

Office of Human Resources
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 98

EFFECTIVE DATE: February 7, 2018

PREVIOUS VERSION: April 1, 2015 (Original)

SUBJECT: Crisis Leave Policy

AUTHORIZATION:


Barbara Goodson, Appointing Authority

I. POLICY:

As authorized by Civil Service Rule 11.34, the policy of the Division of Administration (“DOA”) is to establish a Crisis Leave Pool for use by eligible employees who have experienced a catastrophic illness or injury. DOA’s intent is to assist eligible employees who have insufficient accrued leave to receive wages during the crisis leave period.

II. PURPOSE:

The purpose of this policy is to implement and administer a pool of shared annual leave that may be used by eligible employees for paid leave during absences due to a catastrophic illness or injury.

III. APPLICABILITY:

This policy applies to all eligible DOA employees.

IV. DEFINITION:

- **Catastrophic Illness or Injury:** An acute or prolonged condition, usually considered to be life threatening or with the threat of serious residual disability, that:
 - Seriously affects the physical or mental health of the employee;

- Requires the services of a licensed healthcare professional for a prolonged period of time;
 - Prevents the employee from reporting to work to perform customary job duties for a period of ten (10) or more consecutive work days; and
 - Causes the employee to exhaust all available leave or such exhaustion is imminent, thus resulting in leave without pay for absences during the crisis leave period.
- **Crisis Leave Committee:** A committee comprised of DOA's Human Resources Director, the Director of the Office of State Uniform Payroll, and a representative from DOA's Office of General Counsel.
 - **Crisis Leave Pool:** A pool of annual leave donated by DOA employees that is managed on an hour-for-hour basis, regardless of the donating or requesting employee's rate of pay.
 - **Crisis Leave Pool Year:** The calendar year (January 1 - December 31).
 - **Leave Pool Manager:** DOA's Human Resources Director or designee.
 - **Regularly Scheduled Workweek:** The number of hours the requesting employee is regularly scheduled to work during the designated weekly work period.

V. ELIGIBILITY REQUIREMENTS:

An employee is eligible to request crisis leave if the following requirements are met:

- A full-time employee who is serving in a leave earning, benefits eligible appointment. Classified employees must have attained permanent status. Employees must continuously have been employed by the DOA for at least one year to be eligible to donate or use leave from the pool;
- The employee must have experienced a catastrophic illness or injury;
- The employee must have exhausted all available leave (annual, sick and compensatory);
- The employee must have a history of regular attendance, with no identified pattern of leave abuse;
- The employee must not have received a disciplinary or other corrective action relative to abuse or misuse of leave for the year preceding the request for crisis leave;

- The catastrophic illness or injury must not be occupationally related, thereby rendering the employee ineligible to receive worker's compensation benefits; and
- Acceptable support documentation has been provided by the requesting employee's treating healthcare professional(s).

NOTE: To be eligible, an employee need not previously have contributed to the Crisis Leave Pool.

VI. AMOUNT OF CRISIS LEAVE THAT MAY BE APPROVED:

The approval of crisis leave is not automatic. Whether crisis leave will be granted and, if granted, the number of hours of leave authorized for use by the eligible employee will be determined at the sole discretion of the Crisis Leave Committee. The amount of leave granted is subject to the following provisions:

- The minimum amount of crisis leave that will be granted to an Eligible Employee is one regularly scheduled workweek.
- The maximum crisis leave that will be granted to an eligible employee is 240 hours during a Crisis Leave Pool Year.
- Crisis leave may not be granted to an employee to extend paid leave beyond a total time in paid leave status of twenty-six weeks in any Crisis Leave Pool Year.
- The value of the annual leave granted, as crisis leave, will be 75% of the pay he receives in a regularly scheduled workweek.
- The amount of crisis leave granted will not exceed the balance of hours in the Crisis Leave Pool at the time of the Crisis Leave Committee's decision.

VII. DONATION OF LEAVE:

A. General Requirements:

- Contributions to the Crisis Leave Pool are strictly voluntary. No employee shall be coerced or pressured to donate leave.
- A full-time employee who is serving in a leave earning, benefits eligible appointment. Classified employees must have attained permanent status. Employees must continuously have been employed by the DOA for at least one year to donate to the Crisis Leave Pool.
- Only annual leave may be donated to the Crisis Leave Pool.

- Donating employees may not designate a particular employee to receive crisis leave.
- Donations of leave must be in whole-hour increments and a minimum of four hours of annual leave may be donated at any given time.
- Donations are limited to a maximum of 240 hours per employee per Crisis Leave Pool Year.
- Donating employees must retain a minimum balance of 120 hours of annual leave after the donation.
- Leave will not be re-credited to a donating employee once the leave has been approved and transferred to the Crisis Leave Pool.
- Unused crisis leave accumulated in the Crisis Leave Pool will be rolled forward to the next Crisis Leave Pool Year.

B. Donation Procedure:

- Employees who choose to donate to the Crisis Leave Pool must complete and submit a Crisis Leave Donation form to the Leave Pool Manager for review and approval.
- A Crisis Leave Donation form must be completed for each donation.
- The Leave Pool Manager will ensure that the Crisis Leave Donation form has been properly completed and signed, and that the donating employee will retain a minimum balance of 120 hours of annual leave after the donation is made.
- The Leave Pool Manager will process the deduction of annual leave from the donating employee's leave balance and transfer the leave to the Crisis Leave Pool effective the first pay period following receipt of the approved Crisis Leave Donation form.
- A copy of the approved Crisis Leave Donation form will be forwarded by the Leave Pool Manager to the donating employee to verify that the transfer of leave has been processed.

VIII. REQUEST PROCEDURE:

- An eligible employee may request leave from the Crisis Leave Pool by submitting to the Leave Pool Manager a Crisis Leave Request form with supporting documentation from the requesting employee's healthcare professional(s).

- The Crisis Leave Request form will be stamped with the date and time upon receipt by the Crisis Leave Pool Manager to ensure that such requests are processed in the order received.
- The Leave Pool Manager will review the request to verify that the requesting employee is eligible to receive crisis leave.
- If the request is approved by the Crisis Leave Committee, the Leave Pool Manager will credit the approved leave to the employee's leave record as used each pay period, up to the authorized limit.
- Approved crisis leave is used and coded in accordance with the same procedures as regular paid leave taken by the employee.
- All requests for crisis leave will be treated by the requesting employee, the Leave Pool Manager, and the Crisis Leave Committee as privileged and confidential.

IX. CHANGES IN STATUS AFFECTING CRISIS LEAVE:

Crisis leave, once approved, is available for use only for absences related to the qualifying catastrophic illness or injury. If any change occurs in the nature or severity of an illness or injury, or if any other factor upon which the approval was based, the requesting employee must notify the Leave Pool Manager and may be required to provide documentation describing the change in circumstance.

Employees are encouraged to make every possible effort to return to work prior to exhaustion of the granted crisis leave. When this occurs, any unused leave will be retained in the Crisis Leave Pool.

Eligible employees may re-apply for additional crisis leave in the event of a new or recurrence of a qualifying catastrophic illness or injury. Any such requests are subject to the requirements and limitations set forth herein, and will be processed in the order received.

X. COMPENSATION AND BENEFITS:

The maximum monetary value of the crisis leave granted shall be seventy-five (75%) percent of the employee's base pay customarily received in a regularly scheduled workweek.

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

While off from work on crisis leave, an employee is not eligible to accrue leave.

XI. RESPONSIBILITY:

It is the responsibility of the Crisis Leave Committee to ensure that this policy is administered in a fair and equitable manner. The decision to approve or deny crisis leave by the Crisis Leave Committee is final and not subject to review, appeal or challenge.

XII. FORMS:

Crisis Leave Donation and Crisis Leave Request forms can be located on DOA's Office of Human Resources' website.

XIII. VIOLATIONS:

Leave granted pursuant to this policy may be used only for the circumstances for which it was approved. False representations and/or misuse of this leave privilege will be addressed through the disciplinary process.

XIV. EXCEPTIONS:

Requests for exceptions to this policy shall be justified, documented and submitted to the Crisis Leave Manager for consideration.

XV. QUESTIONS:

Questions regarding this policy should be directed to the Office of Human Resources.