

31.03.03 Leave of Absence with Pay

Revised [January 11, 2019](#)

Next Scheduled Review: January 11, 2024

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Regulation Summary

This regulation establishes uniform administration of paid leave to eligible employees of The Texas A&M University System (system) in accordance with state law.

Regulation

1. ELIGIBILITY AND DOCUMENTATION

- 1.1 An employee in a budgeted position appointed for 50 percent or more time for a period of at least four and one-half months, excluding an employee in a position for which student status is a requirement for employment, is entitled to leaves of absence with pay.
- 1.2 The leaves described below will not be charged against an employee's vacation, sick leave or compensatory time accruals, but a record of any leave taken as other paid leave is required. The member may require an employee to provide documentation for absences under Sections 2.2.2, 2.4, 2.5, 2.6, 4-7 and 9-13.
- 1.3 Emergency leave may not be used under any circumstances to replace workers' compensation income benefits.

2. EMERGENCY LEAVES

Each member chief executive officer (CEO) or designee is authorized under certain circumstances to approve emergency leaves of absence for eligible employees.

2.1 Death of a Family Member

An employee is entitled to emergency leave because of the death of the employee's spouse, or the employee's or spouse's child, stepchild, parent, stepparent, brother, stepbrother, sister, stepsister, grandparent, step grandparent, great grandparent, step great grandparent, grandchild, step grandchild, great grandchild or step great grandchild. The emergency leave hours are not required to be consecutive, but must be taken within 30 days from the date of death.

2.2 Unsafe Working or Travel Conditions

2.2.1 When an office or work site closes because of hazardous conditions or unsafe travel conditions, the employees scheduled to work will be granted emergency leave for

the time the work site is closed. Employees who are required to work during the time an office or work site is closed because of hazardous conditions or unsafe travel conditions will accrue compensatory time.

2.2.2 The CEO or designee may also grant emergency leave when the member does not officially close, but hazardous or unsafe travel conditions delay or prevent an employee from being at work during the employee's scheduled work hours.

2.3 Emergency Evacuation Order

If an emergency evacuation order is issued by state or local government, each employee scheduled to work should be granted emergency leave for the duration of the order. Emergency service personnel or others needed to provide for the safety and well-being of the general public or for the restoration of vital services will not be granted leave, but will accrue compensatory time.

2.4 Office Closures

When office closures occur for reasons other than those addressed under Sections 2.2 and 2.3, the employees scheduled to work will be granted paid leave for the time the work site is closed. Employees who are required to work when an office is closed under this section may accrue compensatory time.

2.5 Investigation

Emergency leave may be granted to an employee who is the subject of an investigation being conducted by the member, or a victim of, or witness to, an act or event that is the subject of an investigation being conducted by the member.

2.6 Medical and Mental Health Care for Certain Veterans

A veteran who served in the army, navy, air force, coast guard, or marine corps of the United States as defined by Government Code § 434.023(a) or the Texas National Guard as defined by § 431.001, and eligible for health benefits under a program administered by the Veterans Health Administration of the United States Department of Veterans Affairs, may be granted leave without a deduction in salary or loss of vacation time, sick leave, earned overtime credit, or state compensatory time to obtain medical or mental health care administered by the Veterans Health Administration of the United States Department of Veterans Affairs, including physical rehabilitation. Leave granted may not exceed 15 working days each fiscal year.

2.7 Other Circumstances

The CEO or designee is authorized to grant emergency leave for other reasons determined to be for good cause.

2.7.1 An employee may request emergency leave for a reason not listed in the regulation if the employee provides good cause for the leave and has exhausted all accumulated vacation and compensatory time.

2.7.2 The CEO or designee may, with full information of the employee's other leave options, grant an exception to the requirements in Section 2.7.1 under special circumstances.

3. ADMINISTRATIVE LEAVE

The CEO or designee may grant administrative leave to an employee as a reward for outstanding performance documented in an employee performance appraisal completed within the last 12 months. This includes using administrative leave as a reward in an employee reward program that includes the outstanding performance requirement. No more than 32 hours of administrative leave may be granted to an employee in a fiscal year.

4. AMATEUR RADIO OPERATORS

An employee who holds an amateur radio station license issued by the Federal Communications Commission may be granted up to 10 working days of leave each fiscal year to participate in specialized disaster relief services. The leave must be approved by the governor and authorized by the employee's supervisor. The Texas Division of Emergency Management will coordinate the list of eligible employees.

5. AMERICAN RED CROSS DISASTER SERVICE VOLUNTEERS

An employee who is a certified disaster service volunteer of the American Red Cross or who is in training to become a volunteer may be granted up to 10 working days of leave each fiscal year to participate in specialized disaster relief services. The leave must be requested by the Red Cross, approved by the governor and authorized by the employee's supervisor. The Texas Division of Emergency Management will coordinate the list of eligible employees.

6. ASSISTANCE DOG TRAINING FOR EMPLOYEES WITH A DISABILITY

An employee who is a person with a disability is entitled to a leave of absence for up to 10 working days each fiscal year to be trained in the use of an assistance dog.

7. COURT APPOINTED SPECIAL ADVOCATES VOLUNTEERS

An employee is entitled to a leave of absence up to five hours each month to participate in mandatory training or perform volunteer services for Court Appointed Special Advocates.

8. FACULTY DEVELOPMENT LEAVE (See System Regulation 12.99.01, *Faculty Development Leave*)

9. FOSTER PARENTS

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 to attend Department of Protective and Regulatory Services meetings or school district admission, review and dismissal meetings regarding the foster child.

10. JURY SERVICE

An employee is entitled to a leave of absence for jury service. An employee is not required to account to the system for any fee or compensation received for the jury service.

11. ORGAN, BONE MARROW OR BLOOD DONORS

11.1 An employee is entitled to a leave of absence up to five working days each fiscal year to serve as a bone marrow donor or up to 30 working days each fiscal year to serve as an organ donor.

11.2 An employee is entitled to sufficient time off to donate blood up to four times each fiscal year. The employee must obtain approval from the employee's supervisor before taking time off and, upon returning to work, must provide proof of the blood donation.

12. VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL SERVICES VOLUNTEERS

12.1 An employee who is a volunteer firefighter or an emergency medical services volunteer is entitled to a leave of absence up to five working days each fiscal year to attend fire service or emergency medical services training conducted by state agencies or institutions of higher education.

12.2 The CEO or designee may grant leave to allow volunteer firefighters or emergency medical services volunteers to respond to emergency fire or medical situations. Prior to granting such leave, a member will establish guidelines for the request and approval of leave in these circumstances.

13. VOTING

An employee will be allowed sufficient time off to vote in national, state and local elections.

Related Statutes, Policies, or Requirements

[Tex. Educ. Code § 51.962\(f\)](#)

[Tex. Gov't Code, Ch. 661, Subch. Z](#)

[Tex. Gov't Code §§ 661.923, 661.924](#)

[System Regulation 12.99.01, Faculty Development Leave](#)

[System Regulation 31.01.08, Merit Salary Increases](#)

[System Regulation 31.01.09, Overtime](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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