XVII. CRISIS LEAVE PROGRAM

A. Purpose

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has 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.

B. Crisis Leave Terms

Within the context of crisis leave, terms have the meanings indicated below:

1. Eligible employee is an employee of Louisiana State University (the "University") who is eligible to earn annual leave in accordance with section IV of this policy. Classified employees must have attained permanent status to donate or use crisis leave.

2. Eligible family member:

   a. 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
   b. 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.

3. Licensed Medical Service Provider (LMSP) is 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 M.D., doctor of osteopathy or D.O., or licensed Chiropractors, Counselors, or Therapists as recognized and licensed by appropriate state boards or authorities.

4. Catastrophic Injury or Illness is a severe condition or combination of conditions that:

   a. affects the physical or mental health of the employee or the employee's eligible family member; and

   b. requires the services of a licensed medical service provider for a prolonged period of time; and

   c. 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 described in other parts of this policy and to lose compensation from the state.

5. Leave Pool Manager is the Executive Director of Human Resource Management (HRM) or his/her designee.

6. Crisis Leave Committee is a committee comprised of three members (staff and/or faculty) and the Leave Pool Manager or designee. The Committee acts to support the administration of the Crisis Leave program, review the pool and program management practices by the Leave Pool Manager. When not otherwise specified in

written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Program.

C. Eligibility Requirements

An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive crisis leave. An eligible employee may apply to receive crisis leave if the following requirements are met:

1. the employee or employee's eligible family member suffers from a catastrophic illness or injury; and

2. the employee has exhausted all appropriate leave in accordance with this policy; and

3. the employee has exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons; and

4. the catastrophic injury or illness is not occupationally related (therefore making that employee eligible for workers' compensation) or was not attained in the commission of an assault or felony; and

5. the appropriate documentation from a LMSP is provided to the Leave Pool Manager.

D. Amount of Crisis Leave that May Be Approved

The amount of crisis leave granted for each catastrophic illness or injury is determined by the Leave Pool Manager. The amount of leave granted to an employee will generally reflect the recommendations of the LMSP, subject to the following limits:

1. a maximum of 240 hours may be granted to an eligible employee during one calendar year;

2. crisis leave may not be granted to any individual to extend paid leave status beyond a total time in leave status of 12 weeks;

3. 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;

4. 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.

E. 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 donated time. The donor must complete a *Donation to Crisis Leave* form and submit it to his/her department/unit leavekeeper who forwards the form to the Leave Pool Manager. Donations are accumulated in the pool and awarded on a first-come, first-served basis to eligible employees. Donations are restricted as follows:

1. an employee may donate a minimum of 4 hours of annual leave, donations beyond 4 hours must be made in whole hour increments;

2. normally, 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. donations are limited to 120 hours of annual leave upon separation or retirement.

F. Request Procedures

An employee may request leave from the Crisis Leave Pool by completing a *Crisis Leave Request* form. The request must be submitted to the Leave Pool Manager with a copy of the employee's *Certification of Physician or Practitioner* (FMLA-1) form. The Leave Pool Manager reviews the request to make sure that the employee is eligible to receive crisis leave. The employee requesting crisis leave must provide all requested information necessary to make a final determination of eligibility.

G. Confidentiality of Requests

All requests for crisis leave must be treated as confidential. All requests and documentation for crisis leave are to be submitted in envelopes marked "confidential."

H. Adjudication of Requests

Each request will be stamped with date and time received by the Leave Pool Manager, and handled on a first-come, first-served basis. When possible, a request is to be submitted at least 10 days before the crisis leave is needed. The Leave Pool Manager is allowed five 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.

If the request is approved, the Leave Pool Manager will credit the approved time to the employee's leave record.

I. Use of Crisis Leave

Approved crisis leave is used for a maximum of 75% effort and is documented in accordance with the same procedures as regular paid leave taken by the employee.

J. Changes in Status Affecting Crisis Leave

1. Crisis leave may be used only for 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 Leave Pool Manager. The employee may request additional crisis leave subject to the limits outlined above. Extensions of crisis leave are not automatic. Each request for extension will be addressed on a first-come, first-served basis.

2. Use of leave from the Crisis Leave Pool for reasons other than those stipulated and approved by the Leave Pool Manager and/or failure to abide by procedures and requirements outlined in this policy may constitute payroll fraud and will be addressed accordingly.

3. Employees who are able to return to work before using all crisis leave granted must return the unused crisis leave to the Crisis Leave Pool.

K. Compensation and Benefits

1. Crisis leave will be paid at the receiving employee's rate of pay.

2. An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.

3. Employees on crisis leave will not accrue paid leave.

L. Financial Impact

1. The cost of the crisis leave period will be borne by the recipient's employing unit.

2. HRM will maintain records on crisis leave donated and used on a dollar value basis.

M. Appeals

The decision to approve or deny crisis leave requests by the Leave Pool Manager is final and not subject to appeal.