

1. GENERAL PROVISIONS

- 1.01 It is the policy of Sam Houston State University to grant sick leave with pay to faculty members who are employed one-half time or more for a continuous period of at least four and one-half months or one long semester. Student employees are excluded from sick leave entitlement benefits.
- 1.02 Travel for professional purposes (i.e., meetings, recruiting, lecturing, consulting, judging or participating in contests, etc.) shall not be regarded as leave, but is, instead, governed by state and University travel policies.
- 1.03 Other leave shall be provided according to the provisions of current state legislation and the policies set forth herein.
- 1.04 All faculty members on University-approved leave shall be entitled to return to the same position and rank at the conclusion of the leave, provided funds are available, unless otherwise stated in a letter from the President when granting leave.

2. SICK LEAVE

- 2.01 Sam Houston State University faculty members earn sick leave entitlement beginning on the first day of employment with the state. Eligible faculty members do not accrue sick leave while they are drawing Workers' Compensation benefits and accruals earned while on sick leave will not be posted until the date of the employee's first returned date of duty in the month. If the employee does not return to work, the employee is not eligible to use the accruals earned while on sick leave.
- 2.02 Sick leave entitlement for full-time Sam Houston State University faculty members shall be earned at the rate of eight hours for each month or fraction of a month employment, and shall accumulate with the unused amount of such leave carried forward each month. There is no limit on the amount of sick leave that can be accrued or on the amount that can be carried forward to the next fiscal year. Sick leave accrual shall terminate on the last day of duty.
- 2.03 Faculty members on less than twelve-month appointments shall earn sick leave only for the months or fraction of a month actually employed.

- 2.04 Part-time faculty members who are otherwise entitled to sick leave as defined in paragraph 1.01 shall earn such leave in proportion to the amount of time employed.
- 2.05 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 and assist a member of his/her immediate family who is actually ill. For purposes relating to regular sick leave, immediate family is defined as those individuals related by kinship, adoption, marriage, or foster children who are so certified by the state who are living in the same household. Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of regular sick leave. 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 spouse, child or parent of the employee that needs such care and assistance as a direct result of a documented medical condition. This provision does not extend to an employee's parents-in-law who live in the same household. An employee who must be absent from duty because of illness shall notify his supervisor or cause him to be notified of that fact at the earliest practicable time.
- 2.06 Faculty members that start teaching one or both summer terms shall be eligible to be placed on sick leave with pay during such scheduled periods if they otherwise meet the sick leave conditions herein set forth (if appointment is expected to continue four and one-half months at one-half time employment or more).
- 2.07 To be eligible for accumulated sick leave during a continuous period of more than three working days, a faculty member absent due to illness shall send to his/her department chair or director 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 administrative head. 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 for regular employees. (The normal workday for regular employees is defined as 8:00 a.m. to 5:00 p.m., Monday through Friday.)
- 2.08 All full-time Sam Houston State University faculty members eligible for sick leave will be charged with eight hours of sick leave when they are absent from a full day of University-assigned duties due to illness. Full-time faculty members absent from University-assigned duties for less than a full

day will be charged with the actual number of hours of absence. Part-time faculty members will be charged a proportional amount. The starting time and ending time of the individual faculty member's working day will depend on scheduled teaching assignments, office hours, committee responsibilities, and other assigned duties. The actual number of sick leave hours to be charged to each faculty member will be verified by the appropriate department chair or director. Once all compensable time has been exhausted by a faculty member, the University has the option of initiating termination proceedings.

- 2.09 Exceptions to the amount of sick leave an employee may take may be authorized by the President provided such exceptions are authorized on an individual basis after a review of the merits of each particular case. A statement of any such authorized exceptions or the reasons for them shall be attached to the state agency's duplicate payroll voucher for the payroll period affected by such authorized exceptions. Agencies are required to have a written statement filed with the State Auditor covering the policies and procedures to be used for the extension of leave in this manner and shall make this statement available to all employees. 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 for regular employees. (Refer to Item 4, Emergency Leave.)
- 2.10 The following applies to a Sam Houston State University faculty member who resigns, is dismissed, or is otherwise separated from University employment:
 - a. If a faculty member transfers directly to another state agency and employment with the state is uninterrupted, accumulated sick leave (if any) will transfer with the faculty member and be honored by the gaining agency. The gaining agency, at the request of the individual, will request appropriate documentation from the faculty member's previous state agency employer.
 - b. A terminating faculty member is not entitled to be paid for accumulated sick leave. Sick leave accrual will terminate on the last day of duty.
 - c. The estate of a deceased employee is entitled to payment for one-half of accrued sick leave, or for 336 hours of sick leave, whichever is less, provided the employee had continuing employment with the state for at least six months at the time of death.

- d. An employee separated from employment with the state under a formal reduction-in-force shall have his sick leave balance restored if reemployed by the state within twelve months of termination. An employee separated for other reasons shall also have his/her sick leave balance restored if reemployed by the same state agency within twelve months of termination and provided there has been a break in service of at least 30 calendar days since termination. Entering into the Early Retirement Agreement is considered to be an interruption in service because of the affected change in status even when there is no non-worked day between the change in status.

2.11 Employees of Sam Houston State University who are eligible to accrue and use sick leave may participate in the Sick Leave Pool as set forth in Human Resources Policy B-1, Employee Leaves, Sick Leave Pool.

2.12 Faculty members on sick leave may not interrupt a sick leave to travel using University funds.

3. VACATION LEAVE

3.01 Vacation leave may be earned only by faculty or other administrative professional personnel with faculty status who are employed on a twelve-month appointment basis.

- a. Vacation leave will be earned beginning on the first day of employment with the state and terminating on the last day of duty. One month's accrual of vacation leave will be credited for each month or fraction of a month of employment with the state. Six months of continuous state employment are required before eligible personnel may be granted a vacation leave with pay, although vacation leave credit will be accrued during that period.
- b. Vacation leave earned and the maximum amounts of vacation leave that may be carried forward are shown in the following table, as authorized in the current appropriations bill:

<u>Years of Total State Employment</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

The figures shown above may be changed by subsequent legislation.

Refer to Human Resources Policy B-1, Employee Leaves.

c. The following applies to a University faculty member who resigns, is dismissed, or is otherwise separated from University employment:

- (1) If the individual is transferring to another state agency and state service is uninterrupted, accumulated vacation leave (if any) will transfer with the individual and be honored by the gaining agency. The gaining agency, at the request of the individual, will request appropriate documentation from the faculty member's previous state agency employer. Additionally, the file of the individual will indicate that the individual is immediately transferring to another state agency.
- (2) In all other cases, each eligible person is entitled to be paid for any accumulated vacation leave (if he/she has been employed by the state for at least six continuous months). This will be paid to the eligible person or to his/her estate in the event of death, in a lump sum at the time of separation. The University will calculate the accumulated vacation leave pay. The eligible persons will indicate that the person is not immediately transferring to another state agency.

3.02 Official published University holidays will not be charged against unused vacation time.

4. EMERGENCY LEAVE

- 4.01 The President shall grant an emergency leave to an employee because of a death in the employee's family. The death of the employee's spouse, or the employee's or spouse's parents, brothers, sisters, grandparents, grandchildren, and children shall constitute adequate need for emergency leave. The President may make a determination on other reasons for emergency leaves and shall grant an emergency leave when, in his/her determination, the employee shows good cause. Emergency leave may be awarded with a payback of future leave accruals.
- 4.02 Faculty members on emergency leave may not interrupt an emergency leave to travel using University funds.

5. JURY DUTY

No deduction in salary shall be made for jury service, nor shall it be counted against vacation leave. The faculty member shall not be required to account to the state for any fee or compensation received for jury service. In order for a faculty member to receive pay for jury duty, a jury summons or other documentation of jury service must be submitted to the chair/director of his/her academic unit, who shall record the absence on the time report form.

6. FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA) AND PARENTAL LEAVE

- 6.01 State employees who have a total of at least twelve 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 the employee utilizes all available applicable paid vacation and sick leave while taking leave pursuant to this provision.

Refer to Human Resources Policy B-1, Employee Leaves.

- 6.02 Faculty members on extended parental leave may not interrupt a parental leave to travel using University funds.

7. MILITARY LEAVE

State employees are eligible for leave to accommodate:

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

Refer to Human Resources Policy B-1, Employee Leaves.

8. 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 working days in any one 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.

Refer to Human Resources Policy B-1, Employee Leaves.

9. FACULTY DEVELOPMENT LEAVES AND LEAVES OF ABSENCE WITHOUT PAY

- 9.01 Faculty members on development leaves remain on the University payroll and continue to accrue all normal benefits for benefits eligible employees as provided by state rules and legislation.
- 9.02 Leave of absence without pay may be granted when a faculty member is not eligible for leave with pay. A request for leave of absence without pay for a fixed period of time may be submitted in writing through appropriate channels to the President. Such a leave may be granted for good cause without loss of prior service credit. Justification for a leave of absence could include professional activities, such as professional study, research, consulting activities, travel, etc., when such leaves do not interfere with the

University's operation. It is the intent of this policy to discourage and in most cases not to allow leaves of absence to faculty members who have accepted permanent positions elsewhere.

- 9.03 Faculty members on leaves of absence without pay are not on the University payroll, are not entitled to normal employee benefits, and must make prior arrangements with the University Human Resources Department to pay their insurance premiums, if eligible. Leaves of absence without pay are limited to one year. Exceptions to this limitation may be granted by the President.

APPROVED: /signed/
James F. Gaertner, President

DATED: 03/12/04

CERTIFICATION STATEMENT

This academic policy statement (APS) has been approved by the reviewer(s) listed below and represents Sam Houston State University's Division of Academic Affairs' APS from the date of this document until superseded.

Original Date: March 1, 1980
Reviewer(s): Council of Academic Deans
Academic Policy Council
Human Resources Department
Payroll Office

Review Cycle: March 1, ENY*
Review Date: March 1, 2006

Approved: /signed/
David E. Payne
Provost and Vice President
for Academic Affairs

Date: 03/12/04

*ENY = Even Numbered Year