Subject: CATASTROPHIC LEAVE (CL)

REFERENCES	SECTIONS
DGS Department Manual	Section 1312 http://orpm.dgs.ca.gov/DGSManual/TOC/default.htm
Human Resources Policy Memos	HR 01-033, HR 02-022 http://hr.dgs.ca.gov/PublicationsandResources/HR+Memos.htm
Laws & Regulations	DPA Rules 599.911, 599.913, 599.925 and 599.925.1 Laws: http://www.dpa.ca.gov/statesys/dpa/laws.htm Rules: http://www.dpa.ca.gov/statesys/dpa/oalrules.htm
Memoranda of Understanding (MOU)	See applicable BU Contract http://www.dpa.ca.gov/collbarg/contract/bumenu.shtm
Responsible Control Agency and Program	DPA www.dpa.ca.gov
SPB/DPA Policy Memos	PML 2001-043, 2001-058, and 91-61 http://www.dpa.ca.gov/statesys/dpa/srchfpml.shtm

Catastrophic Leave

Policy

It is the policy of the DGS to grant catastrophic leave to all DGS employees when an employee has exhausted all leave credits and is facing financial hardship due to a catastrophic injury or prolonged illness of him/herself or his/her family member or due to the effect of a natural disaster by providing for donation and transfer of eligible leave credits from other employees.

Eligibility and program requirements

The chart below depicts the eligibility and program requirements for CL:

Type of employee	Who can participate	Duration
Represented	Other represent/non-represented employees	3 months; possible extension
Non-represented	Only other non-represented employees	12 months

Participation in the CL program may be authorized if all the following conditions are met:

- The employee faces financial hardship due to injury or prolonged illness of the employee or eligible family member, or due to a natural disaster.
- The employee has exhausted all leave credits (with the exception of sick leave in the case of a natural disaster).
- The employee's request (GS 903) to participate in the CL program has been reviewed and approved by the employee's supervisor.
- MOUs do not provide for retroactive approval of CL.

Continued on next page

Catastrophic Leave, Continued

Procedures for requesting CL

The following steps/actions chart depict the procedure for requesting CL.

Step	Action
1	Employee In order to participate in the CL program, an employee must submit: • a completed "Catastrophic Leave Request" form, GS 903, to his/her supervisor for authorization to receive donated leave credits, which includes physician's verification of the injury or illness. This should include the general nature of the illness or injury but not the diagnosis. In the case of a natural disaster, documentation that a "State of Emergency" has been declared by the Governor, which states the county affected, should accompany the request. If the request is for transferring leave credits between family members, the required substantiation must be provided as specified in the appropriate Memoranda of Understanding (MOU) or DPA Rule for the type of leave being used, e.g., Family Medical Leave, parental leave, etc. If the original time period authorized for receipt of donated leave credits is subsequently determined inadequate, a request for authorization to receive additional time, accompanied by a physician's verification that additional time off for the catastrophic illness or injury is necessary, may be submitted by the employee for consideration. The approval for receipt of additional leave credits, when added to the credits already received, shall not exceed the maximum time limits.
2	Supervisor Each DGS office (or Board/Commission) is responsible to approve or deny an employee's request to participate in the CL program. The criteria for approval are described in DPA Rules 599.925, 599.925.1, and the appropriate MOU. Supervisors may contact the Classification and Pay (C&P) Analyst for guidance or assistance in determining whether or not an employee is eligible to receive CL donations. No formal approval from the C&P Analyst is required.
3	Requesting Employee's Attendance Clerk The requesting employee's Attendance Clerk shall complete the GS 903 (see sample attached) and distribute the copies as indicated at the bottom of the form.

Continued on next page

Catastrophic Leave, Continued

Publicizing the CL request

The employee's need for donated leave credits is publicized in the form of a memorandum signed by the respective Office Chief and addressed to DGS employees.

- The memorandum should include the employee's name, branch/office/unit, number of hours being requested, and bargaining unit or non-represented status (see sample attached).
- The memo should NOT specifically address the nature of the employee's injury or illness.

The requesting employee's Attendance Clerk distributes the announcement as appropriate, based on input from the employee. If the employee is requesting donations from other departments, a hard copy of the memorandum and "Catastrophic Leave Transfer of Leave Credits for Family Members Donation Form" (GS 905 A Est. 6/2004) (see sample attached) will be sent to the participating departments.

Donor's attendance clerk

The donor's attendance clerk completes his/her section of form(s) GS 905 A (Est. 6/2004) and forwards to recipient's attendance clerk.

Recipient's attendance clerk

The recipient's attendance clerk completes his/her section of form(s) GS 905 A(Est. 6/2004) and forwards to the Personnel Transactions Unit (PTU) for processing.

Personnel Transactions Unit (PTU)

Upon receipt of the CL forms, the Personnel Specialist (PS) in the PTU processes the donations in accordance with policy.

Donations

Eligible leave credits may be donated in accordance with DPA rule and individual bargaining unit agreements. Employees wishing to donate leave credits must:

- Submit a completed GS 905 A(Est. 6/2004), "Catastrophic Leave Transfer of Leave Credits For Family Members Form" to the donor's attendance clerk, and
- Have sufficient leave credits to cover the donation.

Continued on next page

Catastrophic Leave, Continued

Transfer of leave credits

After verifying the donating employee has sufficient leave credits and, in accordance with DPA rule and individual bargaining unit agreements governing the transfer of eligible leave credits, the PS will process donations as follows:

- Donations will be credited in the order received.
- Donations will be posted to the vacation or annual leave balance of the receiving employee up to the approved limit.
- Return donations exceeding the approved limit to the donors.
- Return a hard copy of the GS 905 A (Est. 6/2004) to the donating employee, which will either verify the transfer of leave credits or explain the return of the donation.

Inter-departmental transfer of leave credits

Transfer of eligible leave credits between departments is permissible in accordance with the policies and procedures of the receiving employee's department. The PS will coordinate interdepartmental transfer of leave credits with the Personnel Office involved to ensure a smooth and accurate transfer of leave credits.

Additional information

Donated leave credits may be used to supplement Non-industrial Disability Insurance (NDI), Industrial Disability Leave (IDL), and Workers' Compensation Temporary Disability Leave in accordance with existing DGS policy and procedures. Employees who have leave credits restored as a result of IDL approval will retain the donated leave credits previously received for future supplementation.

Employees receiving CL donations earn state service, retirement benefits, and continue to accrue leave credits. However, as in extended use of leave cases, probationary periods, Special-In-Grade-Salary Adjustments (SISA), Merit Salary Adjustments (MSA), and range changes may be affected by a prolonged absence.

Continued on next page

Catastrophic Leave, Continued

Termination

Participation is terminated when one or more of the following has occurred:

- The specific need no longer exists. The participating employee's supervisor will notify the attendance clerk when the need no longer exists who in turn notifies the PS.
- The employee has received and used donations for the maximum time limits allowed. Three months or, upon approval, up to six months for a represented employee. No more than twelve continuous months for a non-represented employee.

Upon termination of the employee's participation the attendance clerk will notify the affected employee and PS that leave credits are no longer being transferred.

Continued on next page

Definitions

Catastrophic Injury or Illness
An injury or prolonged illness which incapacitates the employee and creates a financial hardship because the employee has exhausted all sick leave and other paid time off. Any injury or prolonged illness may also include a family member per individual bargaining unit or DPA rule.

Catastrophic Natural Disaster
When an employee faces financial hardship due to the effects of a natural disaster on the employee's principal residence. The employee must reside in the county wherein the Governor has declared a State of Emergency.

Eligible Leave Credits
Annual Leave, Vacation, Personal Leave, Compensating Time Off, Holiday Credits, and, under certain bargaining unit agreements, Personal Holiday, and Personnel Leave Credits.

Eligible Employee
Non-represented employees (exempts, and those designated managerial, supervisory, confidential, or otherwise excluded pursuant to the Dills Act) and represented employees covered by a bargaining unit agreement who meet the eligibility and program requirements.

Medical Substantiation
A physician's verification of the employee or the family member, which includes the general nature of the catastrophic injury or illness (not a description of illness, condition or diagnosis) and the prognosis (anticipated length of absence or estimated return date). If catastrophic leave is required due to the injury or illness of the employee's family member, the medical substantiation must include verification that the employee is needed to provide the care.

Attachments

Catastrophic Leave Request GS 903, Catastrophic Leave Transfer of Leave Credits For Family Members Donation Record GS 905 A, Sample Catastrophic Leave Announcement

---