

PPM #42

Policy Name: *Attendance and Leave Policy and Procedures*

Effective Date: *February 2, 2012*

Revision Date: *November 7, 2018; April 1, 2019; June 1, 2019; December 16, 2019; March 3, 2020; September 2, 2020; January 1, 2021; January 7, 2021; January 21, 2021; April 7, 2021; June 1, 2021; January 6, 2022; February 1, 2022; June 13, 2022; January 1, 2024*

Authorization:



Nancy Watkins, Undersecretary

This memorandum cancels and supersedes all other memoranda and policies on this subject, including individual policies previously promulgated on behalf of a specific Office, to include Policy and Procedure Memorandum No. 26 from the Office of State Parks.

I. POLICY

In accordance with Federal and State law and the Civil Service Rules, it is the policy of the Office of the Lieutenant Governor (OLG) and Department of Culture, Recreation and Tourism (DCRT) that all employees are informed of the rules regarding attendance, leave usage, the process for requesting leave, and that these rules be applied and enforced in a fair and consistent manner. Compliance with the requirements and procedures in this policy assist supervisors in effectively managing employee time and attendance.

II. PURPOSE

This policy is intended to insure that each employee understands his/her responsibilities in the areas of attendance and leave usage, and also the process for requesting leave. Employees must understand that excessive tardiness and absenteeism create an unnecessary hardship on co-workers and the Department.

III. APPLICABILITY

This policy and procedures applies to all OLG/DCRT employees, regardless of status.

IV. GENERAL REQUIREMENTS

1. All negative entry employees (full-time employees with set work schedules) must document all deviations (leave and overtime) from their normal 80 hour pay period work schedule in LEO.
2. All positive entry employees (full time or part time employees without set work schedules) work on an hourly basis and in order to be paid, must document all hours worked and leave taken in LEO. Part-time and full-time hourly employees enter hours on duty each day with the code ZA01, WAE-ZWAE, or STUDENT-ZARG, as appropriate.

Definitions:

- a. Approve – The process by which the approver verifies and accepts the absence and/or attendance entry as valid with no errors.
- b. Approver/Supervisor – The staff member who is responsible for verifying and approving an absence, attendance, and employee's detailed time statement.
- c. CATS (Cross Application Time Sheet) – A computer-based application which can be accessed through LEO. CATS allows an employee to enter his/her regular attendance and absences, to view and approve his/her bi-weekly detailed time statement, to request leave, and to claim overtime. CATS also allows an employee to enter any required position costing information, if applicable.
- d. Certify – The process by which an employee approves his/her detailed time statement. An employee shall certify his/her detailed time statement if no corrections need to be made.
- e. Decline – The process by which an employee rejects his/her detailed time statement. An employee shall decline his/her time statement if corrections need to be made.
- f. Detailed Time Statement – The bi-weekly record of an employee's attendance and absences. The detailed time statement may also include costing information as it pertains to grants and special projects.
- g. eApproval - The process by which the approver verifies and accepts the detailed time statement of their employees, if there are no errors or corrections that need to be made.

- h. eCertification (eCertify) – A computer-based process that allows an employee to review, edit notes, and submit for supervisory approval his/her bi-weekly detailed time statement.
- i. LEO (Louisiana Employees Online) – A web-based application which allows an employee to submit his/her bi-weekly time statement. LEO also allows an employee to view and change personnel information, including leave balances, banking information, tax information, and home/mailing addresses.
- j. Reject – The process by which the approver denies an absence or attendance and/or an employee's detailed time statement. The approver shall reject an absence or attendance that he/she disapproves or that contains errors. Also, the approver shall reject a detailed time statement that contains errors.

V. LEAVE ACCRUAL AND INCREMENT

- 1. Both annual and sick leave are earned by full-time and some regularly-scheduled part-time employees, except those serving on student and WAE (wage) appointments.
- 2. Both annual and sick leave are credited to an employee's leave balance at the end of the pay period and are available for use at any time thereafter with approval.
- 3. Any unused accumulated annual and sick leave is carried over to succeeding calendar years. There is no limit upon the amount of such leave an employee may accumulate during State service.
- 4. The amount of annual and sick leave earned is based upon full-time State service, as follows:

<i>Years of Service</i>	<i>Hours of Leave for Each Hour of Regular Duty</i>	<i>Hours of Leave Per Pay Period</i>
0-3 years	0.0468	3.6880
3-5 years	0.0576	4.6080
5-10 years	0.0692	5.5360
10-15 years	0.0807	6.4560
15+ years	0.0923	7.3840

- 5. All leave (annual, sick, compensatory leave, etc.) shall be utilized and recorded on the employee's timesheet in six-minute increments, as follows:

<i>Minutes</i>	<i>Leave Increment</i>
6-11 minutes	0.1
12-17 minutes	0.2
18-23 minutes	0.3
24-29 minutes	0.4
30-35 minutes	0.5
36-41 minutes	0.6
42-47 minutes	0.7
48-53 minutes	0.8
54-59 minutes	0.9
60 minutes	1.0

VI. LEAVE TYPES

All leave must be requested and used only if approved in advance. Although prior approval of leave is required, this policy does not require written prior approval. Requirements for written prior approval are at the discretion of employees' supervisors. A supervisor's certification and approval in CATS indicates that leave was properly requested and approved in accordance with this policy. The supervisor's approval of the timesheet also serves as evidence of approval for any leave taken and/or overtime worked in accordance with the requirements of the policy. Employees who take leave without prior approval are subject to non-disciplinary removal per DCRT's Unscheduled Absenteeism Policy, PPM #20.

A. Annual Leave

1. Definition: Annual Leave is time off from work with pay granted to an employee for the purpose of rehabilitation, restoration and maintenance of work efficiency, or transaction of personal affairs.
2. Approval of Annual Leave
 - a) Annual leave must be requested and used only if the employee obtained the proper prior approval.
 - b) The use of annual leave is at the discretion of the employee's supervisor, and therefore, not automatic. Annual leave approval will be based upon workload, leave usage history, leave balances and other factors related to the needs of OLG/DCRT.
 - c) For unexpected or unscheduled situations in which the employee's need to use annual leave was not pre-requested and pre-approved, the employee must notify his/her supervisor (or designee) of the intended absence within fifteen (15) minutes of the employee's scheduled reporting time. Each supervisor and/or site manager is responsible for determining and properly

advising his/her employees of the appropriate method(s) by which an employee can call-in, to include whether text messages, emails, and/or voicemails are acceptable.

- d) If an unexpected absence extends beyond one day, the employee is required to call each day following the same procedure as above, unless it has been established that the absence will involve several days. If the absence exceeds the expected number of days, the employee must call-in on the expected day of return to report his/her status and expected date of return.
- e) An employee needing to leave work unexpectedly is required to obtain permission from his/her supervisor (or designee). It is not acceptable to simply submit a leave request without securing permission prior to departure.

3. Enforced Annual Leave

- a) The Appointing Authority may require an employee to use annual leave whenever it is determined that such action is in the best interest of OLG/DCRT and will not cause the employee's annual leave balance to be reduced below two-hundred forty (240) hours.
- b) An employee may be required by the Appointing Authority to use any and all accrued annual leave before being granted leave without pay.

4. Annual Leave Usage Upon Retirement (Terminal Leave)

- a) An employee who has sufficient accumulated hours of annual leave may be authorized by the Appointing Authority, immediately prior to retirement, to use annual leave for a period not to exceed five-hundred twenty (520) hours.
- b) The granting of terminal annual leave must be in conjunction with the acceptance, by the Appointing Authority, of a fixed and irrevocable retirement date or separation following DROP participation using the appropriate retirement forms, in addition to a written request specifying the amount of terminal leave requested for approval of the Appointing Authority.
- c) Terminal annual leave will be granted provided:
 - 1) The absence from duty will not hamper the efficient operation of the employee's work unit.

- 2) The employee does not engage in employment during the period of leave, which would be prohibited during regular employment by the Code of Governmental Ethics, the Civil Service Rules, the Dual Office Holding Act, or OLG/DCRT policy.
- 3) In the event of an emergency, the employee granted terminal annual leave may be recalled to duty, thereby canceling or suspending the period of leave, but not the date of retirement.
- d) Employees on terminal annual leave shall have their access to the OLG/DCRT's information technology network and ID badge deactivated.

NOTE: Once a retirement date has been accepted, OLG/DCRT will consider the prospective retirement date an irrevocable contract, which can be rescinded or changed only with approval of the Appointing Authority.

B. Sick Leave

1. Definition: Time off from work, with pay, granted to an employee who is suffering with an illness or injury which prevents him/her from performing his/her usual duties and responsibilities, requires medical, dental, or optical consultation or treatment, requires the need to care for an immediate family member with similar circumstances, or requires the need to care for a son or daughter when there is a health pandemic declared by the Governor, because his or her school or place of care has been closed or the childcare provider is unavailable due to a reason directly related to the health pandemic.
2. Approval of Sick Leave
 - a) For expected absences due to prescheduled healthcare appointments or surgeries, sick leave must be requested and approved in advance.
 - b) Employees are encouraged to schedule medical appointments during the early morning or late afternoon hours to minimize absences from work.
 - c) For unexpected illnesses or medical appointments in which the employee's need to use sick leave was not pre-requested and pre-approved, the employee must notify his/her supervisor (or designee) of the intended absence within fifteen (15) minutes of the employee's scheduled reporting time. Each supervisor and/or site manager is responsible for determining and properly advising his/her employees of the appropriate method(s) by which an employee can call-in, to include whether text messages, emails, and/or voicemails are acceptable.

- d) If an unexpected illness extends beyond one day, the employee is required to call-in each day following the same procedure as above, unless it has been established that the absence will involve several days. If the absence exceeds the expected number of days, the employee must call-in on the expected date of return to report his/her status and expected date of return.
- e) An employee needing to leave work unexpectedly due to illness, medical emergency, or to care for an immediate family member is required to inform and obtain permission from his/her supervisor (or designee). It is not acceptable to simply submit a leave request without securing permission prior to departure, except under extreme circumstances.
- f) An appointing authority may grant time off to an employee needing to care for a son or daughter when there is a health pandemic declared by the Governor, because his or her school or place of care has been closed or the childcare provider is unavailable due to a reason directly related to the health pandemic. The employee is required to provide his/her supervisor with the information below. If the absence exceeds the expected number of days, the employee must call-in on the expected date of return to report his/her status and expected date of return.
 - 1) The name(s) and age(s) of the child(ren), name of the school(s) or place(s) of care, relationship to the child(ren) and a statement that no other person will be providing care for the child(ren) during the period for which the employee is requesting.

NOTE: Requesting sick leave when caring for a son or a daughter during a health pandemic declared by the Governor is at the discretion of the employee and approval of the Appointing Authority. Annual leave may also be requested for the aforementioned situation.

- g) During call-ins to report an illness, the employee is expected to notify his/her supervisor of any impending deadlines or timelines that may impact OLG/DCRT's operations.

3. Enforced Sick Leave

- a) The Appointing Authority may require an employee to use sick leave if the employee asserts an inability to work due to the employee's illness or injury.
- b) The Appointing Authority may require an employee to use sick leave if there is an apparent need to remove the employee from the workplace to avoid the spread of illness.

- 1) Under subsection (b) an Appointing Authority may place an employee on sick leave and require that the employee be removed from the workplace when the employee has declined to utilize sick leave and presents for duty displaying symptoms of illness. The symptoms must be observed by at least two individuals, one of who must be in a supervisory capacity.
- 2) The employee may be returned to duty at the Appointing Authority's discretion; however, he shall be returned to duty upon presentation of a certification from a medical doctor or nurse practitioner who, after examining the employee, certified that the employee is fit for duty.

4. Physician Certificates

At any time, Human Resources, the supervisor, or the Appointing Authority may require an employee to produce a physician's statement certifying his/her or immediate family members medical need to be off from work. Similarly, an employee may be required to produce a statement from a healthcare professional certifying his/her ability to return to work.

5. Exhaustion of Sick Leave

- a) In accordance with this policy, an employee is not authorized to use annual leave upon exhaustion of sick leave for his/her own illness. The granting of annual leave under such circumstance is within the sole discretion of the Appointing Authority. However, an employee shall be granted the use of annual leave, upon exhaustion of sick leave, for any serious health condition that is approved by Human Resources as FMLA qualifying. See Section 6 below for more information.
- b) In accordance with Civil Service Rule 12.6(a)1, an employee may be non-disciplinarily removed from his/her position when he/she is unable to perform the essential functions of his/her job and has fewer than eight (8) hours of sick leave to his/her credit. Therefore, employees should be mindful that maintaining an adequate sick leave balance is important.

6. Re-crediting of Leave Reimbursed by Workers' Compensation Benefits

In accordance with Civil Service Rule 11.21, employees are required to utilize their accumulated leave while off work due to a workers' compensation injury. This is to the employee's advantage, as it allows him/her to earn up to 100% of his/her regular wages, rather than a 66% payment from workers' compensation.

Louisiana Revised Statutes 23:1221-1226 prohibits an employee from personally receiving, retaining, or cashing a workers' compensation check and receiving a regular salary check for the same period of time. Therefore, the Human Resources Division utilizes the workers' compensation check as a reimbursement in order to "buy back" or re-credit the injured employee with a portion of leave used.

As authorized by this policy, the Human Resources Division shall endorse workers' compensation checks on behalf of injured employees, in order to facilitate the leave "buy back" process.

7. Family and Medical Leave

The Family and Medical Leave Act (FMLA) provides eligible employees up to twelve (12) work weeks, or 480 hours, of "job-protected" unpaid leave during any twelve (12) month period for immediate family and medical reasons. In accordance with Department policy, an employee must concurrently utilize his/her unpaid FMLA leave with any available balance of applicable paid leave (that is, sick leave, annual leave, or compensatory leave). When all available paid leave is exhausted, the employee shall be placed on leave without pay. Please refer to PPM #13: Family and Medical Leave Act Policy, for more information.

C. Compensatory Leave (K-time)

1. Definition: Compensatory leave, otherwise referred to as K-time, is leave earned in lieu of cash payment at the straight-time or time and one-half rate as compensation for overtime hours worked. The rate at which an employee earns compensatory leave is determined by the Fair Labor Standards Act (FLSA).
2. It is OLG/DCRT's policy that compensatory leave may be earned by both FLSA exempt and non-exempt employees.
3. In accordance with Civil Service Rule 21.1, Appointing Authorities may require their employees to work overtime. DCRT has full legal authority to order overtime, even when it may be disruptive for the employee. Employees who refuse a direct order to work overtime may be subject to disciplinary action.
4. The requirements applicable to annual leave apply to compensatory leave. Most notably, the use of compensatory leave must be requested and approved in advance.

5. Employees must obtain prior approval in order to work overtime and receive compensatory leave. The method of prior approval is at the discretion of the supervisor (verbal, written). A supervisor's certification and approval in Cats indicates that overtime was properly requested and approved in accordance with this policy.
6. Authorized overtime worked, for which compensatory leave is granted, shall be entered by the employee in CATS during the pay period in which it is earned. Employees are responsible for timely entry of such overtime hours. Justification for all overtime is required in the comment section of the CATS overtime request.
7. Supervisors must prudently manage the work of their subordinates in order to mitigate the need for overtime for which compensatory leave is granted.
8. In accordance with Civil Service Rule 21.11 compensatory leave may be earned at the hour-for-hour (straight-time) rate in excess of 360 hours, but not more than a total of 360 such hours can be carried forward from one fiscal year to the next. This cap applies to both exempt and non-exempt employee.
9. For non-exempt employees whose straight-time compensatory leave balance exceeds the 360-hour cap, payment for the excess compensatory leave shall be made within 90 days of the beginning of the fiscal year.
10. For exempt employees whose straight-time compensatory leave balance exceeds the 360-hour cap, payment for the excess compensatory leave may be made within 90 days of the beginning of the fiscal year, budget permitting and with Appointing Authority approval. All straight-time compensatory leave above 360 hours, shall be canceled by the Appointing Authority within 90 days of the beginning of the fiscal year if not paid.
11. Use of Compensatory Leave
 - a) Compensatory leave shall be used before annual leave is used;
 - b) When an employee has both time and one-half and straight-time compensatory leave balances, charges for leave use shall be credited against the time and one-half compensatory leave balance first; and
 - c) In furtherance of the interests of OLG/DCRT, the Appointing Authority may compel an employee, at any time, to use all or part of his/her compensatory leave balances.

D. Leave Payout

1. When an active status employee of OLG/DCRT vacates a leave-earning position, he or she may be eligible for a final leave payout of annual and/or compensatory leave under the following conditions:
 - The employee is leaving state service completely, or
 - The employee is accepting a temporary job appointment, or
 - The employee is accepting a non-leave earning position, or
 - The employee is not being dismissed for theft of agency funds or property, or
 - The employee is deceased.
2. If the employee is leaving a non-exempt position, then both annual and all accrued compensatory leave shall be paid out upon separation. Annual leave to be paid out is limited to a maximum of 300 whole hours, in accordance with Civil Service Rule 11.10(b). Any compensatory leave accrued shall be paid out in its entirety.
3. If the employee is leaving an exempt position, then the accrued annual leave would be paid out up to the maximum of 300 whole hours. If the employee has an accrued annual leave balance of less than 300 annual leave hours, it is the policy of OLG/DCRT that any accrued compensatory leave may also be paid to complete the maximum payout of 300 whole hours of total paid accrued leave. [Example: For an eligible employee with an accrued annual leave balance of 250 hours and a compensatory leave balance of 100 hours, 250 hours of annual leave plus 50 hours of the accrued compensatory leave would be paid out upon separation for a total of 300 hours of leave payout.]
4. For non-exempt employees whose straight-time compensatory leave balance exceeds the 360-hour cap, payment for the excess compensatory leave shall be made within 90 days of the beginning of the fiscal year.
5. For exempt employees whose straight-time compensatory leave balance exceeds the 360-hour cap, payment for the excess compensatory leave may be made within 90 days of the beginning of the fiscal year, budget permitting and with Appointing Authority approval. All straight-time compensatory leave above 360 hours, shall be canceled by the Appointing Authority within 90 days of the beginning of the fiscal year if not paid.

E. Leave Without Pay (LWOP)

1. Definition: Time off from work, without pay, for an approved or unapproved absence from duty. Leave without pay may be charged when an employee

does not have sufficient accumulated leave to cover a period of absence or when an employee incurs an unauthorized absence.

2. Employees do not earn annual or sick leave during any period of leave without pay.
3. Employees do not earn credit toward retirement during any period of leave without pay. Further, for such periods, participants in the Group Benefits program may be required to pay both the employer's and the employee's portions of the cost for maintaining and keeping in full force and effect policies of insurance.

F. Funeral Leave

1. Definition: Time off from work, without loss of pay or accumulated leave, not to exceed two (2) consecutive workdays to make arrangements or attend the funeral or memorial services of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, or grandchild.
 - a) The supervisor may require an employee requesting funeral leave to provide proof or documentation of his/her relationship to the deceased.
 - b) In the event of the death of an employee, the Appointing Authority may authorize an employee or employees to attend funeral/memorial services as a representative of OLG/DCRT without loss of pay or use of leave.

G. Leave for Jury Duty or Court Appearance

1. Definition: Leave extended to an employee, without loss of pay or accumulated leave, who is summoned to serve as a juror or to appear as a witness before a court, grand jury, or other public body or commission. Reasonable travel time to and from the court location shall also be granted.
2. A copy of the court summons must be submitted to the supervisor approving the leave as documentation of the leave request. Employees dismissed from jury duty for the day must report to work if there is reasonable time to return to their office before the end of the workday. On days when employees are not expected to report for jury duty, but have not been dismissed, they must report to work at their scheduled starting time. Employees must provide documentation of attendance at jury duty or a court appearance upon return to work. All jury duty leave or court appearances are subject to verification of attendance by Human Resources.

3. Payments earned by the employee for jury duty or court appearance may be retained by the employee.
4. An employee who is either the plaintiff or defendant in a private court case shall be required to use annual or compensatory leave for the period of absence. Such leave is also required of an appellant in an appeal before the State Civil Service Commission. An employee who is summoned as a witness as a result of his/her outside employment shall be required to use leave for the period of absence.

H. Leave for Military Purposes

1. Definition: “Military Purposes” means the performance of continuous and uninterrupted military duty on a voluntary or involuntary basis and includes active duty, active duty for training, initial active duty for training, full-time National Guard duty, annual training and inactive duty for training (weekend drills).

2. Military Leave with Pay

Provided advance notice is given, employees serving on job appointments or with probationary/permanent status that are members of a Reserve Component of the Armed Forces of the United States shall be entitled to military leave with pay. The maximum military leave with pay is fifteen (15) working days per calendar year. No advance notice is required when such notice is either precluded by military necessity or otherwise impossible or unreasonable.

3. Use of Annual and Compensatory Leave for Military Purposes

Employees serving on job appointment or with probationary/permanent status who provide advance notice of military obligations and apply for annual or compensatory leave shall be granted such leave in conjunction with required military service. No advance notice is required when such notice is either precluded by military necessity or otherwise impossible or unreasonable.

4. Use of Leave Without Pay for Military Purposes

- a) Employees serving on job appointments or with probationary/permanent status who have either exhausted all available annual and compensatory leave or have chosen not to use such leave for military purposes shall be placed on leave without pay status.
- b) This period of leave without pay for military purposes shall not exceed six (6) years. After these six (6) years, if the employee does not return to work at OLG/DCRT, the employee must be separated from the classified service

in accordance with Civil Service Rule 11.26(c). This rule does not apply to a temporary appointment of less than six years. If the appointment is less than six years, the Appointing Authority can end the appointment as originally scheduled and the employee will be separated.

5. Benefits and Pay

- a) It is the employee's responsibility to contact Human Resources to maintain any insurance, retirement, or pay benefit for which he/she may be eligible during his/her period of absence on military leave.
- b) Employees serving on job appointments or with probationary/permanent status returning to the classified service shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have earned had they not been absent for military training or military active duty.
- c) Employees engaged in military service may be entitled to exigency leave in accordance with the Family and Medical Leave Act (FMLA). Information regarding the leave available to service members can be found in PPM #13: Family and Medical Leave Act Policy. Any employee requiring extended leave for military purposes should contact Human Resources to determine the requirements for such leave.

I. Leave Under Act of God or Local Conditions

1. Severe Weather Conditions

- a) In the event of unexpected severe weather conditions, employees who are physically blocked from reporting to work because of impassable roads, including reasonable alternate routes, may, on a case-by-case basis, be absent without loss of pay or accumulated leave with the approval of the Appointing Authority.
 - b) When time off is declared in case of natural emergencies, only those persons actually scheduled to work during the time period of the declaration shall receive the time off. Those persons who are scheduled to work during those hours and, because of the requirements of their job do, in fact, work, shall be entitled to appropriate compensation as required by law.
2. Employees who had previously requested and been granted annual or sick leave for that time will not be charged the annual or sick leave for the appropriate amount of time relative to the closure.

J. Civil Service Examination and Job Interview

1. Civil Service Examination

- a) An employee taking a Civil Service examination on a regular work day shall be given special leave for the duration of time necessary for the examination and travel to and from the examination site.
- b) Absences for this purpose shall be documented by requesting a signed form from Civil Service showing the date of the examination, the time the examination began and time completed.
- c) Employees are expected to arrange for such examinations and inform their supervisors of such in advance so that OLG/DCRT's operations are not disrupted. Failure to provide such advance notice may be cause for the supervisor to request that the examination be delayed until a later date.

2. Job Interview

- a) Employees are encouraged to apply for promotions and other job opportunities within OLG/DCRT for which they qualify. An employee seeking such opportunities may participate in an interview during work hours via the use of authorized special leave without loss of pay or accumulated leave. Special leave will not be afforded an employee seeking employment with any entity other than the OLG/DCRT.

K. Workshops, Conventions, and Seminars

If the Appointing Authority determines that an employee's attendance at a seminar, convention, or workshop is in the best interest of OLG/DCRT, the employee shall be considered to be on duty during such attendance and no type of leave should be charged.

L. Unauthorized Absence

- 1. Definition: Absence from duty without obtaining prior approval; failure to provide timely notification of leave; failure to provide an acceptable physician's statement as documentation of sick leave when required to do so; tardiness in reporting to work at the scheduled time, or in returning from an authorized lunch or break period; and leaving the duty station without proper authorization.
- 2. Unauthorized absences seriously impair efficiency and mission performance. Supervisors at all levels must be alert to identify offenses and to take both preventive action and appropriate corrective measures. Refer to PPM #20.

M. Office Closures

Should the Appointing Authority send employees home for any reason by authorizing an office closure, those employees who are not at work as a result of pre-approved leave shall not be charged the annual or sick leave.

N. Special Leave Related to COVID-19 Health Pandemic

An appointing authority may grant time off without loss of pay, annual leave, or sick leave to an employee in order to receive a COVID-19 vaccination, provided such leave shall not exceed 4 hours for each administration of the vaccine. Appointing authorities shall require the employee to provide proof of vaccination for documentation purposes.

O. Declared State of Emergency Functional Coding

All employees must capture and maintain all records and documentation related to expenditures that are a direct result of a declared emergency. Once functional codes are established and distributed to Appointing Authorities, any expenses related to the declared emergency should include the corresponding functional code(s). Employees are responsible for entering the corresponding functional codes into LEO.

P. Parental Leave

1. Parental leave provides up to 240 hours of paid leave without deduction to an eligible employee's annual, sick, or compensatory leave balances. Such leave shall be for a qualifying purpose related to an employee's child born or placed with the employee for adoption or foster care on or after January 1, 2024.
2. Qualifying Events for Parental Leave:
 - a) Birth of a child;
 - b) Placement of a child, under the age of 18, with the employee for adoption; or
 - c) Placement of a child, under the age of 18, with the employee for foster care.
3. Eligibility for Parental Leave:
 - a) Parental leave is only available to employees in leave-earning positions on the date of the qualifying event.

- b) Parental leave is only available to employees who on the date of the qualifying event have been employed by the State for at least 12 months and who have actually worked at least 1250 hours in the 12 months preceding the parental leave request.
- c) Parental leave is only available to the legal parents, adoptive parents, or foster parents of the child for whom parental leave is taken when said parents have an active and on-going role in parenting the child and are taking leave for one of the qualifying purposes set forth below. For purposes of this policy, a legal parent is a person having a genetic relationship to the child or filiated to the child through legal presumption or assisted reproductive technology.

4. Qualifying Purposes:

- a) For a legal, adoptive, or foster parent to bond with the child for whom leave is taken.
 - i. A need to bond with the child exists when there is a new relationship between the parent and child and the employee will spend time with the child to create an on-going mutual attachment. This policy is not intended to apply where a relationship resembling parent-child already exists and the primary change is the legal nature of the relationship. (Examples: foster parent to adoptive parent; some intra-family adoptions such as adoptions by step-parents.)
- b) For adoptive or foster parents to attend post-placement court proceedings or mandatory meetings related to adoption or foster placement.

5. Duration:

- a) Parental leave is available for use only during the 12 weeks (84 calendar days) immediately following the commencement of the qualifying event.
- b) Parental leave is available for use commencing on the first date of a qualifying event and for only as much of the parental leave period as the employee is engaged in a qualifying purpose.
- c) Parental leave may be used continuously or intermittently, in accordance with the need therefore.

- d) Unless the Appointing Authority determines that an employee is utilizing parental leave in violation of this policy or the Civil Service Rule regarding parental leave, the Appointing Authority shall not reduce the parental leave period authorized herein nor interfere with the employee's use of parental leave as set forth herein.

6. Compensation:

- a) Full-time employees shall be compensated at the rate of 100% of the employee's base pay for a period not to exceed 240 hours during the available 12-week period.
- b) Part-time employees shall be compensated at the rate of 100% of the employee's base pay for a period not to exceed 6 weeks based upon the employee's average number of hours worked in the 6 months immediately preceding the commencement of parental leave. (Example: if an employee works an average of 25 hours per week during the 6 months look-back period, the employee shall be paid their base pay for 25 hours per week for 6 weeks.)

7. Limitations:

- a) Parental leave shall not be donated to another employee or leave pool.
- b) Unused parental leave shall not be reserved for use during a subsequent qualifying event or paid to the employee.
- c) This policy is not intended to provide any form of unpaid leave after exhaustion of 240 hours (or the appropriate allotment for part-time employees) of paid parental leave. Additional leave, if any, shall be taken under the provisions of another rule, law, or policy.
- d) At least 12 months shall elapse from the beginning of one parental leave period until an employee is eligible for another parental leave period. For a new parental leave period, there shall be a new qualifying event on or after the 12-month waiting period and the requirements of the Eligibility Section listed above shall be satisfied as of the date of the new qualifying event.
- e) Eligible employees utilizing parental leave for occurrences also qualifying under the Family and Medical Leave Act ("FMLA") shall use FMLA leave concurrently with parental leave.
- f) When both parents to the child for whom parental leave is taken are employed in the State classified service, each is entitled to utilize a full

240-hour (or the appropriate allotment for part-time employees) parental leave period.

- g) Notice and approval for the need to use parental leave shall be provided in advance of taking the parental leave as much as it is reasonably feasible.
- h) An employee's use of parental leave in accordance with this policy shall not have a negative impact upon their employment relationship. However, employees not utilizing parental leave in accordance with this policy or Civil Service Rules may be disciplined, including the possibility of separation or dismissal.

8. Establishing Eligibility for Parental Leave:

- a) Prior to granting parental leave, an Appointing Authority shall have the requesting employee complete a written request therefore.
- b) In addition to the written request for parental leave, an Appointing Authority may require an employee requesting paid parental leave to produce acceptable proof in support of their request, such as a birth certificate or insurance certificate confirming their relationship to the child for whom parental leave is requested, or proof of attendance at court proceedings or other mandated meetings related to adoption or foster placement. An Appointing Authority shall not require that an employee produce medical records or scientific evidence to prove paternity.

VII. SUPERVISORY LIMITATIONS ON LEAVE USAGE

- A. Supervisors have control over annual leave and compensatory leave usage since requests for such leave can be denied for legitimate business reasons. Conversely, employees have the right, within limitations, to utilize sick leave, which generally cannot be denied for personal use. However, the employee can be required to produce a medical certificate from his/her healthcare professional to justify sick leave usage.
- B. Supervisors may limit the duration of annual/compensatory leave based upon the reason for the leave, and a reasonable expectation of the amount of time needed. [As an example, a conference with a child's teacher should not require the entire day.] The same is true for sick leave. [As an example, most doctor appointments do not require more than a few hours.]
- C. Supervisors have the ability to set limitations upon the number of employees on leave at the same time.

VIII. EXCEPTIONS

The Secretary (or designee) may make exceptions to this policy as deemed necessary, provided such exceptions shall not conflict with Civil Service Rules or express law.

IX. PROCEDURES

A. Employee Responsibilities:

1. Each employee is required to report to work at his/her regularly scheduled work time.
2. Employees are required to obtain prior approval for all leave, monitor their leave usage, and record all attendance and absences in CATS using the appropriate codes, hours, dates, and times. Start and end times must either be entered indicating AM (morning) or PM (afternoon), or by using military (24 hour) time consistently. Employees will receive a confirmation email when a request is approved by their supervisor.
3. Employees are required to obtain prior authorization to work any overtime. Pre-approved overtime must be recorded in CATS as compensatory time earned (K-Time) or in special circumstances, overtime paid as pre-approved by the Appointing Authority. Justification by the employee, for all overtime, is required in the comment section of the CATS overtime request.
4. The method of making time requests in CATS does not eliminate the requirement to obtain the proper prior approval of leave requests or overtime from the supervisor prior to requesting leave or overtime in CATS. If leave was not pre-approved, refer to PPM #20.
5. If changes to an existing approved leave or K-Time request during a payroll period are needed, the employee must revise the approved entry in CATS. This revised entry is then subject to supervisor approval again. The employee will receive a confirmation email when the entry has been approved/denied by his/her supervisor. Employees have until 11:59 pm on last Sunday of the pay period to enter or correct CATS entries for the current pay period.
6. Employees will receive an automated reminder every payroll Monday after 1:00 p.m. to login and to review their time statements. Employees will select the time statement that needs to be reviewed and choose "Certify" if all approved entries are correct, or "Decline" if corrections are needed. If certified, an email will be sent to the approver for approval/denial. If declined, the employee will have to contact the time administrator/supervisor to have the time entries corrected. Note: Should an email reminder not be received,

employees are still required to enter and review their time statements for certification.

7. If a correction is necessary to an employee's time statement after payroll runs at 11:59 pm on last Sunday of pay period, the employee should request a time correction/prior period adjustment (PPA) be processed for the changes.
8. If a time correction (PPA) is entered, the employee will receive an email indicating that the time has been changed after it was declined. This will generate a second version of the time statement reflecting the PPA entries. The employee and supervisor are required to recertify the time statement.
9. Employees and Approvers, may update comments on absence and attendance entries directly from the detailed time statement for current and past pay periods without processing a time correction. If there is a need to change items other than the comments on a particular time entry, a time correction form (PPA) will be necessary.
10. All employees are required to certify their time statements through LEO each pay period by 12:00 pm (noon) on the Wednesday after the pay period has closed. If no action is taken by this time, the employee's time statement will be locked, thus preventing certification. Human Resources will unlock the time statements on payroll Thursday. If the time statements are unlocked and no action is taken by the following Friday, the employee will be considered out of compliance with agency policy. Employees are required to certify their time and provide written justification to their supervisor if their timesheet has not been properly certified prior to the close of a pay period. The written justification may be via email or other format required by their Supervisor.
11. In case of extended leave, employees must certify their time within fifteen (15) days after their return. NOTE: Employees are required to review and certify all time statements including those not certified by the payroll Wednesday deadline. Should the deadline be missed, the employee must review and certify all past pay periods.

B. Supervisor Responsibilities:

Supervisors shall monitor the hours worked by their employees, manage overtime for their sections, keep track of leave usage for their employees, and ensure that all time worked and leave presented in CATS is accurate at the time of certification.

1. Supervisors will receive an email notification when an attendance or absence entry is pending approval by his/her employee. Supervisors should log into LEO and click "approve" or "reject." If "reject", the supervisor shall enter a

reason for the rejection, and contact the employee to correct the entry in CATS or request a time correction/PPA if the payroll period has closed. Deadline for supervisors to approve or reject CATS entries is 12:00 pm (noon) on ***payroll Monday***.

2. Supervisors shall monitor absences of employees' approaching leave without pay status.
3. On payroll Monday after 1:00 pm, approvers will be able to log into LEO to review, approve, or reject an employee's time statement. The approval action should take place after the employee has certified his/her time statement, unless the employee is expected to be out of the office during the current pay period. Approvers will receive an email notification when the employee has certified his/her time statement. If approval or rejection is attempted prior to certification on Monday, the approver will receive an error message. After payroll runs Monday night, approvers can approve time statements that have not yet been certified by the employee. Supervisors are required to reject or approve a time statement regardless of whether it has been certified by the employee. Supervisors must add a comment regarding why the employee did not eCertify before the supervisor approved or rejected the time statement. Once the employee returns to work (i.e. return from FMLA or other leave), s/he should promptly certify any pending time statements. If the employee is not expected to return to work due to a separation, the approver is required to add a comment in the approver notes stating this additional information. Supervisors are required to provide justification in the approver notes section of a timesheet when the supervisor did not properly approve the timesheet prior to the close of a pay period. The deadline for supervisors to review and approve detailed time statements is 12:00 pm (noon) on Wednesday.
4. Supervisors shall ensure that all of their employees certify their time statements by the established deadlines. Supervisors can access the approval screen in LEO to monitor their employees' time statements.

C. Time Administrator Responsibilities:

1. The time administrators are responsible for entering employee changes and/or additions, at the written request of the employee and with the supervisor's approval, on payroll Monday by 3:00 pm.
2. The time administrators will use the ZP241 report after payroll Monday in order to identify who has not yet certified or declined their time statements; approvers who have not yet approved or rejected their employee's time statements; and employees who have time corrections/PPA's needed. These actions must be taken by 12:00 pm (noon) Wednesday.

3. Time administrators will use the ZT02 report to document detailed time information entered into the system.
4. The employee and/or the time administrators must complete the time correction/PPA form for any adjustments (leave or k-time) for a prior payroll period after the payroll deadline. They must then submit it along with documentation signed by the requesting employee and his/her supervisor to Human Resources for processing.
5. The time administrator shall advise the Human Resources Office of separation dates for employees leaving employment with the OLG/DCRT and shall provide this information during the pay period in which the separation occurs.

D. Human Resources Responsibilities:

1. The Human Resources Payroll Specialist(s) will run the ZP241 report on the Thursday after payroll has closed to identify those not in compliance by not timely certifying or declining their time statements, approvers who have not yet approved or rejected their employees' time statements, and employees who have time corrections/PPA's needed. In order to obtain certification and missing approvals, Human Resources will contact the time administrator and/or the employee via email, and may copy the employee's immediate supervisor. Unless an extension is authorized by the Appointing Authority, certifications and approvals should be obtained prior to the close of the pay period. Human Resources will also use ZP241 to locate locked time statements and unlock them any time after payroll Wednesday.
2. The Human Resources Payroll Specialists will use the ZT20 and ZP97 reports to ensure employees' leave/attendance codes, start and end times, time increments, and comments (justifications) are entered correctly. This report will also be used to view the following: request status, request details, requests pending approval, and posting status and errors.
3. The Human Resources Payroll Specialists will use the ZT33 report to ensure that all leave codes were entered correctly for past pay periods.
4. If a certified time statement is not available for printing through LEO and a printed copy is needed, one may be obtained from Human Resources through report ZT24e.
5. The Human Resources section is responsible for designating a time administrator and a backup time administrator for each division and/or major section.

X. VIOLATIONS

Employees found to be in violation of the policy and/or procedures will be subject to disciplinary action, up to and including termination, and may face criminal prosecution for payroll fraud.

XI. QUESTIONS

Questions regarding the policy and/or procedures should be directed to the Human Resources Division.

Summary of Changes: New policy (February 2, 2012); Removed option for annual leave in lieu of sick leave for non-FMLA absences due to illness, excluded Unclassified Appointees from accrual of compensatory leave (February 15, 2016). Explanation of Leave Payout and minor updates (November 7, 2018). Changed Office Closures and Leave Under Act of God or Local Conditions for employees on pre-approved leave to remain on leave to shall not be charged leave. (April 1, 2019) Compensatory leave payment of in excess of 360 hours at end of fiscal year. (June 1, 2019). Changes to and clarification of areas of responsibilities. (December 16, 2019). Remove requirement for justification to be forwarded to HR (March 3, 2020). Updated to include the use of sick leave for immediate family (September 2, 2020). Secretary or designee can make exceptions (January 7, 2021). Updated to add the use of sick leave when childcare is unavailable due to a reason directly related to the health pandemic. SCS made this use of sick leave retro active to January 1, 2021. Moved sections X and XI after procedures (January 21, 2021). Added special leave usage for COVID-19 Vaccinations and note added to clarify LA/LB for school closures during pandemic (April 7, 2021). Updated VI:D:3 (June 1, 2021). Updated sick leave section (January 6, 2022). Updated VI:N and added VI:O (February 1, 2022). Updated enforced overtime per SCS Rule 21.1 (June 13, 2022). Parental Leave (January 1, 2024).