

# Compensable Sick Leave (CSL) Plan

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## DIVISION 2. COMPENSABLE SICK LEAVE PLAN

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### **Sec. 14-230. Application.**

The compensation benefits provided in this division shall constitute the compensable sick leave plan and shall be available only to those employees who are entitled to coverage hereunder.

*(Ord. No. 84-1962, § 2, 12-19-84; Ord. No. 86-140, § 1, 2-4-86; Ord. No. 96-1088, § 2, 10-23-96)*

### **Sec. 14-231. Compensable sick leave.**

- (a) The compensable sick leave plan is created effective September 1, 1996. A member of the city's former income protection plan, which is replaced by the compensable sick leave plan, may be entitled to an initial sick leave time allowance hereunder as provided by section 6 of Ordinance No. 96-1088 and regulations promulgated thereunder. The initial sick leave time allowance, if any, shall be in addition to the biweekly sick leave time allowances received under subsection (b).
- (b) A compensable sick leave plan member who is actively at work shall receive a biweekly sick leave time allowance of 2.5 hours per biweekly payroll period up to a maximum of 65 hours per benefit year.
- (c) Sick leave may not be compensated unless sufficient unused sick leave time allowances are currently available to the employee at the time of the absence. If sick leave time allowances are not available, any authorized sick leave shall be uncompensated unless the employee elects to use other available benefits, such as vacation, to supplement any deficiency in sick leave time allowances.
- (d) In his first full biweekly payroll period that commences in October, each member of the compensable sick leave plan who has used fewer sick leave time allowance hours than he received during the previous benefit year shall be given additional sick leave time allowance hours in an amount equal to the difference between the number of hours received and the number of hours used. However, no additional sick leave time allowance hours shall be given that would cause the employee's available sick leave time allowance hours to exceed 1,040 hours. Once an employee has 1,040 hours of unused sick leave time allowances, the annualized addition for unused hours shall not be provided. The annual addition authorized in this subsection for unused sick leave time allowance hours shall not apply to initial sick leave time allowances provided under subsection (a).
- (e) Upon termination of employment, all unused sick leave time allowances in excess of 1,040 hours shall be payable to the employee or to the employee's beneficiaries, as applicable, at the employee's rate of base pay, plus longevity, at the time of termination. The first 1,040

hours of unused sick leave time allowances shall have no value, except when used for compensable sick leave benefits and may not be converted to any other use or benefit, nor shall they be payable upon termination or death of the employee under any circumstances.

*(Ord. No. 84-1962, § 2, 12-19-84; Ord. No. 86-140, § 1, 2-4-86; Ord. No. 87-1398, § 1, 8-12-87; Ord. No. 96-1088, § 2, 10-23-96)*

**Sec. 14-232. Personal leave hours.**

- (a) Compensable sick leave plan members are eligible to receive personal leave hours in accordance with the following schedule:

Hours of Benefits Used in Preceding Benefit Year	Personal Leave Hours Earned
None	24
From one minute to eight hours	16
From eight hours and one minute to 16 hours	8
More than 16 hours	None

In order to qualify, an employee must have been employed without a break in service during the preceding full benefit year.

- (b) Personal leave hours granted for each benefit year will be awarded as of the first full pay period in October of each succeeding benefit year. Personal leave hours may not be accumulated past August 31 of each benefit year and may only be used during the benefit year in which they are awarded. No compensation of any sort will be granted for personal leave hours that are not timely used during the benefit year awarded.
- (c) Personal leave hours may be used in the same manner as vacation and may be taken separately or in conjunction with regular vacation or other authorized leave. Department directors may impose internal regulations, including reasonable advance notice requirements for taking personal leave hours, in order to ensure that working schedules are maintained. However, no department director shall unreasonably continually or arbitrarily deny an employee the right to use earned personal leave hours.

*(Ord. No. 84-1962, § 2, 12-19-84; Ord. No. 86-140, § 1, 2-4-86; Ord. No. 96-1088, § 2, 10-23-96; Ord. No. 05-91, § 1, 1-25-05)*

**Sec. 14-233. Frozen days.**

- (a) Those compensable sick leave plan members who were employed by the city before September 1, 1985, and who have frozen days may utilize them as supplemental compensation in the event of illness or injury and exhaustion of sick leave time allowances

available under the compensable sick leave plan. Frozen days may not be utilized for sick leave benefits while compensable sick leave plan time allowances remain available. Also, frozen days may not be utilized to supplement the benefits received through any long term disability policy that may be provided by the city as an adjunct benefit to the compensable sick leave plan.

- (b) The value of an employee's remaining frozen days that have not been used as supplemental benefits under subsection (a), above, shall be payable to the employee upon termination of employment with the city, or to the employee's beneficiaries in the event of the death of the employee. Payment under this subsection will be limited to the value of the employee's remaining frozen days that were not used as supplemental benefits; the payment value therefor shall be as calculated as of August 31, 1985, under former section 14-225(a) of the City of Houston Code of Ordinances, regardless of whether the employee is earning a lesser or greater amount at the time of termination.

*(Ord. No. 84-1962, § 2, 12-19-84; Ord. No. 86-140, § 1, 2-4-86; Ord. No. 87-1398, § 2, 8-12-87; Ord. No. 96-1088, § 2, 10-23-96)*

#### **Sec. 14-234. Long-term disability.**

The city may, if it so elects, provide an insurance policy or a self funded plan of long term disability coverage for members of the compensable sick leave plan who meet certain eligibility criteria therefor in such form and upon such terms as the city council may, from time to time, elect to offer.

*(Ord. No. 84-1962, § 2, 12-19-84; Ord. No. 86-140, § 1, 2-4-86; Ord. No. 96-1088, § 2, 10-23-96)*

#### **Sec. 14-235. Wellness leave.**

- (a) During each benefit year, a compensable sick leave plan member may take up to eight hours of wellness leave to go to health care providers for examinations and physicals, annual check ups and prospective health screening/testing of any kind in order to ensure that the employee continues to stay in good health or for the purpose of encouraging early detection of potentially debilitating or life threatening illness or diseases that might otherwise be ignored.
- (b) Department directors may impose internal regulations, including reasonable advance notice requirements for taking any of such hours, in order to ensure that working schedules are maintained. No department director shall unreasonably refuse to allow such leave, but shall ensure that the time is taken when mutually beneficial or convenient for both the employee and the department.
- (c) Wellness leave taken by compensable sick leave plan members will be payable in the same manner as sick leave, but shall not be regarded as use of sick leave time allowances, nor shall it be regarded as a use of sick leave for other purposes, such as attendance awards.
- (d) Unused wellness leave hours may not be carried from one benefit year to the next; remaining unused hours will be canceled on August 31 of each benefit year. No compensation of any sort will be paid or granted for wellness leave that is not timely used.

*(Ord. No. 96-1088, § 2, 10-23-96; Ord. No. 05-91, § 1, 1-25-05)*

#### **Secs. 14-236—14-239. Reserved.**