


Crisis Leave Pool

	Louisiana Department of Health (LDH)	
	Policy Number	26.2
	Content	Guidelines for Administration of a Crisis Leave Pool in Accordance with Civil Service Rule 11:34 and Act 1008 of the 1992 Louisiana Legislative Session
	Effective Date	March 05, 2014
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If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/override/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

It is the policy of the Louisiana Department of Health to provide an opportunity for employees to assist fellow employees who need paid leave to cover a crisis period by implementation of a crisis leave pool in accordance with Civil Service Rule 11:34 and Act 1008 of the 1992 Legislative Session.

II. PURPOSE

This policy provides the guidelines for the administration of a crisis leave pool. A crisis leave pool is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to himself or herself.

III. APPLICABILITY

This policy applies to classified state employees with permanent status within the Department and unclassified employees in leave-earning positions.

IV. EFFECTIVE DATE

The effective date of this policy is March 05, 2014.

V. DEFINITIONS

- A. Eligible Employee – a permanent classified employee of the Louisiana Department of Health who is eligible to earn annual leave or an unclassified employee in a leave-earning position. Classified employees must have attained permanent status to donate or use crisis leave.
- B. Licensed Medical Service Provider (LMSP) – a practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP’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, doctor of osteopathy or DO, or licensed chiropractors, counselors, or therapists as recognized and licensed by appropriate State boards or authorities.
- C. Catastrophic Injury or Illness – a severe illness or injury that could potentially be life-threatening and that:
 - 1. Affects the physical or mental health of the employee; and
 - 2. Requires the services of a licensed medical service provider for a prolonged period of time; and
 - 3. Prevents the employee from performing his/her duties for a period of more than ten consecutive days and forces the employee to exhaust all appropriate leave and to lose compensation from the State.
- D. Life-threatening – An illness or injury that subjects a person to an immense possibility of death. It is important to note that uncomplicated medical conditions such as broken limbs, pregnancy, joint replacements, bariatric surgery or similar ailments in and of themselves are not life-threatening and will not be considered as such for purposes of this policy.
- E. Crisis Leave Pool Manager - Human Resources Director or designee.
- F. Crisis Leave Pool Committee – The Committee shall be comprised of five members, one each appointed by the Secretary, Deputy Secretary, Undersecretary, Deputy Undersecretary and Medicaid Director. For a request to be granted, approval must be obtained from at least three of the five committee members.

VI. REQUIREMENTS

- A. An employee may apply to receive crisis leave if all the following requirements are met:
 - 1. The employee is a permanent classified employee or an unclassified employee in a leave-earning position.
 - 2. The employee suffers from a catastrophic illness or injury; and
 - 3. The employee has exhausted all appropriate leave; and
 - 4. The employee has not been put on notice regarding unsatisfactory attendance and/or unscheduled absences; and
 - 5. The employee is not absent from work due to disciplinary reasons and/or has not been given a pre-deprivation letter for any reason; and
 - 6. The appropriate documentation from a LMSP is provided to the crisis leave pool manager.
- B. An employee is not required to contribute to the crisis leave pool to be eligible to receive crisis leave.

VII. PROCEDURES

- A. **Donation Procedures**

Contributions to the crisis leave pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. Only classified employees with permanent status and full-time employees who serve in a leave earning, benefits eligible appointment may donate to the crisis leave pool. An employee donating to the pool may not designate a particular employee to receive donated time. 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 resubmitted. Donations are subject to the following terms:

 - 1. An employee may donate a minimum of four hours of annual leave (no sick or compensatory leave). Donations shall be made in whole hour increments.

2. The donor must have a balance of at least 120 hours of annual leave remaining after the contribution.
3. Donations are limited to 240 hours of annual leave per employee per calendar year.
4. The employee must complete a leave form and designate the leave as a "Donation to the Crisis Leave Pool." This form should be turned in to the immediate supervisor for approval, who then forwards the slip to the crisis leave pool manager.
5. Donations made shall be deducted from the employee's leave balance and credited to the crisis leave pool the first pay period following receipt of the approved leave slip.

C. Request Procedures

1. An employee may request leave from the crisis leave pool by the submission of a letter to the crisis leave pool manager. The request must be accompanied by the employee's Licensed Medical Service Provider (LMSP) statement. The documentation must include:
 - a. The number of hours of crisis leave being requested, and
 - b. Beginning date of the catastrophic illness or injury, and
 - c. Detailed description of the catastrophic illness or injury, including any requested information useful in making a final determination of eligibility, and
 - d. Anticipated return to work date.
2. The employee shall send the request and accompanying documentation directly to the crisis leave pool manager. The crisis leave pool manager shall notify the employee's supervisor that the employee has submitted the request for crisis leave.
3. All requests for crisis leave must be treated as confidential. All requests and documentation for crisis leave are submitted in envelopes marked "confidential."
4. The request is to be submitted at least ten days before the crisis leave is needed. This is necessary to allow the crisis leave pool committee sufficient time to receive/approve all or part of the request, or deny the request, and communicate such approval or denial to the employee, the

employee's immediate supervisor and primary time administrator.

5. The employee requesting crisis leave must provide all required information necessary to make a final determination of eligibility; otherwise, the crisis leave pool manager shall return the request without action along with the reason for the return. The employee shall have the opportunity to correct the submission and resubmit the request.

D. Review Procedures

1. Each request shall be stamped with the time and date upon receipt by the crisis leave pool manager, and handled on a first-come, first-served basis.
2. The crisis leave pool manager shall review the request to make sure that the employee is eligible and has met all the requirements to apply for crisis leave. If the employee is not eligible or has not met the requirements the crisis leave pool manager shall return the request without action along with the reason for the return. The employee shall have the opportunity to correct the submission and resubmit the request.
3. Crisis Leave Committee Meeting - Upon acceptance of a crisis leave request the crisis leave pool manager shall schedule a meeting of the crisis leave pool committee as soon as possible. During the meeting (and not before) the crisis leave pool manager shall provide confidential copies of the request and supporting documentation to the members in sealed envelopes that are opened only in the presence of the crisis leave pool manager. A quorum of three committee members is required to conduct a crisis leave pool meeting and a simple majority vote determines whether the crisis leave is approved or disapproved. In the event of a tie, the crisis leave pool manager shall cast the deciding vote. At the conclusion of the meeting, the crisis leave pool manager shall collect all copies of the request and documentation and shred them immediately.
4. The crisis leave pool committee determines the amount of crisis leave (if any) granted for each catastrophic illness or injury, subject to the following limits:

- a. A maximum of 240 hours of crisis leave may be used by an employee during one calendar year.
 - b. An employee using crisis leave shall receive leave in sufficient quantity to ensure his wage replacement is at least 75% of the pay he would receive in a regularly scheduled workweek.
5. If the request is approved, the crisis leave pool manager shall credit the approved time to the employee's leave balance. Any approved crisis leave is to be used and documented in accordance with the same procedures as regular paid leave taken by the employee.
 6. The decision to approve or deny crisis leave by the crisis leave pool committee is final and not subject to appeal.
 7. The crisis leave pool manager shall notify the employee and his/her supervisor of all actions taken as a result of the employee's request for crisis leave.

E. Changes in Status Affecting Crisis Leave

1. The granting of crisis leave is meant to cover only the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the crisis leave pool manager.
2. There shall be no extensions of crisis leave; however, if necessary, the employee may submit another request for crisis leave subject to the limits and procedures outlined above.
3. Hours granted from the crisis leave pool may be used only for reasons stipulated in the approved request. The use of crisis leave that is not in accordance with procedures and requirements outlined in this policy may constitute payroll fraud and shall be dealt with accordingly.
4. 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. Compensation and Benefits

1. Crisis leave shall be awarded hour for hour regardless of the giving or receiving employee's rate of pay.

2. An employee in crisis leave status shall be considered in full or partial paid leave status and continue to receive benefits as appropriate.
3. Employees on crisis leave shall not accrue leave on donated leave.

VIII. DISCIPLINARY ACTIONS

Violations of this policy may result in disciplinary action up to and including dismissal.

IX. REFERENCES

LDH Policy #28 – Leave for Classified Employees

X. REVISION HISTORY

Revisions of this policy must be approved by the Civil Service Commission prior to implementation.

Date	Revision
February 22, 2006	Policy created
March 05, 2014	Policy revised
September 4, 2019	Policy reviewed – no changes