

Department of Natural Resources

Human Resources Management Policy No: 8-A
Effective Date: April 1, 2002
Subject: Crisis Leave Policy
Authorization: Civil Service Rule 11.34;
Act 1008 of 1992
Legislative Session

I. Policy:

It is the policy of the Department to provide an opportunity for employees to assist fellow employees who need paid leave to cover a crisis period.

II. Purpose:

This policy provides the guidelines for the administration of a Crisis Leave Program. A Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to himself or herself or eligible family member.

III. Applicability:

This policy applies to classified state employees with permanent status and to full-time unclassified employees within the Department.

IV. Procedures:

A. Donation Procedure

Contributions to the Crisis Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. Only classified employees with permanent status and full-time unclassified employees may donate to the Crisis Leave Pool. An employee donating to the pool may not designate a particular employee to receive donated time. Donations are accumulated in the pool on a calendar basis and awarded on a first-come, first-served basis to eligible employees. Unused crisis leave is rolled forward to the next year. Donations are not automatic, if an employee chooses to make a donation in consecutive years a donation leave slip must be resubmitted. Donations are limited to the following terms:

- An employee may donate a minimum of four (4) hours of annual leave (no sick or compensatory leave), above which donations are made in whole hour increments.
- The donor must have a balance of at least 120 hours of annual leave remaining after the contribution.

- Donations are limited to 240 hours of annual leave per employee per calendar year.
- The employee must complete a leave form and designate the leave as a “Donation to the Crisis Leave Pool”. This form should be turned in to the immediate supervisor for approval, who then forwards the slip to the Crisis Leave Pool Manager.
- Donations made will be deducted from the employees’ leave balance and credited to the Crisis Leave Pool the first pay period following receipt of the approved leave slip.

B. Request Procedures

An employee may request leave from the Crisis Leave Pool by the submission of a letter and must be accompanied by the employee’s Licensed Medical Service Provider (LMSP) statement. The documentation must include:

- Beginning date of the illness or injury, and
- Detailed description of the illness or injury, including any requested information useful in making a final determination of eligibility, and
- Prognosis for recovery, if the request is for an employee, and
- Anticipated return to work date, and
- Documentation as requested by the Crisis Leave Pool Manager to establish eligibility of a family member.

The request and accompanying documentation should be routed through the immediate supervisor so that he may be informed of the request and the supervisor will forward it to the Crisis Leave Pool Manager. The Crisis Leave Pool Committee reviews the request to make sure that the employee is eligible to receive crisis leave. The employee requesting crisis leave must provide all requested information necessary to make a final determination of eligibility.

All requests for crisis leave must be treated as **confidential**. All requests and documentation for crisis leave are submitted in envelopes marked “confidential”. The Crisis Leave Pool Manager who will forward to the Crisis Leave Pool Committee for consideration.

Each request will be stamped with the time and day upon receipt by the Crisis Leave Pool Manager, and handled on a first-come, first-served basis. The request is to be submitted at least ten (10) days before the crisis leave is needed. This is necessary to allow the Crisis Leave Pool Committee to receive/approve all or part of the request, or deny the request, and communicate such approval or denial to the employee, the employee’s immediate supervisor and primary timekeeper.

If the request is approved, the Crisis Leave Pool Committee will credit the approved time to the employee’s leave record.

Any approved crisis leave is to be used and documented in accordance with the same procedures as regular paid leave taken by the employee.

C. Eligibility Requirements

An eligible employee may apply to receive crisis leave if the following requirements are met:

- The employee or employee's eligible family member suffers from a catastrophic illness or injury; and
- The employee exhausted all appropriate leave; and
- The employee has exhibited satisfactory attendance (with no history of leave abuse) and is not absent from work due to disciplinary reasons; and
- The appropriate documentation from a LMSP is provided to the Crisis Leave Pool Manager.

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave. The employees' leave history will be reviewed by the Crisis Leave Pool Committee to make a determination of leave usage.

The Crisis Leave Pool Committee determines the amount of crisis leave granted for each catastrophic illness or injury. The amount of leave granted to an employee will generally reflect the recommendations of the LMSP, subject to the following limits:

- A maximum of 240 hours may be requested by an employee during one calendar year.
- Crisis leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks.
- The value of the annual leave granted as crisis leave may not exceed 75% of the employee's pay received in a regular workweek.

D. Changes in Status Affecting Crisis Leave

The granting of crisis leave is meant to cover only the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Crisis Leave Pool Manager. The employee can request more crisis leave subject to the limits outlined above; however, extensions of crisis leave are not automatic. Each extension must be approved on a first-come, first-served basis. The employee, immediate supervisor, and primary timekeeper will be notified accordingly.

Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the approved request. The use of Crisis Leave Pool that is not in accordance with procedures and requirements outlined in this policy may constitute payroll fraud and will be dealt with accordingly.

Employees who are able to return to work before using all of their granted crisis leave must return the unused leave to the Crisis Leave Pool.

E. Compensation and Benefits

Crisis leave will be awarded hour for hour regardless of the giving or receiving employee's rate of pay.

An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.

Employees on crisis leave will not accrue leave on donated leave.

F. Definitions:

Eligible Employee - a classified or full-time unclassified employee in leave-earning status of the Louisiana Department of Natural Resources who is eligible to earn annual leave. Classified employees must have attained permanent status to donate or use crisis leave. Permanent status is defined as any employee who had obtained permanent status during his state employment.

Eligible Family Member :

- An individual living in the same household who is related to the employee by kinship, adoption, or marriage or a foster child so certified by the Louisiana Office of Children's Services.
- An individual not living in the same household who is related to the employee by kinship, adoption, or marriage, and is totally dependent upon the employee for personal care or services on a continuing basis.

Licensed Medical Service Provider (LMSP) - a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP's field of service), who is practicing within the scope of his or her license. This is to include licensed Physicians (a doctor of medicine) or MD, doctor of osteopathy or DO, or licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate State boards or authorities.

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Catastrophic Injury or Illness - a severe condition or combination of conditions that:

- Affect the physical or mental health of the employee or the employee's eligible family member; and
- Requires the services of a licensed medical service provider for a prolonged period of time; and
- Prevents the employee from performing his/her duties for a period of more than ten (10) consecutive days and forces the employee to exhaust all appropriate leave in accordance with Policy 3.39 and to lose compensation from the State.

Crisis Leave Pool Manager - Human Resources Director or designee.

Crisis Leave Pool Committee - The Committee will be comprised of five (5) staff members one appointed by the Appointing Authority from the Office of the Secretary, Office of Coastal Restoration and Management, Office of Conservation and Office of Mineral Resources; and the Crisis Leave Pool Manager.

V. Responsibility:

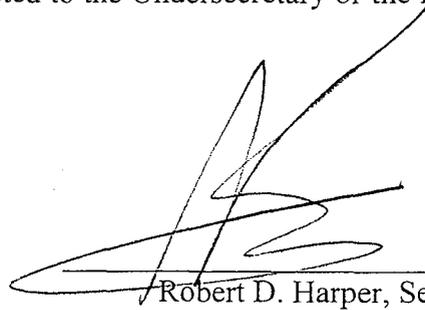
It is the responsibility of the Crisis Leave Pool Committee to assure that the policy is administered in a fair and equitable manner. The decision to approve or deny crisis leave by the Crisis Leave Pool Committee is final and not subject to appeal. Periodic review of the process will be conducted by the Internal Auditor.

VI. Exceptions:

There will be no exceptions to this policy.

VII. Questions:

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



Robert D. Harper, Secretary

09-16-2010

Date