

Leave (Classified Employees)

Applicability

This policy applies to classified employees of LSS. Unclassified employees follow the policy titled "Leave (Title 17)" or the current Executive Order on Unclassified Leave. Classified employees of SSP follow the Department of Education's Leave Policy.

Leave Records and Approval

All leave must be documented, as detailed in the Time and Attendance Policy.

Leave requests must be approved by the employee's immediate supervisor, unless someone else has been designated to approve leave. In the absence of the supervisor, the next position in the chain-of-command may approve the leave.

Leave Eligibility and Earning Rates

A number of leave types are available to eligible employees who have a "regular" tour of duty. These employees are eligible to earn annual and sick leave (except while serving on a restricted appointment). The employee's earning rate is based on the employee's total years of state service and the number of "regular" hours, including on holidays and paid leave. Leave is not earned while working overtime or on leave without pay. Students and employees who work temporary or inconsistent hours, such as substitutes or when actually employed (WAE) employees, do not earn leave.

Eligible employees earn equal amounts of both annual and sick leave for each hour of regular duty. The maximum earning rate is attained after fifteen (15) years of eligible state service.

Leave earning rates are established in Civil Service Rules. Based upon a regular 80-hour pay period, an employee earns:

With 0 – 3 years of service	3.688 hours per pay period
With 3 – 5 years of service	4.608 hours per pay period
With 5 – 10 years of service	5.536 hours per pay period
With 10 – 15 years of service	6.456 hours per pay period
With 15 or more years of service	7.384 hours per pay period

Accumulated annual and sick leave is carried forward each calendar year. There is no limit on the amount of annual or sick leave an employee may accumulate during employment.

Annual Leave

- Annual leave shall be used for vacation time, personal business, and emergency situations.
 - *NOTE: This includes leave taken for the care of a sick child or family member.*
- Annual leave must be applied for and approved in advance.
- *Annual leave requests in excess of 80 hours for any continuous period of time must be approved by the SSD Superintendent.*
- Annual leave will be charged in increments of one-half hour.
- An absence, or accumulated absence, of 20 to 30 minutes will be charged as one-half hour of leave.
- Approved annual leave will first reduce an employee's K-Time (1.5 rate) quota, then K-Time (straight-time rate) quota, and finally annual leave quota.
 - *NOTE: In cases where an employee is taking annual leave for an approved Family and Medical Leave absence, the payroll system will not reduce the 1.5 K-time quota.*
- Upon separation from state service, the employee will be paid for up to 300 hours of unused annual leave, in full hour increments, unless the employee was dismissed for theft of agency funds or property. Any remaining annual leave will be cancelled, unless it is certified to the retirement system.
 - An employee who received an annual leave payout and returns to state service before the number of work hours for which annual leave was paid pass will have to pay the employing agency for the amount of additional leave, and will receive credit for that amount of leave.
 - For example, an employee leaves LSS and is paid for 300 hours of annual leave. The employee is employed by DEQ after two weeks (80 hours). The employee will be required to pay DEQ for 220 hours of annual leave, and the employee will have 220 hours of annual leave available to use.
- Upon retirement, any balance remaining after the payment of 300 hours of annual leave will be reduced to 0. This signifies that the remaining balance has been certified to the appropriate retirement system.
- An employee who has not retired and returns to state service with permanent or probationary status within 5 years will be credited with any annual leave that was cancelled, unless the original separation was by dismissal or resignation to avoid dismissal.

Sick Leave

- Sick leave shall be used for an employee's personal illness and/or to seek medical, dental or optical consultation or treatment.
- *NOTE: Sick leave may not be taken for the care of a sick child or family member.*
- Sick leave must be approved by the immediate supervisor and may require administrative approval, as deemed appropriate/necessary. Sick leave cannot be denied if it is accrued and legitimate.
- A supervisor may require an employee to produce a doctor's certificate/statement. In those cases, the doctor's statement must be provided to the supervisor immediately upon return to work. Failure to produce a required doctor's statement can result in the absence being charged as unauthorized leave without pay, and may be cause for disciplinary or other corrective action.
 - Examples of when a doctor's statement may be required include, but are not limited to:
 - a) suspected abuse of sick leave - e.g., employee has a pattern of missing work on Mondays or Fridays, b) excessive sick leave is taken - 3 or more consecutive working days OR more than 80 hours per calendar year.
- A doctor's statement will always be required when sick leave is taken during statewide testing, facility accreditation, mandatory training or other periods for which the SSD Superintendent has provided advance notice that annual leave will not be granted.
- Sick leave will be charged in increments of one-half hour.
- An absence, or accumulated absence, of 20 to 30 minutes will be charged as one-half hour of leave.
- If an employee does not have sufficient sick leave to cover an approved sick leave absence, the payroll system will not automatically "roll" to annual leave. The time administrator must have the supervisor's approval to enter another leave type or will be required to enter the remaining absence hours as leave without pay.
- Upon retirement, any balance remaining will be reduced to 0. This signifies that the remaining balance has been cancelled or certified to the appropriate retirement system.
 - An employee who has not retired and returns to state service with permanent or probationary status within 5 years will be credited with any sick leave that was cancelled, unless the original separation was by dismissal or resignation to avoid dismissal.

Additional Leave Types

Time and One-Half Compensatory Leave (1.5 K-time)

- Eligible employees may elect to use 1.5 K-time for any chargeable leave absence, provided it is applied for and approved in advance.
- Additional administrative approval may be required.
- An employee who has been credited with 1.5 K-time may be required to take all or part of the accumulated 1.5 K-time at any time, with the approval of the LSS Superintendent.
- Please refer to the Family and Medical Leave Act (FMLA) Policy for information about using 1.5 K-time during FMLA leave.

Straight Time Compensatory Leave (ST K-time)

- Eligible employees may elect to use ST K-time for any chargeable leave absence, provided it is applied for and approved in advance.
- Additional administrative approval may be required.
- An employee who has been credited with ST K-time may be required to take all or part of the accumulated ST K-time at any time, with the approval of the LSS Superintendent.

Family and Medical Leave

An employee may be eligible for up to 12 or 26 weeks of Family and Medical Leave under circumstances as provided by the Family and Medical Leave Act (FMLA). FMLA leave may run concurrently with paid leave. Please refer to the Family and Medical Leave Act Policy for more specific information about FMLA leave.

Crisis Leave

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to himself or herself or to an 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. The Crisis Leave Policy provides specific conditions and requirements for the use and approval of Crisis Leave.

Leave Without Pay (LWOP)

An employee may be placed on leave without pay for any unapproved absence from duty. Leave without pay may be used for, but is not limited to: a) tardiness, b) failure to report for duty or secure advance approved leave for absence from duty, c) failure to produce required documentation to support a leave request. Leave without pay is not discipline but may lead to disciplinary or other corrective action.

When an employee exhibits a pattern of tardiness, minutes may be accumulated and deducted as leave without pay.

An employee on LWOP may be responsible for the employer portion of health and life insurance (unless on approved FMLA). Other benefits may also be affected during a period of LWOP, including retirement, payroll deductions, etc.

An employee may not choose to use LWOP when paid leave is available, except as provided by law or in this policy.

Special Leave Types

Special leave is available to eligible state employees for various kinds of non-work related absences. Authorized absences for these leave types are not charged to an employee's annual or sick leave balances or pay. Following is a list of special leave types and requirements that may apply to each:

Funeral Leave

- Civil Service Rule 11.23.1 allows probationary and permanent employees time off without loss of pay, annual leave, or sick leave when attending the funeral or burial rites of a member of an employee's immediate family member.
- Immediate family members include: spouse, parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, mother-in-law, father-in-law, grandparent, or grandchild.
- In order to support the employee and allow for a period of bereavement and emotional recovery, funeral leave may be allowed for a period not to exceed two days on any one occasion.
- Funeral leave is subject to administrative approval.
- The employee may be required to provide a copy of the obituary or other documentation to support a funeral leave request.
- Funeral leave shall not be charged for non-work days.

Jury Duty/Court Leave

- Jury duty may be granted when an employee is summoned to perform jury duty or to appear as a witness before a court, grand jury, or other public body or commission, unless the employee is summoned as a witness as a result of employment other than State employment.
- A copy of the summons must be provided to the supervisor as supporting documentation.

- An employee who is released from court before the end of the employee's regular work schedule must return to work, and an employee whose regular work schedule begins before the employee is scheduled to report to court must report to work. The employee will be allowed reasonable time to travel between the worksite and the courthouse.
- An employee who has been granted leave must provide a statement from the Clerk of Court or judge's office verifying the dates of attendance .

Educational Leave

- An employee may be eligible for educational leave if the request is job-related and does not adversely affect the operations of LSS.
- Educational Leave must be approved by the Appointing Authority, upon the recommendation of the School or Division Director.
- Leave without pay for educational purposes may be granted an employee for a period equivalent to the period of attendance at the educational institution.
- Educational leave with pay may be granted an employee for a maximum of thirty calendar days in one calendar year if the course of instruction to be taken is pertinent to the employee's work.
- If a permanent employee is required to take special training, a maximum of ninety calendar days of paid educational leave may be granted in a calendar year.

Military Leave

- Military leave may be granted to an employee who is a member of a reserve component of the United States or the National Guard without loss of pay, annual or sick leave, when: 1) ordered to active military duty, 2) for annual training and/or weekend drills, or 3) to complete a mandatory physical prior to enlistment.
- A copy of the military orders must be submitted as supporting documentation.
- Up to fifteen (15) days military leave may be granted during a calendar year. Annual and/or compensatory leave may be granted when the leave of absence exceeds 15 days.

Additional Special Leave Types

An employee may be eligible for additional "special leave" without loss of pay, annual and sick leave, under the following provisions:

Act of God – when the appointing authority determines the employee is prevented by an act of God from performing duty.

Civil Air Patrol – when a member of the Civil Air Patrol is ordered to perform with troops or perform in field exercises or training. Leave cannot exceed 15 working days in a calendar year.

Emergency Civilian – when an employee is performing emergency civilian duty in relation to national defense.

Office Closure – when the appointing authority grants leave due to local conditions that prevent the employee from attending work at the regular work domicile or alternative work site.

American Red Cross – when the appointing authority approves an employee's participation as a Trained Disaster Volunteer in an American Red Cross relief service in Louisiana, in response to a Level III or higher disaster. Leave cannot exceed 15 working days in a calendar year.

Voting – leave granted to allow an employee to vote in the parish where he/she lives when the primary, general, or special election falls on a regular scheduled workday. Leave is limited to two hours to vote in the parish where the employee lives, and not more than one day to vote in another parish.

Testing – leave granted to participate in a State Civil Service examination on a regular work day, or to take a required examination pertinent to the employee's job before a State licensing board.

Legal representation – leave granted to licensed attorneys engaged in the representation of a client in a criminal proceeding pursuant to an order of a court of competent jurisdiction, provided if compensation for such services is available from another source, the attorney may not accept the special leave and the compensation.

Documentation may be required to support any special leave request, at the discretion of the supervisor. In addition, special leave may require additional administrative approval.

Attendance Types

When employees are in attendance performing job duties away from the regular work site, the following attendance types may be used to document this attendance:

Conference/Convention – when an employee is attending a conference or convention as a part of the employee's job requirement.

Training – when an employee is participating in mandatory in-service or training, work seminars/sessions, meetings, etc., on or off the work site.

Interview – time may be granted to an employee when interviewing for another state job.

Drug Testing – time may be granted to an employee who is required to take a drug test as a result of reasonable suspicion, on-the-job injury, etc.

Documentation may be required to support any attendance request, at the discretion of the supervisor. In addition, the attendance types listed above may be subject to administrative approval.

Abuse of Leave

Leave is a benefit of employment. Employees who abuse leave and/or fail to secure proper approval for leave are subject to being placed on leave without pay and/or face disciplinary or other corrective action.

Assistance

Any questions or concerns regarding this policy should be directed to the employee's supervisor or the School's Human Resources Office.