

LETA		POLICY No. 15
		EFFECTIVE DATE: 10/8/03
Subject:	CRISIS LEAVE POLICY	REVIEW:
Source:	Executive Director	REVISION:
		REVISED:

POLICY

It shall be the policy of the Louisiana Educational Television Authority to implement and administer a pool of shared annual leave which may be used by employees who cannot work due to a crisis situation and who have insufficient appropriate paid leave to cover the absence needed for the crisis situation. This policy shall be administered in accordance with Civil Service Rule 11.34, Crisis Leave Pool. The Crisis Leave Pool shall consist of annual leave hours voluntarily donated, transferred and used by eligible employees on an hourly value rather than a dollar value.

PURPOSE

The Crisis Leave Program is established as a means of providing paid leave to eligible classified employees who have experienced a catastrophic illness or injury to themselves or eligible family member. The intent of the program is to assist employees who, through no fault of their own, have insufficient paid leave to cover the crisis leave period.

DEFINITIONS:

Eligible employee – a classified employee of the Louisiana Educational Television Authority who has attained permanent status and is eligible to earn annual leave may donate or use crisis leave.

Eligible family member – is defined as:

- a spouse, child or parent 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, or
- a spouse, child or parent not living in the same household but is totally dependent upon the employee for personal care or services on a continuing basis.

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

- affects 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 and forces the employee to have exhausted appropriate leave and places them in a Leave Without Pay (LWOP) status. This may have been caused by a previous catastrophic illness or injury to qualifying employee or a qualifying catastrophe that has caused the employee to be unable to perform his/her duties for a period of more than ten (10) consecutive days. This will be decided by the Crisis Leave Committee.

Leave Pool Manager - Human Resources Director

Crisis Leave Committee – The Committee shall be comprised of the three current Ombudsman, elected annually by the staff and the Leave Pool Manager. The committee acts to support the administration of the Crisis Leave Program, by reviewing all “Request for Crisis Leave” forms and determining from the information provided if the employee is eligible to receive leave from the Crisis Leave Pool.

Eligibility Requirements

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

- the employee has attained permanent status and the employee or employee’s eligible family member suffers from a catastrophic illness or injury; and
- the employee has exhausted all paid leave as applicable under Civil Services rules for leave usage.
- the employee has a satisfactory attendance record with no history of leave abuse, and is not absent from work due to disciplinary reasons, and
- the illness or injury is not occupationally related (therefore making that employee eligible for workers’ compensation) or the illness or injury was not attained in the commission of an assault or felony;
- the employee has provided the appropriate documentation to the Leave Pool Manager.

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave.

The amount of crisis leave granted for each catastrophic illness or injury is determined by the Crisis Leave Committee. The amount of leave granted will generally reflect the recommendations of the documentation of the crisis, subject to the following terms:

- a maximum of 240 hours may be granted to an employee per calendar year
- crisis leave may not be granted to an 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 and the employee will not accrue leave while using crisis leave
- the total amount of leave granted will not exceed the balance of hours in the leave pool at the time of the employee’s request.

Donation Procedures

Contributions to the Crisis Leave Pool are strictly voluntary, no employee shall be coerced or pressured to donate leave. An employee donating to the pool may not designate a particular employee to receive the donated time. Once annual leave is donated, the employee may not request to have it returned to his/her personal leave balance. Donations are accumulated in the pool and awarded on a first-come, first served basis to eligible employees. Donations are limited to the following terms:

- an employee may donate a minimum of 4 hours of **annual 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, and
- donations are limited to 240 hours of **annual leave** per employee per calendar year

The employee must complete a donation to crisis leave form and designate the leave as a “Donation to the Crisis Leave Pool”. This form should be turned in to the Crisis Leave Pool Manager. The manager will sign and date form on the date received. All donation forms will be kept in a file in the Human Resource Office.

Request Procedures

An employee may request leave from the Crisis Leave Pool by completing a Crisis Leave Request Form and submitting it to the Crisis Leave Manager. The request **must** also be accompanied by the employee’s Family & Medical Leave Act Request , if the employee is not currently on FMLA.(This means that the employee must also qualify for FMLA, having been employed for a 12-month period). The employee requesting the leave must provide all requested and appropriate information necessary for the Committee to determine eligibility.

All requests for crisis leave must be treated as confidential. All requests and documentation must be submitted in envelopes marked “confidential”. Requests proceed directly to the Leave Pool Manager for approval or disapproval.

Each request will be stamped time-and-day upon receipt by the Leave Pool Manager, and handled on a first-come, first-served basis. When possible, a request is to be submitted at least 7 days before the crisis leave is needed. The Leave Pool Committee is allowed 5 working days from the date a request is received (with the required documentation) to approve all or part of the request, or deny the request, and communicate such approval or denial to the employee. The employee will receive written notification of approval or denial. The decision of the Committee is ***final and not subject to appeal*** and will be forwarded to the Executive Director.

If the employee becomes eligible for the crisis leave, but the pool of leave is exhausted, the agency may make a general request for leave donations. Once donated, leave may be used to meet the requirements of the eligible employee. If the employee does not need all of the leave which has been donated, the leave shall remain in the pool and will be available to other employees. Any approved crisis leave used is documented in accordance with the same procedures as regular paid leave taken by the employee.

Status Changes

Crisis leave is used to cover only the circumstances for which it was requested. If changes occur in the nature or severity of the illness or injury or any other factor upon which the approval was based, the employee must provide documentation describing the change to the Leave Pool Manager. Extensions on crisis leave may be requested subject to the limits outlined above; extensions of crisis leave are not automatic and must be approved on a first-come, first-serve basis.

Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the approved request. The use of leave from the 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.

Compensation

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