



Crisis Leave Pool Policy

Policy

Responsible Executive: Vice President for
Administration and Finance

Responsible Office: Human Resources

Originally Issued: March 26, 2015

Latest Revision:

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I. Policy Statement

It is the policy of the University to establish a Crisis Leave Pool Program to provide an opportunity for eligible employees to assist fellow employees who are unable to work because of a crisis situation and who need paid leave to cover the crisis situation.

II. Purpose of Policy

The purpose of the Crisis Leave Pool Policy is to establish and administer a pool of annual leave that may be used by eligible employees who are unable to work due to their own serious health condition or the serious health condition of an eligible family member.

The intent of the program is to assist eligible employees who, through no fault of their own, have insufficient appropriate paid leave balances to cover the crisis leave period.

III. Applicability

This policy shall apply to full-time employees who are eligible to earn annual leave in accordance with University policy and procedure and to classified employees who have attained permanent status.

IV. Definitions

✿ **Crisis Leave:** Annual leave hours donated by permanent classified and full-time employees, who are eligible to earn annual leave, into a crisis leave pool to be used by fellow employees who are suffering from their own serious illness or injury or having to provide care for an eligible family member that is suffering from their own serious health condition or injury, which will cause the

employee to take leave without pay or terminate employment. Employees may make an irrevocable donation of accrued annual leave to the crisis leave pool.

- ✦ Crisis Leave Value: Annual leave granted as crisis leave shall not exceed 75% of the employee's pay received in a regular workweek.
- ✦ Crisis Leave Committee: The committee shall be comprised of five (5) staff members, the Chief Human Resource Officer and the Payroll Director. The President shall appoint the five (5) staff members. The President shall also appoint the chair of the committee from the five (5) staff members selected. The committee will serve to administer the Crisis Leave Pool. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Pool. The Chief Human Resource Officer and the Payroll Director shall serve in an ex-officio, non-voting capacity on the committee.
- ✦ Crisis Leave Pool: A program authorized by the Louisiana Department of Civil Service Rule 11.34 by which state agencies are allowed to implement and administer a pool of shared annual leave which may be used by employees who cannot work due to certain crisis situations and who have insufficient appropriate leave to cover their absence.
- ✦ Crisis Leave Pool Policy Year: Calendar year beginning January 1 and ending December 31.
- ✦ Eligible Employee: A full-time employee of the University who is eligible to earn annual leave in accordance with University policy and procedure. Classified employees must have attained permanent status to be allowed to donate or use crisis leave.
- ✦ 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; or 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.
- ✦ Leave Pool Manager: An employee in payroll will have the responsibility of managing donations and transfers for appropriate credit to leave balances for payroll purposes.
- ✦ Licensed Medical Service Provider (LMSP): A practitioner, as defined in the Louisiana State Licensing Law (relative to that LSMP'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, a doctor of Osteopathy or DO, or licensed chiropractors, counselors, or therapists as recognized and licensed by the appropriate state boards or authorities.
- ✦ Serious Health Condition: Defined by the Family Medical Leave Act as an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job that involves:
 1. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 2. Any period of incapacity requiring absence from work, school, or other regular daily activities for more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider; or
 3. Continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are not “serious health conditions”, unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions are met (1, 2, or 3). Treatment for allergies or stress, or for substance abuse, are serious health conditions if any of the other conditions are met (1, 2, or 3). Routine preventive physical examinations are excluded.

V. Policy Procedure

A. Donations of Leave:

1. General Information/Requirements:

Contributions to the Crisis Leave Pool are strictly voluntary. No employee shall be coerced or pressured to make contributions to the Crisis Leave Pool. Employees donating to the pool may not designate a particular employee to receive donated leave. Donations are accumulated in the pool and are awarded on a first-come, first-served basis to eligible employees.

Donations may be made at any time during the Crisis Leave Pool Policy Year, but are limited to the following terms:

- a. Only full-time employees who are eligible to earn annual leave in accordance with University policy and procedure and classified employees with permanent status may donate leave.
- b. An eligible employee may donate a minimum of 4 hours of annual leave and a maximum of 240 hours of annual leave per calendar year (**may not donate sick or compensatory leave**). The donor must have a minimum balance of at least eighty (80) hours of annual leave remaining after the donation.
- c. A Leave donation is irrevocable and will not be restored or returned to the donor once the leave has been transferred to the pool. The pool will be administered as leave hours donated and used.

2. B. Donation Procedures:

- a. The eligible employee must complete the Crisis Leave Donation Form indicating the number of hours of annual leave to be transferred to the Crisis Leave Pool and forward it to the Leave Pool Manager for review and approval.
- b. The Leave Pool Manager ensures that the form has been properly completed and signed, and that the employee will have a sufficient remaining annual leave balance after the donation is made. If these conditions are met, the Leave Pool Manager approves the application.
- c. The Leave Pool Manager will process the deduction of the authorized hours of annual leave from the employee’s balance and transfer the leave to the Crisis Leave Pool. A copy of the approved application is then forwarded to the donating employee to verify that the transfer of leave has been processed.

B. Crisis Leave Requests:

1. Eligibility Requirements:

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

- a. (i) Employee must be a full-time employee who is eligible to earn annual leave in accordance with University policy and procedure; and
(ii) Classified employees must have attained permanent status; and
- b. Employee must have completed at least one year of service (12 months) with the University; and
- c. Employee must have exhausted all of his/her sick leave (if for own serious health condition), annual leave (if for own serious health condition or eligible family member's serious health condition), and compensatory leave before requesting crisis leave; and
- d. Employee or eligible family member must suffer from a Serious Health Condition as defined in this policy; and
- e. Employee must have a good attendance record (no documented history of leave abuse) and is not absent from work due to disciplinary reasons; and
- f. Employees receiving workers compensation or benefits from a long-term disability insurance policy are not eligible to participate; and
- g. Employee must provide appropriate documentation from a Licensed Medical Service Provider as defined in this policy.

2. Crisis Leave Request Procedures:

An eligible employee may request up to 240 hours of annual leave from the Crisis Leave Pool anytime during the Crisis Leave Pool Policy Year. Whenever possible, requests should be submitted at least ten (10) days before the Crisis Leave is needed.

The procedures for requesting Crisis Leave from the Crisis Leave Pool are as follows:

- a. An eligible employee may request annual leave from the Crisis Leave Pool by the submission of a letter, a Crisis Leave Request Form, and a statement from the employee's or family member's Licensed Medical Service Provider. The documentation shall include the following:
 - i. Beginning date of the illness or injury; and
 - ii. Detailed description of the illness or injury, including any requested information useful in making a final determination of eligibility; and
 - iii. Prognosis for recovery, if the request is for an employee; and
 - iv. Anticipated return to work date; and
 - v. Documentation, as requested by the Chief Human Resource Officer, to establish eligibility of a family member (birth certificate, marriage license, adoption papers, etc.).

- b. The request and accompanying documentation is submitted to the Chief Human Resource Officer. Each request shall be stamped with the time and day upon receipt, by the Chief Human Resource Officer, and handled on a first-come, first-served basis. All requests for crisis leave shall be treated as confidential.
- c. The Chief Human Resource Officer will review to ensure that the employee meets the eligibility requirements for crisis leave.
- d. Upon verification of eligibility, the Chief Human Resource Officer will schedule a meeting with the Crisis Leave Committee to review the request. The committee will review the request and either approve all or part of the leave request, or deny the request. The Chief Human Resource Officer will issue an approval or denial in writing to the employee.
- e. If the request is approved, the Chief Human Resource Officer notifies the Leave Pool Manager to transfer the approved amount of crisis leave to the appropriate employee's leave balance. Any approved crisis leave is used and documented in accordance with the same procedures used for regular paid leave taken by the employee.

C. Limitations on Crisis Leave:

The Crisis Leave Committee will determine the amount of crisis leave granted for each serious health condition. The amount of leave granted will generally reflect the recommendations of a Licensed Medical Service Provider and is subject to the following limitations:

- a. A maximum of 240 hours may be requested by an employee in a calendar year;
- b. Crisis leave may not be granted to an employee to extend paid leave status beyond a total time in leave status of 12 weeks;
- c. An employee granted crisis leave will receive leave that ensures wage replacement of 75% of their regularly scheduled work week. The value of annual leave granted as crisis leave may not exceed 75% of the employee's pay received in a regular workweek. The remaining 25% shall be leave without pay (LWOP).

D. Changes in Status Affecting Crisis Leave:

Crisis leave should only be used for the purpose for which it was originally requested. If any change in the nature or severity of the serious health condition occurs, or any other factor in which the approval was based, the employee must provide documentation describing the change to the Chief Human Resource Officer for review. The employee may request additional crisis leave subject to the limits outlined in this policy; however, extensions of crisis leave are not automatic. Each request for an extension will be addressed on a first-come, first-served basis.

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 being paid from crisis leave will be considered in partial pay status and will continue to receive benefits as appropriate.

An employee on crisis leave shall not accrue annual or sick leave while using donated leave from the Crisis Leave Pool. 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.

F. Appeals:

The decision to approve or deny crisis leave by the Crisis Leave Committee is final and not subject to appeal.

VI. Enforcement

The use of crisis leave that is not in accordance with the procedures and requirements outlined in this policy may constitute payroll fraud and will be dealt with accordingly.

VII. Policy Management

The Vice President for Administration and Finance shall be the Responsible Executive for the management of this Policy. The Office of Human Resources shall be the Responsible Office in charge of maintaining this Policy.

VIII. Exclusions

There will be no exceptions to this policy.

IX. Effective Date

Approval of the Crisis Leave Pool Policy was granted by the State Civil Service Commission with an Effective Date of May 6, 2015.

X. Adoption

This policy is hereby adopted on this 26th day of March, 2015.

/s E. Joseph Savoie

E. Joseph Savoie
President

XI. Appendices, References and Related Materials

Crisis Leave Pool Donation Form
Crisis Leave Pool Request Form
Act 1008 of the 1992 Regular Session of the Legislature
Senate Concurrent Resolution 54 of the 1997 Regular Session of the Legislature
Louisiana Civil Service Rule 11.34, Crisis Leave Pool
Louisiana Civil Service Rule 11:5(a), Earning of Annual and Sick Leave

XII. Revision History

Approval Date: This Policy was approved on March 26, 2015.

Effective Date: This Policy will have an effective date of May 6, 2015 as this is the date that the Louisiana State Civil Service Commission granted and approved the request of the University of

Louisiana at Lafayette to establish a Crisis Leave Pool Policy, in accordance with State Civil Service Rule 11.34.

Revised: This Policy was revised on May 11, 2015 to add the effective date of May 6, 2015.