

1 **Policy Concept**  
2 **Chapter 800, General Administration**  
3 **Rule Project #2021-08-800 – Sick and Family Leave Pools**  
4

5 **Introduction and Background**

6 Senate Bill (SB) 248 from the 73rd Texas Legislature, Regular Session (1993) added Texas Government  
7 Code, §§661.001 - 661.008, which established the Sick Leave Pool and House Bill (HB) 2063 from the  
8 87th Texas Legislature, Regular Session (2021) added Texas Government Code, §§661.021 - 661.028,  
9 which establishes the Family Leave Pool. Both bills require TWC to adopt rules and prescribe  
10 procedures relating to the operation of its sick and family leave pools.  
11

12 **Purpose for the Proposed Rule**

13 The purpose for the proposed rule is to establish administrative rules that allow TWC's employees to use  
14 the sick leave pool upon exhausting all of their sick and personal leave to cover time-and-leave absences  
15 for catastrophic and/or life-threatening illnesses and injuries for either the employee or his or her  
16 approved family members. The proposed rule will also implement legislation for a family leave pool for  
17 employees to voluntarily transfer sick or vacation leave earned by the employee to the family leave pool.  
18 The family leave pool provides eligible state employees more flexibility in bonding with and caring for  
19 children during a child's first year following birth, adoption, or foster placement; and for caring for a  
20 seriously ill family member of the employee, including pandemic-related illnesses or complications  
21 caused by a pandemic.  
22

23 **Rule Revisions Required by Federal Regulation or State Statute**  
24

25 **Issue #1: Sick Leave Pool**

26 SB 248 (73-R) provided eligible employees with additional paid sick leave in documented cases of a  
27 catastrophic or life-threatening illness or injury to the employee or the employee's immediate family  
28 member.  
29

30 **Issue #2: Family Leave Pool**

31 HB 2063 (87-R) requires state agencies to establish rules to operate the family leave pool. Employees  
32 would be eligible to use the family leave pool if they have exhausted all eligible compensatory,  
33 discretionary, sick, and vacation leave due to certain situations, and have provided proper documentation  
34 for using the family leave pool in extenuating circumstances, such as an ongoing pandemic that would  
35 include providing care for a family member.  
36

37 **Other Rule Revisions**

38 None.  
39

40 **PC Decision Point**

41 Staff seeks direction on amending Chapter 800 to implement SB 248 (73-R) and HB 2063 (87-R).