



Handbook of Operating Procedures

Section: 7.6.5
Originally Approved: 5/24/2007
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AUTHORIZED PAID LEAVE

A. Purpose

The purpose of this policy is to set forth the guidelines for authorized paid leave except for vacation and sick leave which are addressed in *Handbook of Operating Procedures* Sections [7.6.3](#) and [7.6.4](#).

B. Persons Affected

This policy applies to all regular employees appointed for at least twenty (20) hours per week for a period of at least four and one-half (4½) months. This policy does not apply to positions that require student status as a condition of employment.

C. Policy

The policy of The University of Texas-Pan American is to adhere to [Texas Government Code Chapter 661](#) in regard to authorized paid leave. Any revisions to [Texas Government Code Chapter 661](#) shall supersede this Section 7.6.5.

1. Death in the Family – Emergency Leave

Paid leave will be available to regular employees, as stated in Subsection B – Persons Affected.

- a. A maximum of twenty-four (24) hours of paid leave may be granted to each employee due to the death of the employee's spouse; the employee's and spouse's parents, children, brothers, sisters, grandparents, and grandchildren.
- b. A maximum of forty (40) hours of paid leave to employees who must travel internationally due to a death in the family.
- c. A copy of the death certificate or newspaper article is adequate proof and shall be presented to the supervisor.

2. Other Emergency Leave

The President may grant other paid emergency leave to an employee who the President determines has shown good cause for taking emergency leave.

3. Holiday



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Holiday leave is provided to regular employees, as stated in Subsection B - Persons Affected. In addition, regular employees appointed less than full-time but at least twenty (20) hours per week are eligible for holiday leave proportionate to the number of hours appointed.

- a. Employees who work on a holiday will receive equivalent time off within the 12-month period following the holiday worked.
 - b. Termination of employment will cause the employee to forfeit compensatory time earned due to a holiday. Hours accrued will not be paid out.
 - c. Hours must first be accrued for Holiday leave to be taken.
 - d. The Official UTPA Holiday schedule will be announced on an annual basis by the Office of Human Resources after prior approval by the President of the University.
 - e. As stated by the Legislature, optional holidays are available and will be announced by the Office of Human Resources.
4. Voting

Paid leave for voting is provided to regular employees, as stated in Subsection B - Persons Affected.

- a. Employees are encouraged to take advantage of early voting periods that have extended voting hours.
 - b. Paid leave is available only on an official election day, with a maximum amount of two (2) hours.
 - c. Employees must coordinate with their supervisor to schedule time off to cast their vote.
5. Judicial or Legislative Summons

Paid leave is provided to eligible employees, as stated in Subsection B - Persons Affected.

- a. Jury Duty



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- i. All employees called to jury duty service shall be allowed to serve with no deduction in salary or wages.
 - ii. Employees will not be required to account to the University for any fee or compensation received for jury service.
 - iii. A copy of the jury duty summons is adequate proof of service and shall be presented to the supervisor as soon as practicable.
- b. **Witness Appearance - Official Capacity**
- i. Employees called to appear will not have a deduction in their salary or wages. However, the employee shall neither accept nor receive any witness fees for such governmental appearance.
 - ii. The employee may receive mileage or per diem allowances tendered unless a claim for such expenses has also been made against the University. In no instance shall there be double reimbursement for such expenses.
 - iii. A copy of the summons to appear is adequate proof and shall be presented to the supervisor as soon as practicable.
- c. **Witness Appearances – Not in Official Capacity**
- i. Employees called to appear will not have a deduction in their salary or wages and shall be entitled to any customary witness fees.
 - ii. A copy of the summons to appear is adequate proof and shall be presented to the supervisor as soon as practicable.
- d. **Expert Witness**
- i. An employee who appears as an expert witness in a judicial or legislative hearing may accept compensation for his or her appearance only when such appearance is made on his or her own leave time and may accept reimbursement for travel expenses only if the expenses are not reimbursed by the state.
 - ii. For these purposes, paid leave is not considered time compensated by the state.



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6. Medical Donor

Paid leave is provided to eligible employees, as stated in Subsection B - Persons Affected. Documentation should be submitted to the supervisor to support the leave request in advance. Hours exceeding maximum allotted will be taken from employee's paid accruals and/or a reduction in salary or wages, where applicable.

a. Blood Donation

- i. Employees may receive sufficient time off to donate blood up to four (4) times per fiscal year.
- ii. There will not be a reduction in salary or wages, provided the supervisor approved the employee's request for the time off.
- iii. Upon returning to work, the employee shall provide the supervisor with proof that the employee donated blood during the time off. If an employee fails to provide proof that he or she donated blood during the time off, the University will deduct the time off from the employee's salary or accrued leave, whichever the employee chooses.

b. Bone Marrow Donation

- i. Employees are entitled to a leave of absence with pay for a period of time not to exceed five working days per fiscal year.

c. Organ Donation

- i. Employees are entitled to a leave of absence with pay for a period of time not to exceed 30 working days per fiscal year.

7. Volunteer Service Leave

Paid leave is provided to eligible employees, as stated in Subsection B - Persons Affected. Documentation should be submitted to the supervisor to support the leave request in advance. Hours exceeding maximum allotted will be taken from employee's paid accruals and/or a reduction in salary or wages, where applicable.

a. Volunteer Firefighter and Emergency Medical Services Training or Response



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- i. A maximum of 5 working days per fiscal year for attending fire service or emergency medical service training conducted by state agencies or institutions of higher education.
 - ii. This leave may be granted in order for the trained employee to respond to emergency fire or medical situations. “Emergency medical services volunteer” means emergency medical services personnel who provide emergency pre-hospital care without remuneration, except reimbursement for expenses.
- b. Red Cross Disaster Service Volunteer
- i. Employees who are certified disaster service volunteers of the American Red Cross or who are in training to become volunteers may be granted leave up to 10 days per fiscal year to participate in specialized disaster relief services for the American Red Cross.
 - ii. Provided the following conditions are met, the employee will not have a reduction in salary or wages, paid leave accruals, or accrued overtime and/or compensatory time during the leave taken:
 - a) Authorization from his or her supervisor;
 - b) A request from the American Red Cross to volunteer; and
 - c) Approval from the governor.

8. Disability Assistant Animal Training

Paid leave is provided to eligible employees, as stated in Subsection B - Persons Affected. Documentation should be submitted to the supervisor to support the leave request in advance. Hours exceeding maximum allotted will be taken from employee’s paid accruals and/or a reduction in salary or wages, where applicable.

- a. An employee with a disability is entitled to a maximum of 10 days per fiscal year for the purpose of attending a training program to acquaint the employee with an assistance animal to be used by the employee.
- b. A “person with a disability” is defined by Title 8, Chapter 121, Section 121.002 of the Texas Human Resources Code as a person who has a mental or physical



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disability or any health impairment that requires special ambulatory devices or services.

9. Non-medical Parental Leave

Paid leave is provided to eligible employees, as stated in Subsection B - Persons Affected. Reasonable advance notification must be given to supervisor.

a. Foster Parent Leave

- i. Employees who are foster parents to a child under the conservatorship of the Department of Family and Protective Services (DFPS) are entitled to paid leave without a reduction in salary or wages for the purposes of attending:
 - a) Meetings held by DFPS regarding the child under the foster care of the employee; or
 - b) An admission, review, and dismissal meeting held by a school district regarding the child under the foster care of the employee.
- ii. Documentation should be submitted to the supervisor to support the leave request in advance.

b. Parent-Teacher Conference

- i. Employees may use up to of eight (8) hours of accrued sick leave per fiscal year to attend parent-teacher conference sessions for the employee's children who are students attending pre-kindergarten through the 12th grade.
- ii. Documentation should be submitted to the supervisor to support the leave request in advance.
- iii. Leave is proportional for part-time employees.

10. Military Leave

UTPA will grant military leave to eligible employees, as stated in Subsection B - Persons Affected. Eligible employees are employees who are members of the state



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military forces, the United States Armed Forces reserve components, or the United States Armed Forces as provided by state and federal law.

- a. Employees are entitled to the following types of paid leave for military service:
 - i. Authorized training or duty for members of the state military forces and members of any of the reserve components of the United States Armed Forces;
 - ii. Call to state military active duty by the Governor;
 - iii. National emergency active duty for members of a reserve branch of the United States Armed Forces.
- b. Employees called to active duty or authorized training as stated in 10.a.i. above are entitled to a paid leave of absence from his or her respective duties without loss of time, efficiency rating or performance review rating, vacation time, or salary for not more than fifteen (15) working days in a federal fiscal year (October 1 through September 30). The fifteen days of military leave need not be consecutive. All military leave, other than a call to active duty in the state military forces by the Governor, is subject to a maximum of fifteen working days of leave per federal fiscal year.
- c. A leave of absence will be provided to an employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces. During such leave of absence, the employee will accrue state service credit but will not accrue vacation or sick leave. The employee retains any accrued sick or vacation leave and will be credited with those leave balances upon return. An employee who remains on active duty after exhausting his or her fifteen (15) working days of paid military leave entitlement may use accrued vacation leave to the extent available, earned compensatory time, or overtime leave, or be placed on a leave without pay, or any combination for the remainder of the active duty period to maintain benefits for the employee or the employee's dependent(s).
- d. Employees who are members of the state military forces who are ordered to active duty by the Governor because of an emergency are entitled to receive unlimited emergency leave with full pay, without loss of military leave or other annual leave. This time does not count against the allowed fifteen (15) days of annual paid military leave.



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- e. Employees who have satisfied the required procedures for return from active military duty will be restored to the same position held at the time the employee entered active military service or a position of similar seniority, status, and pay on return from active duty in the same department.
- f. Responsibilities of an employee are:
 - i. Notification of Call to Active Duty
 - a) The employee must notify the supervisor of the call to military service as soon as the information is known.
 - b) The employee must provide the supervisor with a copy of the orders authorizing such military service or some other acceptable certification from the proper military authority.
 - ii. Requirements for Reemployment After Returning From Active Duty
 - a) For service of 1 to 30 days, the employee must report to his/her employing department by the beginning of the first regularly scheduled workday that would fall eight (8) hours after the end of the calendar day following completion of the period of service and safe transportation home. If reporting back to work within this deadline is impossible or unreasonable through no fault of the employee, he or she must report back to work as soon as possible after expiration of the eight (8) hour period.
 - b) For service of 31 to 180 days, the employee must submit a written or verbal application for reemployment with his/her employing department not later than fourteen (14) days after the completion of the period of service. If submitting an application within fourteen (14) days is impossible or unreasonable through no fault of the employee, he or she must submit it not later than the next full calendar day after it becomes possible to do so. If the fourteenth (14th) day falls on a day when offices are not open, the time extends to the next business day.
 - c) For service of 181 days or more, the employee must submit an application for reemployment not later than ninety (90) days after completion of the period of service. If the ninetieth (90th) day falls



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on a day when offices are not open, the time extends to the next business day.

- d) These deadlines to report to work or apply for reemployment can be extended for up to two (2) years to accommodate a period during which a person was hospitalized for or convalescing from an injury or illness resulting from or aggravated during the period of military service. The employee will be required to provide documentation about any delay in reporting for reemployment within the specified time periods.
- g. Responsibilities of the employing department are to:
 - i. Grant the employee unlimited emergency leave if called to active duty with federal or state military forces;
 - ii. Notify the Office of Human Resources when an employee is called to active duty or authorized training and provide the Office of Human Resources with a copy of the employee's military orders. A Change of Memorandum of Employment designating that the employee is being placed on paid or unpaid Military Leave must be submitted.
 - iii. Restore the employee who has satisfied the required procedures for return from active military duty to the same position held or a position of similar seniority, status, pay on return from active duty. A Change of Memorandum of Employment restoring the employee to his position as stated in 10.e above must be submitted.
 - iv. Provide reasonable efforts to train or otherwise qualify a returning service member as required in g.iii above.
- h. Military Leave is subject to regulations under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the Texas Government Code.

11. Administrative Leave

The President or his or her designee may grant administrative leave with pay to an eligible employee, as stated in Subsection B - Persons Affected.

- a. Performance Leave



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- i. This leave is available as a reward for outstanding performance as documented by the employee's appraisals.
 - ii. A maximum of thirty-two (32) hours may be granted per fiscal year.
12. Amateur Radio Operator Leave
- a. An employee with an amateur radio license issued by the Federal Communications Commission may be granted leave not to exceed 10 days each fiscal year to participate in specialized disaster relief services without a deduction in salary or loss of vacation or sick leave, overtime leave, or state compensatory time.
 - b. The leave must be authorized by the supervisor and approved by the governor.
 - c. Documentation should be submitted to the supervisor to support the leave request in advance.

D. Definitions

1. *Regular Employee.* An employee who is scheduled to work at least 20 hours per week (one half-time) for a period of at least four and one-half months, excluding students employed in positions which require student status as a condition for employment.
2. *Federal Fiscal Year.* October 1st – September 30th.
3. *Paid Accruals.* Sick and/or Vacation leave hours earned.
4. *Fiscal Year.* September 1st – August 31st.

E. Responsibilities

1. Employees
 - a. Employees are accountable for submitting their leave requests and adequate documentation supporting their request to their supervisors in advance, unless an emergency arises.
 - b. Employees are accountable for familiarizing themselves with policies regarding leave requests.



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- c. Employees are accountable for monitoring and reporting their leave accruals accurately.
2. Employing Department and Supervisors
 - a. The employing department along with the individual supervisor is accountable for ensuring the employee provides adequate documentation supporting their leave requests and filed in departmental files.
 - b. The employing department along with the individual supervisor is accountable for verifying the employee reports all leave accruals accurately.

F. Procedures

Not applicable.

G. Review

The Divisional Head for this policy is the Vice President for Business Affairs and this policy shall be reviewed every five years or sooner if necessary by the following Stakeholders:

1. Assistant Vice President for Business Affairs/Director of Human Resources – Senior Reviewer
2. Payroll Supervisor
3. Staff Senate Chair
4. Faculty Senate Chair
5. Council of Deans