

DEPARTMENT OF NATURAL RESOURCES

HUMAN RESOURCES POLICY NO: 3
EFFECTIVE DATE: January 1, 2000
SUBJECT: Unclassified Employee Leave
AUTHORIZATION: R. S. 36:353; Utilizing Executive Order BJ 2008-64 and State C. S. Rules as cited

I. POLICY:

The Department will administer a fair and equitable leave policy for unclassified employees that complies with the Fair Labor Standards Act, the Family and Medical Leave Act and any other applicable federal or state laws, rules or regulations.

II: PURPOSE:

This policy will provide guidelines for the accumulation and utilization of sick, annual and special leave for unclassified state employees in the Department.

III: APPLICABILITY:

This policy will apply to all unclassified employees within the Department of Natural Resources, except students.

IV: PROCEDURES:

The Department has two categories of unclassified employees:

1. Category I: Unclassified cabinet level appointees (as defined in R.S. 36:352) subject to Senate Confirmation, which includes the following:
 - a. Secretary;
 - b. Deputy Secretary;
 - c. Undersecretary; and
 - d. Assistant Secretary

2. Category II: Unclassified subcabinet appointees not subject to Senate Confirmation shall not be considered the Secretary's Executive Staff for the purpose of this policy, and includes the following positions:

- a. Assistant to the Secretary;
- b. Executive Director of the Atchafalaya Basin Program;
- c. Assistant Executive Director of the Atchafalaya Basin Program;
- d. Executive Counsel;
- e. Communications Director/Press Secretary; and
- f. Intergovernmental Affairs Coordinator

A. ACCUMULATION OF LEAVE:

Category I and II unclassified appointees will earn leave in accordance with Section 5 of BJ 2008-64.

B. USE OF LEAVE:

1. Annual Leave:

Category I and II unclassified employees will be on annual leave and /or leave without pay when:

- a. the employee is unavailable to serve their appointing authority as a result of voluntary or involuntary conditions;
- b. performing political activities during a regular tour of duty hours; or
- c. performing for compensation, non-appointment related activities, duties, or work during regular tour of duty hours; or
- d. absent from work as part of a scheduled vacation.

Category I and II unclassified cabinet level appointees (as defined in R.S. 35:352) will be considered on call and serving the Secretary and therefore not required to take annual leave as per Section 7 of BJ 2008-64 when all of the following conditions are met:

- a. the appointee can be contacted electronically at all times; and
- b. the appointee will be available as needed for consultation and when summoned by the appointing authority; and
- c. the appointee is present within his assigned domicile.

2. Sick Leave:

Category I and II unclassified employees will be on sick leave and/or leave without pay when an illness or injury prevents the officer or employee from reporting to duty or when medical, dental, or optical consultation or treatment is attended and this condition makes him unavailable to serve his/her appointing authority.

Category I and II unclassified employee will be considered as not on call and not available to serve the Secretary and therefore required to take leave as per section F of, BJ 2008-64 one or more of the following conditions apply:

- a. the illness or injury is such that the appointee is unfit for duty or otherwise unable to return to his/her work station in an emergency situation;
- b. the illness or injury makes the appointee unavailable for consultation; and/or
- c. it is impossible to contact the appointee electronically.

3. Compensatory Leave:

Category I and II unclassified employees will not earn compensatory leave.

4. Special Leave:

Category I and II unclassified appointees and employees serving in a position that earns annual and sick leave will be given time off, without loss of pay, annual leave, or sick leave when the conditions apply as described in Section 16 of BJ 2008-64

5. Other Leave:

Category I and II unclassified employees serving in positions that earn annual and sick leave may be eligible to use Military Leave, Optional Leave with Pay (Worker's Compensation), Law Enforcement Disability Leave, Funeral Leave and Educational Leave in accordance with Sections 17 & 18 of BJ 2008-64.

6. Leave of Absence without Pay:

Category I and II unclassified employees may be granted leave of absence without pay in accordance with Section 19 of BJ 2008-64.

C. GRANTING OF LEAVE:

Leave for all unclassified appointees will be granted at the discretion of the Secretary, in the absence of the Secretary leave will be granted by the Deputy Secretary or Undersecretary.

V: RESPONSIBILITY:

It is the responsibility of each unclassified employee to develop a work schedule and comply with the attendance requirements of BJ 2008-64 and to provide that schedule to the Secretary and their designated timekeeper.

It is the responsibility of each unclassified cabinet level appointee and unclassified employee to become aware, be guided by, and cooperate in the implementation of the provisions of this policy. It will be the responsibility of the Secretary to assure compliance with this policy.

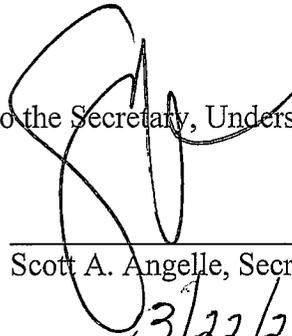
VI: EXCLUSIONS:

Exceptions to this policy must be approved, in writing, by the Secretary.

Student workers are excluded from this policy.

VII: QUESTIONS:

Questions regarding this policy should be directed to the Secretary, Undersecretary or the Human Resource Director.



Scott A. Angelle, Secretary

Date

3/22/2011