

DEPARTMENT OF NATURAL RESOURCES

HUMAN RESOURCES POLICY NO.: 8-A

EFFECTIVE DATE: SEPTEMBER 1, 2021

SUBJECT: CRISIS LEAVE POOL

AUTHORIZATION: THOMAS F. HARRIS, SECRETARY

I. POLICY

In accordance with State Civil Service Rule 11.34, it is the policy of the Department of Natural Resources (DNR) to provide an opportunity for employees to assist fellow employees in need of paid leave to cover a catastrophic illness or injury affecting the employee personally or affecting an eligible family member.

II. PURPOSE

This policy provides guidelines for administering DNR's Crisis Leave Pool which affords paid leave to an eligible employee who has personally experienced a catastrophic illness or injury or whose eligible family member has experienced a catastrophic illness or injury.

III. APPLICABILITY

This policy applies to all eligible employees of the Department.

IV. DEFINITIONS

Eligible Employee – A full-time, permanent employee who is serving in a leave earning, benefits eligible appointment. Such employees will be allowed to donate or use crisis leave.

Eligible Family Member - An employee's spouse, minor child or adult child incapable of self-care.

Medical Service Provider (MSP) – Medical doctors and doctors of osteopathy authorized to practice medicine or surgery by the state in which the doctor practices. Also includes other healthcare providers who hold the appropriate license/credential and from whom the Crisis Leave Pool Committee will accept certification of the existence of a catastrophic illness or injury.

Catastrophic Illness or Injury - A severe and sudden condition or combination of conditions that:

1. Affect the physical or mental health of the employee or the employee's eligible family member;
2. Requires the services of a MSP for a prolonged period of time;
3. Prevents the employee from performing duties for a period of more than ten (10) consecutive days; and,
4. Will cause the employee to exhaust all appropriate leave.

Examples include but are not limited to: cancer diagnosis and related treatment/surgery; accident requiring hospitalization and/or surgery; etc.

NOTE: Given that "catastrophic" refers to conditions which are sudden and disastrous, this policy is not designed to address the exhaustion of paid leave as a result of chronic conditions which are known in advance, which can be planned for and/or which exhaust paid leave incrementally over a prolonged period of time.

Crisis Leave Pool Manager - Human Resources Director or designee.

Crisis Leave Pool Committee – Comprised of five members, including the Crisis Leave Pool Manager and one employee appointed by the Appointing Authority from the Office of the Secretary, Office of Coastal Management, Office of Conservation and Office of Mineral Resources.

V. ELIGIBILITY REQUIREMENTS

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

1. The employee or employee's eligible family member suffers from a catastrophic illness or injury;
2. The employee has exhausted all appropriate leave or exhaustion of such leave is imminent;
3. The employee has satisfactory attendance and disciplinary records; and,
4. Sufficient documentation from the employee and MSP have been provided to the Crisis Leave Pool Committee for review.

The Crisis Leave Pool Committee will determine the amount of leave to be granted for the catastrophic illness or injury. The amount of leave granted to an employee may reflect the recommendations of the MSP, subject to the following limitations:

- A maximum of 240 hours of leave may be requested by an employee during one calendar year;
- The monetary value of the annual leave used as crisis leave shall be 75% of the employee's pay received in a regular workweek;
- If the employee's initial request and the annual leave granted are less than the 240-hour cap, the employee may request additional crisis leave, subject to the 240-hour cap

NOTE OF CAUTION: The granting of crisis leave is not automatic. Whether crisis leave will be granted and, if granted, how many hours will be granted are determined at the discretion of the Crisis Leave Committee. Employees should be mindful of the provisions of Civil Service Rule 12.6(a)1 which provides that an employee may be non-disciplinarily removed for exhaustion of sick leave if unable to report for duty or perform customary job responsibilities. For this reason, employees should conserve sick leave and utilize such only for the duration of time absolutely necessary.

VI. CHANGES IN STATUS AFFECTING CRISIS LEAVE

Crisis leave is intended to cover only the circumstance for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor upon which the approval was based, the employee must notify and provide documentation describing the change in circumstance to the Crisis Leave Pool Manager.

Employees are encouraged to make every possible effort to return to work prior to exhaustion of the granted crisis leave. When this occurs, the unused leave will be returned to the crisis leave pool, with the employee retaining eligibility to re-apply during the applicable time period in the event of a recurrence of a qualifying catastrophic illness or injury.

VII. PROCEDURES

A. Donation Procedure

Contributions to the Crisis Leave Pool are strictly voluntary and no employee shall be coerced or pressured to donate leave. Only eligible employees may donate to the Crisis Leave Pool.

To donate leave, an eligible employee must submit the donation by email with "Donation to the Crisis Leave Pool" as the subject line. This email must include the number of hours to be donated and should be sent to the

Human Resources Director, as the Crisis Leave Pool Manager. The donated hours will be deducted from the employee's annual leave balance and credited to the Crisis Leave Pool the first pay period following receipt of the approved leave form.

Donations are accumulated in the pool on a calendar year basis and awarded on a first-come, first-served basis to eligible employees. Unused crisis leave is rolled forward to the next calendar year. Donations are not automatic. If an employee chooses to make a donation in consecutive years, a donation leave slip must be submitted each year.

Donations are limited as follows:

- Only annual leave may be donated;
- The minimum acceptable donation is four (4) hours;
- Donations must be in whole-hour increments;
- The donor must retain a balance of at least 120 hours of annual leave after the contribution;
- Donations are limited to 240 hours of annual leave per employee per calendar year;
- An employee donating to the pool may not designate a particular employee to receive donated leave; and,
- Leave usage under this policy must be documented in accordance with the procedure utilized for regular paid leave taken by the employee.

B. Request Procedure

An employee may request leave from the Crisis Leave Pool by submitting a written request to the Human Resources Director. This request must include:

1. The beginning date of the catastrophic illness or injury;
2. Sufficient descriptive information for the Crisis Leave Pool Committee to determine whether the request is related to a qualifying catastrophic illness or injury;
3. Medical documentation from the MSP certifying the need for leave and the nature of the catastrophic illness or injury; and,
4. The employee's anticipated return to work date.

NOTE: The Crisis Leave Pool Manager and Crisis Leave Pool Committee will handle all requests for crisis leave in strict confidence, with information related thereto released only on a

need-to-know basis. All requests for leave and related documents should be transmitted in envelopes marked "Confidential."

Each request for leave will be stamped with the time and day upon receipt by the Crisis Leave Pool Manager. The request for leave should be submitted at least ten days before paid leave is exhausted and crisis leave is to commence to permit ample time for the Crisis Leave Pool Committee to convene to consider the request.

The employee will be timely notified of the Crisis Leave Pool Committee's decision. If the request is approved, the approved leave will be credited to the employee's leave record and deducted from the balance of the Crisis Leave Pool. The employee's supervisor and primary timekeeper will be notified of the approved leave usage.

VIII. COMPENSATION AND BENEFITS

- Annual leave donated to the Crisis Leave Pool 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, thus continuing to receive benefits, as appropriate; however, employees off from work on crisis leave are not eligible to accrue annual or sick leave.
- In accordance with Civil Service Rule 11.34, the wage replacement allowed under this policy is 75% of the pay the employee would have received in a regularly scheduled workweek. For full-time employees, this is equivalent to 30 hours/week.

IX. 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 review, appeal or challenge.

X. 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 this leave privilege will be addressed through the disciplinary process.

XI. EXCEPTIONS

There will be no exceptions to this policy.

XII. QUESTIONS

Questions regarding this policy should be addressed to the Human Resources Director.

THOMAS F. HARRIS, SECRETARY

INITIAL ISSUE DATE: 04/02

REVISION DATES: 10/10; 03/13; 06/15; 09/21