

31.06.02 Sick Leave Donation

Approved July 5, 2016
Next Scheduled Review: July 5, 2021



Regulation Statement

The Texas A&M University System (system) provides the opportunity for an employee to donate sick leave to an eligible employee in accordance with state law.

Reason for Regulation

This regulation establishes uniform administration of sick leave donation.

Procedures and Responsibilities

1. DONATION OF SICK LEAVE

- 1.1 An employee may donate any amount of the employee's accrued sick leave to another employee who:
 - (a) is employed by the same member as the donor employee; and
 - (b) has exhausted the employee's sick leave, including any time the individual may be eligible to withdraw from the member's sick pool.
- 1.2 An employee who donates any of his/her sick leave to another employee may not receive remuneration or a gift in exchange for the sick leave donation; nor may the employee receiving the donation provide any form of remuneration to the donor.
- 1.3 An employee who receives a donation of sick leave may not:
 - (a) use sick leave donated to the employee under this section, except as provided by System Regulation *31.03.02, Sick Leave*, and Chapter 661.202 (d) and (e) of the Texas Government code;
 - (b) receive retirement service credit for any unused donated sick leave on the last day of employment;

- (c) transfer unused hours directly from one state agency to another;
- (d) donate the unused hours to another employee;
- (e) have unused hours restored after termination and reemployment with the same state agency; or
- (f) have unused hours paid out to the employee's estate upon death.

2. DONATION OF SICK LEAVE DOCUMENTATION AND APPROVAL

- 2.1 Each member will determine the process for requesting and approving requests for sick leave donation, including the adoption of a member sick leave donation approval form. The member's sick leave donation form must contain, at a minimum, the provisions listed in the system's model sick leave donation form.
- 2.2 The gift of sick leave must be approved by the member's leave administrator who can verify eligibility.

Related Statutes, Policies or Requirements

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

[Sick Leave Direct Donation – Donor Form](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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