

Subject: CATASTROPHIC LEAVE

REFERENCES	SECTIONS
Human Resources Policy Memos http://www.dgs.ca.gov/ohr/Resources/HRPolicyMemos.aspx	HR 02-022
Laws & Regulations http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I79C72DD03F6911E491EBAA048997792B&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)	GC: 19991.14 CalHR Rules 599.913, 599.925 and 599.925.1 599.913
Memoranda of Understanding http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx	See applicable Bargaining Unit Contract
Responsible Control Agency and Program	http://www.calhr.ca.gov/Pages/home.aspx
CalHR Policy Memorandum http://www.calhr.ca.gov/PML%20Library/PML2005060.pdf	PML: 2005-060

Catastrophic Leave, Continued

<p>Definition/ Explanation</p>	<p>Annual Leave: A leave credit program for employees that replaces sick and vacation leave credits.</p> <p>Catastrophic Leave: Leave taken by an employee who has exhausted his/her available credits. This leave must be based on an illness or injury to the employee or incapacitated family member who will require care from the employee.</p> <p>Catastrophic Leave Credits: Leave credits provided to an employee who has been approved for catastrophic leave.</p> <p>Compensating time off (CTO): Accumulated credit for overtime the employee has worked.</p> <p>Family Member: For represented employees, family member is defined in their bargaining unit contracts. For non-represented employees, a family member is the employee’s mother, father, husband, wife, son, daughter, brother or sister, or any person residing in the employee’s household.</p> <p>Holiday Credit: A leave credit benefit provided annually to employees in bargaining units in lieu of a personal holiday or leave credit granted when a state holiday falls on an employee’s regular day off.</p> <p>Non-Represented Employee: An employee designated as managerial, supervisory, exempt, or confidential.</p> <p>Personal Holiday: A leave credit benefit provided annually to employees in some bargaining units.</p> <p>Represented Employee: An employee designated as rank and file.</p> <p>Vacation Leave: A leave credit benefit that compensates employees</p>
<p>Policy</p>	<p>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, for parental leave or adoption leave, or due to the effect of a natural disaster by providing for donation and transfer of eligible leave credits from other employees.</p>

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Catastrophic Leave, Continued

<p>Criteria/ Limitations</p>	<p>Leave credits which may be donated for catastrophic leave are vacation, annual leave, personal holiday, holiday credit, and CTO.</p> <p>As the receiving department, DGS does not accept donations of personal leave. Also, an employee may not donate sick leave for this program.</p> <p>Donations may be accepted from employees in any State agency.</p> <p>The program typically requires a minimum transfer of one hour and thereafter, in <u>whole hour</u> increments. This amount can vary by bargaining unit contract, especially in the case of natural disaster. Please refer to the applicable contract for specific donation criteria.</p> <p>Donations will be credited as vacation or annual leave as applicable.</p> <p>Any employee who earns leave credits may donate credits or receive catastrophic leave donations. Anyone may donate leave credits to represented, confidential and excluded employees.</p> <p>Non-represented employees may use donated credits for up to <u>twelve continuous months</u> for a single occurrence. Represented employees are limited to one <u>three month period</u> annually, which may be extended to <u>six months</u> with the approval of the Personnel Officer.</p> <p>There is no minimum State service requirement for eligibility.</p> <p><u>Employees must use leave time they continue to accrue prior to using donated credits. If the employee returns to work before the anticipated return date and donation requests remain in the holding account, they will be returned to the donor in 30 days.</u></p> <p>If the employee is unavailable or incapacitated, a co-worker, family member, or other representative may file the request on the individual's behalf if written permission is granted by the employee.</p> <p>Requests for leave donations for supervisors or managers should only be circulated to other supervisors and managers. If the supervisor is unsure who should or should not receive the request, he/she should contact the Personnel Officer.</p>
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Catastrophic Leave, Continued

Process	<p>The employee in need of catastrophic leave must complete the leave request memo (OHR 903) and provide verification of the need for catastrophic leave.</p> <p>The supervisor reviews the employee's request, reviews the appropriate bargaining unit agreement (if the employee is a represented employee), prepares a supervisor's request, and submits it to the Office of Human Resources. If approved by the Personnel Officer, distribute the solicitation memo to employees.</p> <p>The Office of Human Resources reviews the catastrophic leave request, reviews applicable bargaining unit agreement if the employee is a represented employee, and notifies requesting supervisor of approval or denial. Maintains records of credits transferred and received.</p>
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Catastrophic Leave, Continued

Procedures	<p>Employee</p> <ol style="list-style-type: none"> 1. Determines he/she (or a family member) has an incapacitating illness or injury and lacks enough leave credits to cover the planned leave time. 2. Submits a request (OHR 903) to the supervisor that includes the following: <ol style="list-style-type: none"> a. A brief description and appropriate verification of the illness or injury (e.g., doctor’s verification) ; b. The name and relationship of the person incapacitated if a family member; c. An estimate of the total time needed; and d. An estimate of the current leave balance. <p>Supervisor</p> <ol style="list-style-type: none"> 1. Reviews the Department of General Services policy, appropriate bargaining unit agreement (if the employee is represented), and the request for leave. 2. If all criteria of the policy are met, prepares the Catastrophic Leave memorandum for Catastrophic Leave bank. 3. Forwards the request to the Medical Coordinator in the Office of Human Resources. 4. Once the request is approved prepares and circulates the Request for Catastrophic Leave Donations form attached. Circulation is based on the amount of time the employee needs and how much time is expected to be donated by others. Indicates the date contributions are due in the Office of Human Resources. 5. If the employee requires more leave time than was originally donated, a second memo may be circulated soliciting donations. <p>Medical Coordinator</p> <ol style="list-style-type: none"> 1. Reviews the request and doctor’s verification of the illness to assure compliance with the applicable provisions and the bargaining unit agreement. 2. Instructs the organization’s Personnel Specialist to verify actual leave balance. 3. Notifies the Personnel Officer of findings to include the actual leave balance and a calculation of the additional time needed.
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Catastrophic Leave, Continued

	<p>Personnel Officer</p> <ol style="list-style-type: none"> 1. If the request meets the requirements of this policy, indicates approval by notifying the requesting supervisor. 2. Agrees on the size of the group from which to solicit contributions; and 3. Agrees to a date all contributions must be received in the Office of Human Resources. 4. If the request does not meet one or more of the requirements, notifies the employee in writing and routes a copy to the supervisor. 5. Reaches agreement with the supervisor on appropriateness of extending leave. 6. If a second circulation memo needs circulation, authorizes the supervisor to do so. 7. If donated credits remain that may be applied, authorizes additional withdrawals. <p>Attendance Clerk</p> <ol style="list-style-type: none"> 1. Completes PAL, recording any time worked and earned credits used. <u>For leave taken, records catastrophic leave if no accumulated credits remain.</u> 2. Submits PAL to employee’s supervisor for regular monthly processing. <p>Donating Employee</p> <ol style="list-style-type: none"> 1. Receives contribution solicitation memo and completes the contribution form. 2. Routes the donation form to the Office of Human Resources prior to the noted due date. 3. Advises supervisor of amount of time transferred.
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	<p>Personnel Specialist</p> <ol style="list-style-type: none"> 1. Receives the donation form, stamps with date and time received, and places it in a holding account pending receipt of the PAL (for the employee on leave) at the end of the month. 2. When the PAL is received, determines how much catastrophic leave is being requested. 3. Removes donation forms from holding account in order of receipt and verifies leave balance record (if DGS employee). If not a DGS employee, phones appropriate department. 4. Notifies donor's personnel office of credits to be deducted. 5. Lists names of all non-anonymous donors to recipient. 6. Applies only enough donations to cover the leave deficiency. 7. When complete, notes the adjustment made on the donation form and returns a copy to the donor as verification of the credits transferred. Files original in employee's Official Personnel File. Forwards remaining copy to donor agency if the employee does not work for DGS. 8. If a donation is received after the due date returns it to the donor with a notation as to why it was not processed. 9. If the employee returns to work as planned, returns unused donations to donors with a notation as to why they were not needed. 10. If employee needs additional time, requests instructions from the Personnel Officer.
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Attachments	Catastrophic Leave Request DGS OHR 903 , Catastrophic Leave Donation Record DGS OHR 905 , Supervisor's Request for Catastrophic Leave Bank Template , Solicitation for Catastrophic Leave Donation Template
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