

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

SECRETARY'S POLICY AND PROCEDURE MEMORANDUM (PPM) NO. 66

SUBJECT: Crisis Leave Pool Program

EFFECTIVE DATE: December 13, 2017

INSTRUCTIONS: This memorandum supersedes all other memoranda and manuals.

1. PHILOSOPHY

It is the policy of the Louisiana Department of Transportation and Development to provide an opportunity for employees to assist fellow employees during a crisis period by implementing a crisis leave pool in accordance with Civil Service Rule 11.34. The crisis leave pool program is a means of providing paid leave to an employee who has an insufficient paid leave balance when the eligible employee or eligible family member has experienced a catastrophic illness or injury.

2. DEFINITIONS

- A. Catastrophic Illness or Injury – A severe and sudden medical condition that could potentially be life-threatening and:
 - (1) affects the physical or mental health of the employee or the employee's family member; and
 - (2) requires treatment by a licensed healthcare provider for a prolonged period; and
 - (3) prevents the employee from performing his/her duties; and
 - (4) forces the employee to exhaust all applicable leave balances (compensatory leave, annual leave, and/or sick leave).
- B. Crisis Leave Pool – A pool consisting of annual leave hours donated and used on an hour-for-hour basis regardless of the donating or receiving employee's rate of pay.
- C. Crisis Leave Pool Committee – A committee comprised of the Deputy Undersecretary, Human Resources Director, and the appropriate Office Head or designee.
- D. Crisis Leave Pool Policy Year – The calendar year, beginning January 1 and ending December 31.

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- E. Eligible Employee – A full-time employee who is serving in a leave-earning, benefits-eligible appointment. Classified employees must have attained permanent status to donate into or receive annual leave from the crisis leave pool.
- F. Eligible Family Member – An employee's spouse, or minor child (under 18 years of age) who is related by kinship or adoption, or who is a foster child certified by the Department of Children and Family Services.
- G. Licensed Healthcare Provider – A practitioner who is practicing within the scope of his/her license and who is recognized and licensed by the appropriate state board or authority. This is to include licensed physicians, counselors or therapists.

3. DONATING CRISIS LEAVE

- A. Contributions to the crisis leave pool are strictly voluntary. No employee shall be coerced or pressured to donate leave. Donations can be made any time during the calendar year. Unused annual leave in the crisis leave pool is rolled forward to the next calendar year.
- B. Employees donating to the crisis leave pool may not designate a particular employee to receive donated leave.
- C. To donate leave, an eligible employee shall:
 - (1) Donate a minimum of four (4) hours, up to 240 hours of annual leave during a calendar year. Sick and compensatory leave are not eligible for donation.
 - (2) Retain a minimum annual leave balance of 120 hours after the donation.
 - (3) Complete a Crisis Leave Donation Form located on the "Forms and Job Aids" Human Resources intranet web page, and submit the form to the HQ HR Employee Relations Unit.
- D. Donated hours will be deducted from the employee's annual leave balance and transferred to the crisis leave pool the first pay period following the approved donation. Donated leave will not be restored or returned to the donor once the leave is transferred.

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4. ELIGIBILITY TO RECEIVE CRISIS LEAVE

- A. An employee is not required to contribute to the crisis leave pool to be eligible to receive crisis leave. An employee may be eligible to receive crisis leave if all of the following requirements are met:
- (1) The eligible employee or employee's eligible family member suffers from a catastrophic illness or injury.
 - (2) The employee has exhausted all appropriate leave balances (compensatory leave, annual leave, and/or sick leave), or if exhaustion of such leave is imminent.
 - (3) The employee has not received an improvement letter for unsatisfactory attendance within the previous 18 months. In accordance with Civil Service Rule 12.9, an improvement letter is considered a letter of warning, counseling, coaching, or reprimand, or a supervisory plan.
 - (4) The employee does not have a "Needs improvement/Unsuccessful" rating on his/her most recent PES evaluation.
- B. The Crisis Leave Pool Committee will determine whether crisis leave will be granted and, if granted, the number of hours to be granted. Crisis leave will not be granted to any employee to extend paid leave beyond a total time in continuous leave status of 12 weeks.

If the Crisis Leave Committee denies an eligible employee's crisis leave request, the employee may request that the decision be reconsidered, in writing, to the Human Resources Director within ten (10) days of the notification. The employee must provide justification for the reconsideration. The Undersecretary will make the final decision as to deny or grant the crisis leave. The decision by the Undersecretary is final.

5. PROCEDURE FOR REQUESTING CRISIS LEAVE

- A. Crisis leave requests will only be accepted if there are hours available in the crisis leave pool when the request is submitted. Requests will be considered on a first-come, first-serve basis.
- B. An eligible employee may request up to 240 hours of crisis leave during a calendar year.

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- C. When possible, crisis leave requests should be submitted at least 14 days before the crisis leave is needed.
- D. An employee may request crisis leave by completing a Crisis Leave Request Form located on the "Forms and Job Aids" Human Resources intranet web page. Upon completion, and after obtaining his/her Appointing Authority's signature, the employee must have his/her licensed healthcare provider complete the "Licensed Healthcare Provider" portion of the request. The completed request and any supporting documentation should be submitted to the HQ HR Employee Relations Unit in an envelope marked "Confidential."
- E. Requests that are incomplete will be returned without action to the employee along with the reason for the return. The employee will have to resubmit the request to be considered for crisis leave. Requests are considered on a first-come, first-serve basis, so it is imperative that the necessary information and documentation is provided initially.

6. CHANGE IN CRISIS LEAVE STATUS

- A. The crisis leave hours granted may only be used for the medical condition(s) stated in the approved request. If there is a change in the nature or severity of the illness or injury or any other factor on which the approval was based, the employee must immediately provide documentation describing the change to the HQ HR Employee Relations Unit.
- B. There shall be no extensions for crisis leave; however, if necessary, the employee may submit another request for crisis leave subject to the limits stated in this policy.
- C. Employees who can return to work before exhaustion all of the granted crisis leave must return the unused leave to the crisis leave pool.

7. COMPENSATION

- A. An employee using crisis leave shall receive leave in sufficient quantity to ensure his/her wage replacement is 75% of the pay he/she would receive in a regularly scheduled workweek. For full-time employees, this is equivalent to 30 hours per week.
- B. An employee shall not accrue paid leave while receiving crisis leave.

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8. ENFORCEMENT

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

A handwritten signature in black ink, appearing to read 'Shawn D. Wilson', with a stylized flourish at the end.

Shawn D. Wilson, Ph.D.
Secretary