

**MONTGOMERY COUNTY, TEXAS  
EMPLOYEE POLICY MANUAL  
4. BENEFITS AND LEAVE**

**4.15 SICK LEAVE POOL**

- PURPOSE** 4.15-1 Montgomery County values its employees and realizes that from time to time they may experience catastrophic illnesses or injuries which necessitate their being absent from work longer than the time for which they have accrued benefit hours. With this in mind, employees are able to donate hours to the County's sick leave pool for use by those employees who fall into this category.
- ELIGIBILITY** 4.15-2 In order for an employee to be eligible to receive benefit hours from the sick leave pool, he must (1) have worked continuously for Montgomery County on a full-time basis for one year or more, (2) contribute at least eight hours to the sick leave pool by January 31 of the same calendar year and before his leave begins, and (3) have a personal illness which is catastrophic.
- 4.15-3 Only employees who have exhausted all accrued leave and compensatory time to which they are entitled are eligible to use hours from the sick leave pool.
- DEFINITION** 4.15-4 A "catastrophic illness or injury" is a severe condition or combination of conditions that most likely would result in death if not treated as documented by the treating physician.
- PRIOR FMLA APPROVAL NECESSARY** 4.15-5 An employee must have submitted completed paperwork as allowed under the Family Medical Leave Act and required under Montgomery County's Family Leave Policy and been on approved FMLA leave for 20 work days or more due to the medical condition before he/she may use hours from the sick leave pool. All medical information obtained will remain confidential.
- ADMINISTRATOR** 4.15-6 The Human Resources Director is the Administrator of this program and will deny in writing contributions to and withdrawals from the pool when appropriate. She may require an employee to provide additional or updated information or documentation in order to determine whether to approve or continue a request for sick pool leave. The employee and department head will be notified of the approval or denial of the request.
- APPEALS** 4.15-7 Employees wishing to appeal the Administrator's denial of a request may submit a request for appeal to the Human Resources Department. The appeal will then be considered by a committee composed of the Director of Risk Management, the Auditor, a Commissioner, and the current Chairperson of the Employees' Committee.
- CONTRIBUTIONS** 4.15-8 Contributing to the sick leave pool is strictly voluntary; no less than 8 nor more than 16 hours per year may be contributed by any one employee. The hours will be deducted from the contributing employee's sick leave balance as if he/she had used them. Those wishing to contribute hours must complete a Montgomery County Sick Leave Pool Contribution Form and forward it to the Administrator.

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- WITHDRAWALS** 4.15-9 To apply for hours from the sick leave pool, an eligible employee must complete a Montgomery County Request for Donated Sick Leave Form and submit it to the Administrator.
- 4.15-10 Eligible employees will receive their rate of pay being earned just prior to the leave and may be paid for time equal to one-third (1/3) of the total amount of time available in the pool or up to 90 days (720 hours), whichever is less. Leave will be distributed on a first-come, first-served, basis and will be approved on a per-pay-period basis; the need must be supported by a completed Certification of Health Care Provider, and updates from the treating physician submitted at least every 30 days. In no case will a continuous leave be granted that exceeds 14 weeks, not including time to which the employee may be entitled under the Family and Medical Leave Act (up to 12 weeks or 480 hours).
- 4.15-11 The maximum number of days an employee may draw from the sick leave pool during his/her employment with Montgomery County is 135 days (1,080 hours).
- ADMINISTRATION** 4.15-12 When an employee is being paid from the sick leave pool, the department head (or his/her designee) shall complete a time sheet for the employee, charging the employee's time to payroll code 028.
- 4.15-13 In no case will the estate of a deceased employee be entitled to payments for unused sick leave acquired by the employee from the sick leave pool.
- BENEFITS** 4.15-14 The County shall continue to pay for the employee's medical and basic term life insurance coverage while he/she is on leave.
- ABUSE OF BENEFIT** 4.15-15 Any employee found abusing this policy, e.g., reporting that he is sick when he is not, or not returning to work when he is able, is subject to discipline, up to and including discharge.
- 4.15-16 An employee may not perform any outside work or engage in any extra duty employment on the same calendar day(s) that he is paid with hours from the sick leave pool.