

Sick & FMLA Leave

Sam Houston State University

November 7, 2019

Employee Leaves Procedures B-1

- http://www.shsu.edu/intranet/policies/finop/human_resources/documents/B-1.pdf
- Who can the employee take sick leave for?
 - 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.

Cont.

- For an employee taking 3 days or less the department will handle this leave and Human Resources does not need to be involved in the process and paperwork.
- For an employee taking 4 days or more the supervisor should contact the Human Resources office immediately so that the appropriate paperwork can be started.
- It needs to be noted that students and grads are not eligible for sick leave.
- Faculty that is full time must take 8 hours a day when off.

FMLA Leave

- What is FMLA?
- Family Medical Leave Act is a Federal Law
- FMLA can be paid or unpaid leave.
- This is up to 12 weeks (480 hours) of job protected leave as well as having your insurance coverage paid if you are in a leave without pay status.
- FMLA pays for the employees health coverage, employee is responsible for paying optional coverages as well as their dependents coverage.

FMLA Leave

- Requirements for FMLA:
 - 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.
 - FMLA could be paid or unpaid leave depending on the employees leave accruals at the time of leave. This will depend on accruals earned.
 - Employees are required to submit a doctor's note for the leave taken as well as the Leave Approval form for the University.

Cont.

- FMLA could be continuous or intermittent depending on the injury/illness.
- Communication is key with payroll so that appropriate time sheets or leave reports are submitted properly and on time.
- Exhaustion of time/EPAF's
 - Deadlines must be met so no overpayments occur.
- Doctor's note should be turned in when returning to work along with any restrictions. Expect when the employee is off for a family member.

Not FMLA Eligible

- For those employees not eligible for FMLA, the University has State Parental Leave which is available when there is the birth of a natural child or the adoption or foster care placement with the employee of a child under three years of age.
- This leave is paid or unpaid depending on leave accruals earned.
- Parental Leave can be up to 12 weeks (480 hours).

Leave Options

- There are different options available to SHSU employees:
- Short/Long Term Disability
- Sick Leave Pool
 - Special requirements for eligibility
- Employee to Employee Donation
 - Special requirements for eligibility

Important Reminders

- It is the responsibility of the employee to stay in contact with their supervisor and Human Resources
- Always be aware of your time balances
- Doctors notes every 30 days if no end date is provided