiring absence of more than three (3) calendar days and continuing treatment by a health care provider; or continuing treatment by a health care provider of a chronic or long-term condition that is incurable or will likely result in incapacity of more than three (3) days if not treated.
- d. *Advance Notice and Medical Certification* -- The employee, when possible, is required to provide advance leave notice and medical certification. The employee ordinarily will provide thirty (30) days advance notice when the leave is "foreseeable." Medical certification to support a request for leave because of a serious health condition is normally required within fifteen (15) calendar days when practicable, and a "fitness-for-duty" report should also be provided from the health care provider when the employee is able to return to work.
- e. *Duration and Timing of Leave*
- (1) Eligible employees may take up to twelve (12) weeks of unpaid leave during a twelve (12) month period inclusive of utilizing, within these twelve (12) weeks, all available and applicable paid leave. For part-time employees the leave is calculated on a pro-rated or proportional basis.
 - (2) The FMLA leave period runs concurrent with other forms of paid and unpaid leave you are eligible for and required to use; it cannot be stacked with other leaves to extend one's state paid insurance fringe benefit or approved leave period.
 - (3) If both spouses are employed with the state and the purpose of the leave is either family leave, i.e., birth, adoption or foster care, or medical leave for the care of a parent, then the couple is entitled to a total of twelve (12) weeks of leave. However, the twelve (12) weeks are not aggregated between the spouses when the purpose of the medical leave is to care for a spouse, child or oneself.
 - (4) The twelve (12) month period is a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave. Entitlement to family leave expires one (1) year after birth, adoption, or foster placement.
 - (5) Intermittent and Reduced Schedule Leave -- FMLA leave because of serious health conditions, may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. In addition, while on an intermittent or reduced schedule leave, you may be temporarily transferred to an alternative position if available which better accommodates your schedule and which has equivalent pay and benefits. Intermittent and reduced schedule leave is not required of the employer unless there is a serious health condition. As previously stated, holidays, inclement weather days, and shut downs do not count against employees who are on intermittent FMLA leave or a reduced work schedule.
- f. *Job Benefits and Protection*
- (1) Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay and benefits.
 - (2) For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan." The employee must pay for optional coverages

Sam Houston State University
A Member of The Texas State University System

while on leave. The University may recover any premiums for maintaining coverage for the employee if he or she does not return from the leave; unless the failure to return is due to a continuance or recurrence of the cause of the medical leave or due to other circumstances beyond the control of the employee.

- (3) The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. However, no other benefits are provided or accrue while on FMLA leave without pay for an entire month except the fringe benefit group health insurance contribution.

16. Leave Without Pay

Agencies may grant employees leave without pay or leave of absence without pay subject to the following provisions:

- a. Except for disciplinary suspensions, military situations, Workers' Compensation, and Federal Family and Medical Leave Act leave as provided in Section 15 above, all accumulated paid leave entitlements must be exhausted before granting such leaves, with the additional provisions that sick leave must be exhausted only in those cases where the employee is eligible to take sick leave, as provided in Section 2 and 5 above. Such leaves will be limited in duration to twelve (12) months.
- b. Subject to fiscal constraints, approval of such leaves constitutes a guarantee of employment for a specified period of time.
- c. The President may grant exceptions to these limitations for such reasons as interagency agreements or educational purposes.
- d. Except in the case of an employee returning to state employment from military leave, any full calendar month (i.e., from the first day of a month through the last day of a month, inclusive) in which an employee is on leave without pay, shall not be counted in the calculation of total state service for purposes of longevity pay or vacation leave entitlements. No employee shall accrue vacation or sick leave for such month or the state insurance fringe benefit. Furthermore, any such full calendar month of leave without pay shall not constitute a break in continuity of employment but shall not be included in the calculation of the six (6) continuous months of state employment set forth in other sections of this policy.

17. Administrative Leave for Outstanding Performance

In addition to employee leave authorized elsewhere in this policy, administrative leave with pay may be granted by the President as a reward for outstanding performance provided the exceptionally superior performance is properly documented. In no event shall the aggregate amount of administrative leave granted exceed thirty-two (32) hours in any fiscal year.

18. Parent-Teacher Conference Leave

An employee may use up to eight (8) hours of sick leave each calendar year to attend parent-teacher conference sessions for the employee's children who are in pre-kindergarten through 12th grade. Employees must give reasonable notice of intention to use sick leave to attend such conferences. Part-time, regular, benefits eligible employees receive this leave on a proportional basis.

Sam Houston State University
A Member of The Texas State University System

19. Employee and Department Responsibilities for Leave

- a. Employees should communicate to their supervisor at the earliest practical time details of their absence or anticipated absence(s) including dates with appropriate documentation.
- b. For illness and/or disability a doctor's certification may be needed to certify fitness to work and/or certify the period of absences.
- c. Leaving one's job without proper notification to the employee's supervisor or designee can constitute job abandonment which is justification for termination. Bona fide emergencies will be taken into consideration.
- d. The employee is responsible for completing the application for leave form, providing supporting documentation, and following up on approvals.
- e. Departments are responsible for notifying Human Resources and Payroll regarding employee leaves, especially when it is anticipated the employee will not have enough paid leave and must coordinate out-of-pocket payments to continue insurance benefits. The department is responsible for processing the necessary documents (payroll action form, application for leave form, etc.) to process the requested leave in a timely manner.

20. Leave Request/Approval and Medical Certification Forms

- a. These forms do not replace the official Payroll Department "Leave Report" or "Personnel Time Report" forms. They serve as processing and notification documents for the request and approval of employee leaves, medical certification and sick leave pool transactions.
- b. When the request requires approval beyond the department head, the form should be complete with type of leave, dates of absence, number of hours requested and required documentation attached before it is forwarded through the appropriate channels for signatures.

Reviewed by: Ted E. Michael, Director of Human Resources – 11/01/2007
Next review: 11/01/2008