SUBJECT: Sick Leave Pool

I. Overview

This program provides for the alleviation of the hardship caused to an eligible employee if a catastrophic illness or injury forces the eligible employee to exhaust all leave time earned by that employee and all compensation benefits from the College have been exhausted. The program includes unanticipated complications from elective surgery.

II. Definitions and General Information

A. A “catastrophic illness or injury” is one requiring prolonged hospitalization, recovery, and/or rehabilitation under the direction of a licensed practitioner(s) which results in the employee exhausting all eligible paid leave time. Because of this condition, the employee is unable to earn compensation from the College.

B. “Elective surgery” means a non-emergency surgical procedure which promotes the employee’s physical or emotional well-being.

C. “Licensed practitioner” means a medical or health care practitioner, as defined in the Texas Insurance Code, licensed by the State of Texas, who is practicing within the scope of his/her license.

D. “Eligible employee” means any non-temporary full-time employee who has completed six (6) months of satisfactory employment before applying for leave from the Pool.

E. “Sick Leave Pool” or “Pool” means a collection of employee-donated sick leave hours available to an eligible employee after exhausting all other sick leave, vacation leave and compensatory time earned by the employee and before short or long term disability benefits are available. The number of hours of leave from the Pool awarded to the employee will be based on the recommendation of the licensed practitioner and encoder QuadraMed or 3M encoder system as published and revised in the Federal Register regarding usual recovery and rehabilitation time for the employee’s medical condition.

F. A five (5) member committee shall jointly administer the Pool. The Committee will consist of representatives appointed by the President from faculty, staff, and the Director of Human Resources.

G. Committee recommendations will be sent to the President for final approval.
H. The fiscal year is September 1 through August 31.

I. When applicable, Midland College’s FMLA policy applies to the use of Sick Leave Pool benefits.

III. General Provisions

A. Only eligible employees may apply to use sick leave from the Sick Leave Pool.

B. Eligible employees may apply to use Sick Leave Pool leave only for their own catastrophic illness or injury.

C. Eligible employees must exhaust all accrued paid leave before they are eligible to use leave from the Sick Leave Pool.

D. Employees applying for Sick Leave Pool are not required to contribute to the Sick Leave Pool before they can apply for leave from the Sick Leave Pool.

E. The benefit amount from all College plans cannot exceed 100% of the employee’s normal compensation.

F. Copies of the data obtained from encoder QuadraMed or 3M encoder are available upon written request to the Sick Leave Pool Committee.

G. Employees who use Sick Leave Pool leave are not required to pay back the leave.

H. Any unused balance of leave from the Sick Leave Pool awarded to the eligible employee will be returned to the Sick Leave Pool upon full release from the licensed practitioner.

I. Employees may also reclaim sick leave for non-serious illness if they contributed sick leave to the Pool that fiscal year and then exhausted their sick leave balance in the same fiscal year. Such employees may receive only the number of hours they contributed to the Pool that same fiscal year, if available.

J. Employees who contribute leave to the Pool cannot have it returned to them unless they are eligible to use it as defined above.
K. An employee may apply only once for each serious illness or injury unless the maximum of 45 working days was not received.

L. Employees using Sick Leave Pool leave continue to accrue paid leave such as vacation and regular sick leave in accordance with College policy.

IV. Contributing to the Sick Leave Pool

A. Contributions to the Sick Leave Pool are strictly voluntary and confidential.

B. Employees may contribute from one (1) to three (3) days of sick leave to the Pool each fiscal year, in full day increments equivalent to eight (8) hours. Contributions may be made at designated times during the Fall and Spring semesters if the Sick Leave Pool balance is below 960 hours.

C. To contribute to the Sick Leave Pool, an employee must submit a Sick Leave Transfer Donation form provided by the Human Resources Department.

D. Employees may not designate a specific person to receive their contribution.

V. Requests to Use Leave from the Sick Leave Pool

A. The eligible employee submits to the Human Resources Office a Sick Leave Pool Application (Withdrawal) for Sick Leave Pool leave, with an attached, current, dated statement from the licensed practitioner.

B. The licensed practitioner's diagnosis code and encoder QuadraMed or 3M encoder system is used to determine the maximum number of hours of leave from the Pool to be granted.

C. Applications to use Sick Leave Pool leave will be processed on a first-come, first-serve basis.

D. An eligible employee may not draw time from the Sick Leave Pool in an amount that exceeds a total of 45 working days (or 360 hours).
E. The Human Resources Director and the applicant’s immediate supervisor will review the applicant’s attendance history. Any concerns regarding the applicant’s prior use of leave will be presented by the Human Resources Director to the Committee for determination of eligibility to participate in the Sick Leave Pool.

F. If it is determined that the employee is eligible to participate in the Sick Leave Pool, the Committee shall determine the exact amount of time that an eligible employee may draw from the Pool, and shall approve the transfer of time from the Pool to that employee. Approval/disapproval of any application shall be made by the Committee within reasonable time.