

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: Human Resources

NUMBER: 02.D.04

AREA: Leave Entitlements

SUBJECT: Leaves of Absence for Staff Employees

1. PURPOSE

1.1. Eligible employees of the UH System are entitled to request and be considered for various types of leaves, with and without pay, based on certain qualifying conditions. This administrative memorandum sets standards to be observed by each component of the UH System for publicizing, documenting, and considering requests for various types of leaves of absence.

2. DEFINITIONS

2.1. CEO. Chief Executive Officer or person designated to represent the CEO.

2.2. Regular benefits-eligible employee. An employee appointed to work at least 20 hours per week on a regular basis for a period of at least 4.5 months, excluding students employed in positions which require student status as a condition of employment.

2.3. Fiscal year. The 12-month period beginning September 1 and extending through the following August 31.

2.4. Federal fiscal year. The 12-month period beginning July 1st and extending to the following June 30th.

2.5. DPRS. The Texas Department of Protective and Regulatory Services.

2.6. Blind employee. An employee covered by the definition of Section 91.002(2) of the Human Resources Code.

2.7. WCI benefits. Workers' compensation insurance weekly benefits paid to an employee who experiences a job-related disability covered under the Texas Workers' Compensation Act.

3. POLICY

- 3.1. It is the policy of the University of Houston System to allow its eligible and qualified employees to apply for and be considered for certain specific leaves of absence provided as an entitlement by federal and state laws and UH System policy.
- 3.2. Except for disciplinary suspension, active military duty and workers' compensation situations, all accumulated paid leave entitlements must be exhausted before any unpaid leave of absence provided under this administrative memorandum is granted. Sick leave must be exhausted only in those cases where the employee is eligible to take sick leave.
- 3.3. Leaves of absence described under this administrative memorandum, are limited in duration to twelve (12) months.
- 3.4. An approved leave of absence, whether paid or unpaid, is considered to be a guarantee of employment for the approved leave period.
- 3.5. Failure to return to work as scheduled from an approved leave of absence and to inform the employing department of an acceptable reason for not returning as scheduled will be considered voluntary resignation of employment.
- 3.6. All requests for leaves of absence shall be submitted in writing to the appropriate approving authority. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of affected family members, if applicable. A copy of the approved or disapproved leave request will be placed in the employee's official personnel file in the Human Resources Department.
- 3.7. Each component of the University of Houston System will maintain a record for each employee including time and attendance records, a record of the vacation and sick leave accrual and absences of each employee, and the reasons for absences, i.e., from sickness, vacation, other paid leave, or leave of absence without pay.
- 3.8. Each component of the University of Houston System will establish and publish policies and procedures containing the following:
 - a. types of leave available;
 - b. qualifications and eligibility standards for each type of leave;
 - c. documentation required to cover each type of leave;
 - d. results of non-compliance with leave regulations and standards;

- e. effects of each type of leave on pay and benefits.
- 3.9. Nothing in this policy shall be used as the basis for discrimination or retaliation against any individual or group on the basis of race, sex, age, color, religion, national origin, disability, or veteran status.

4. LEAVES OF ABSENCE WITH PAY

- 4.1. Emergency leave. Each component CEO shall grant an emergency leave to a regular, benefits-eligible 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 constitute adequate need for emergency leave. The CEO may consider other reasons for emergency leave and may grant such leave, when, in the CEO's determination, the employee shows good cause.
- 4.2. National Guard Duty. A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas because of an emergency in accordance with Section 431.085, Government Code. When National Guard training or duty, not exceeding 15 days in any one federal fiscal year, is authorized for an employee by a proper authority, neither the employee's salary nor accrued leave balances will be reduced, and the employee's performance ratings will not be adversely affected because of leave for National Guard duty. For related information, refer to Administrative Memorandum 02.D.05, Military Leave of Absence for Reservists.
- 4.3. Volunteer firefighter leave. An employee who is a volunteer firefighter shall 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.

Each component is authorized to establish a policy and procedures for granting leave with full pay to volunteer firefighters for the purpose of responding to emergency fire situations. If any component has an established policy for granting such leave time, the component may grant leave with full pay, other than vacation and/or sick leave, to an employee who is a volunteer firefighter.

- 4.4. Foster parent leave. An employee who is a foster parent to a child under the conservatorship of the Department of Protective and Regulatory Services is entitled to a leave of absence with full pay to attend staffing meetings regarding the child held by the DPRS, or to attend the Admission, Review and Dismissal (ARD) meeting held by a school district regarding the child.

- 4.5. Red Cross volunteer leave. Any employee who is a certified disaster service volunteer, with the authorization of the employee's supervisor, may be granted a leave not to exceed ten days each year to participate in specialized disaster relief services for the American Red Cross, upon the request of the American Red Cross and with approval of the Governor's office. Such leave will be without loss of pay, vacation time, sick leave or earned overtime, and/or compensatory time. The pool of state employees certified as disaster volunteers will not exceed 200 participants at any one time during FY 1996 and 350 participants at any one time during FY 1997. A list of such employees will be coordinated by the Governor's office.
- 4.6. Blind employee training leave. An employee who is blind is entitled to a leave of absence with full pay for the purpose of attending a training program to acquaint the employee with a seeing-eye dog to be used by the employee. This leave of absence will be limited to 10 working days per fiscal year and is in addition to other leave to which the employee is entitled. The employee continues to accrue vacation and sick leave while on this type of leave.
- 4.7. Outstanding performance leave. Administrative leave with pay may be granted by the CEO as a reward for outstanding performance as documented by a performance appraisal. The aggregate amount of administrative leave granted to an employee under this policy provision is limited to 32 hours in any one fiscal year.
- 4.8. Jury duty. The time an employee must be absent from work because of jury duty is paid leave. The employee is to request jury duty leave by presenting a copy of the jury duty orders according to normal component procedures.
- 4.9. Witness leave. If an employee is called to appear in an official capacity in any judicial action or legislative investigation, the employee may neither accept nor receive any witness fees for such governmental appearance, but the time used for such purposes is paid leave and does not affect any other paid leave entitlement such as vacation or compensatory time. For full information, refer to A.M. 02.D.07 – Expert Witness Service.
5. LEAVES OF ABSENCE WITHOUT PAY
- 5.1. Active duty in the United States Armed Forces reserves. An employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces shall have a leave of absence. During this type of leave, the employee does not lose the ability to accrue state service credit; however, the employee does not accrue vacation or sick leave while on active reserve duty. The employee's sick leave and vacation balances will be banked when the leave begins and credited to the employee upon the employee's return to work.

- 5.2. Workers' Compensation Leave. If an employee is injured on the job or experiences a job-related illness, state law imposes certain requirements in connection with the Texas workers' compensation program. See also A.M. 01.C.03 – Reporting Workers' Compensation Accidents.

If the employee is unable to return to work following the injury or the onset of illness, the following provisions apply. The initial 7-day period following the date of a job-related injury or the onset of a job-related illness may be unpaid leave or leave with pay, if the employee has sufficient paid leave to cover the absence and elects to take paid leave. The election to take paid or unpaid leave must be signed by the employee or a representative and a documentation copy of the election must be forwarded to the component Workers' Compensation Claims Coordinator.

If the employee is unable to return to work for an extended time following the initial 7-day period and the employee's claim is accepted for workers' compensation weekly benefits, the employee will be placed on workers' compensation leave, unless he/she chooses to continue using available sick leave. Generally, an employee on workers' compensation leave who recovers sufficiently to perform the full duties of the job is guaranteed re-employment in the same position, or a position of similar rank, pay, and responsibility.

- 5.3. Leave of absence without pay. An employee may apply to the CEO, through proper administrative channels, for leave of absence without pay. Such leave, if approved, will be limited in duration to 12 months and is subject to the provisions of Section 3 of this administrative memorandum. The CEO may grant exceptions to these limitations for such reasons as interagency agreements or educational purposes. For full information, refer to A.M. No. 02.D.03 – Leave of Absence Without Pay.

6. REVIEW AND RESPONSIBILITIES

Responsible party: Vice Chancellor for Administration and Finance

Review: Odd-numbered years prior to May 1

7. APPROVAL

Approved: William P. Hobby
Chancellor

Date: April 24, 1996

8. INDEXING TERMS

Staff Leaves of Absence
Staff Leaves of Absence with Pay
Staff Leaves of Absence without Pay