

Proposed Tyler County Sick Leave Pool Policy



1. Policy

- Tyler County, consistent with Chapter 157.071 of the Texas Local Government Code, provides for a Sick Leave Pool, which will enable County Employees to contribute accumulated sick leave and also will allow Tyler County Employees to use time from the Sick Leave Pool for their own or dependent's catastrophic illness. Employees have the option to utilize the Sick Leave Pool only after all of their vacation, sick, and comp time have been exhausted.

2. Definitions

- At the direction of the Tyler County Commissioner's Court, the "Administrator" is the Tyler County Treasurer.
- "The Pool Committee" is comprised of seven voting members, one of whom shall be elected as chairperson. In addition the Administrator shall be included on the board in an advisory capacity as a non-voting member. A quorum will consist of four voting members. This committee shall be responsible for considering all denied requests for use of leave from the Pool.
 - i. The "Committee" will be designated from a list of full-time employees who are members of the Pool. Duration of the membership will be at the discretion of the Commissioners Court, but normally for two years, with staggered terms.
- "Eligible employee" means a non-elected district, county or precinct employee paid from the fund of the county or from special grants paid through the county with twelve (12) or more months of continuous service with the County. This includes Community Supervision and Corrections Department employees.
- "Dependent" means an employee's parent, spouse or child.

Proposed Tyler County Sick Leave Pool Policy



- “Catastrophic Illness or Injury” is a severe, terminal, or life-threatening condition or combination of conditions which is non job related and which has a prolonged negative effect on the mental or physical health of the employee. Such conditions require in-patient hospital care, hospice care, prolonged outpatient care or home health care as determined medically necessary by a licensed physician. The condition forces the employee to exhaust all accrued leave time (PTO, sick, vacation, and comp time) and to lose compensation from the County.
 - i. Such conditions include, but are not limited to, cancer, heart attack, stroke, or major accident.
- A “Licensed Practitioner/Physician” is a practitioner, as defined by the Texas Insurance Code, who practices within the scope of his or her license.

3. Administration of the Pool

- The Pool Administrator (County Treasurer) is charged with notifying the employee of approval or denial in writing. Upon receipt of the request, the Administrator will review each request for Sick Leave Pool on an individual basis along with the physician certification to determine whether or not the condition is catastrophic. The Administrator may require the employee to provide additional information or documentation and/or may consult with a medical expert to determine whether the condition is to be considered catastrophic.
- The Administrator shall send written notice to the employee, the payroll services section of the County Treasurer’s Office and the respective department head or Official of the denial or approval. Where leave has been approved, such notice shall include the amount of leave.

Proposed Tyler County Sick Leave Pool Policy



4. Pool Membership

- All regular full-time employees are eligible to **join** the Sick Leave Pool by contributing a minimum of eight (8) hours or up to a maximum of 40 hours accrued sick leave.
- New Employees may join the pool after 12 months of continuous employment during the Benefits Open Enrollment period following their eligibility. Days donated will be subtracted from their accrued leave.
- After the Pool is established, employees will only be able to join at a time designated each year by the Pool Administrator. This will fall during open enrollment season (October annually).
- Membership enrollment forms must be submitted to County Treasurer's Office. Days donated will be subtracted from each member's accrued sick leave.
- Days donated become the property of the Tyler County Sick Leave Pool and cannot be returned in the event of membership cancellation.
- Employees on approved leave of absence will retain membership in the Pool and will not be required to donate additional days.
- To maintain the Sick Leave Pool, all members must donate a minimum of 8 hours or up to a maximum of 40 hours of sick leave for the period of January 1st through December 31st annually. Only one donation during the fiscal year is required to maintain membership in the Pool.

5. Days Granted

- Days will be granted only for catastrophic illness or accident, which necessitates an absence from work for five consecutive days or longer. In case of chemotherapy for cancer treatment, days can be granted for 1-4 days absence.

Proposed Tyler County Sick Leave Pool Policy



- Pregnancy will not be covered by the Sick Leave Pool, but complications due to pregnancy or delivery will be considered.
- The Pool may be used only by members for his/her personal illness or for an immediate family member (as defined in definitions).
- Days requested for stress related illness will be granted for hospitalized days only.
- The maximum number of days granted to an employee each year shall not exceed one-third of the total amount of in the Pool at the time of the request or 90 days, whichever is less.

6. Procedure

- An eligible employee must apply to the County Treasurer/Pool Administrator for permission to use time in Pool.
- If the employee is determined to be eligible, the Pool Administrator shall approve the transfer of time from the Pool to the employee. The time shall be credited to the employee and shall be used in the same manner as accrued sick leave.
- An employee absent on sick leave assigned from the Pool is treated for all purposes as if the employee were absent on accrued sick leave.
- If a member is critically ill and unable to file an application for leave from the Pool, his/her department head may submit an application at the request of the employee's family.
- Should the employees request be denied, the employee has the right to request a review from the Pool Committee. The Pool Committee shall review the request and make a decision. This decision will be final and the employee will be notified of the decision via written correspondence from the administrator.

Proposed Tyler County Sick Leave Pool Policy



- i. Due to HIPAA rules, requesting employee's names are confidential and are not revealed to the committee administering the sick leave review.
- ii. Requesting employees may not appear in person before the committee.

7. Application Forms

- Applications for donation of accrued sick time to the Tyler County Sick Leave Pool are available in the County Treasurer's Office.
- Applications for withdrawal from the Tyler County Sick Leave Pool are available in the County Treasurer's Office.
- **Contact the County Treasurer using the following information:**

100 W. Bluff, Room 103

Woodville, TX 75979

409-283-3054

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