

HUMAN RESOURCES MEMORANDUM 18-018		DATE ISSUED: 11/30/2018
SUBJECT: CATASTROPHIC LEAVE – NATURAL DISASTER		REFERENCE: CaIHR 2116
TO: DGS Managers, Supervisors, Employee Resource Liaisons and Attendance Clerks		SUPERCEDES: <i>HR Memo 2015-021 and 2015-022</i>

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

This memorandum is being released as a reminder regarding catastrophic leave for natural disasters.

Eligibility

Employees must earn leave credits to be eligible for catastrophic leave. There is no minimum state service requirement for eligibility.

Excluded Employees

California Code of Regulations section 599.925.1 permits the transfer of specified leave credits as follows:

“At the discretion of the appointing power, non-represented employees as defined in section 599.619 of these regulations will be permitted to transfer eligible leave credits to an employee when a natural disaster occurs.

- a) The following conditions shall apply:
 - 1) Catastrophic leave for a natural disaster shall be leave for an employee who faces financial hardship because the employee has exhausted all of his/her eligible leave and is unable to work due to the effect of the natural disaster on the employee's principal residence.
 - 2) The employee resides in one of the counties where a state of emergency exists as declared by the Governor.
 - 3) Eligible leave credits include annual leave, vacation, CTO and/or holiday leave credits. They do not include sick leave.
- b) Eligible leave credits may be donated for catastrophic leave for a natural disaster:
 - 1) upon the request of an employee;
 - 2) upon determination by the agency director or designee that the employee in the agency is unable to work due to the effects of the natural disaster on the employee's principal residence; and
 - 3) the employee has exhausted all eligible leave credits.

- c) If the transfer of eligible leave credits is approved by the agency's director or designee, any non-represented employee in that agency may, upon written notice to the personnel office, donate eligible leave credits at a minimum of one hour. Donations thereafter must be in whole hour increments. Donations will be reflected as an hour-for-hour deduction from the leave balance of the donating employee. When transferring eligible leave credits, the agency should assure that only credits that may be needed are transferred. A non-represented employee may donate eligible leave credits to a represented employee. A non-represented employee who is designated managerial as defined in Government Code section 3513(e) or supervisory as defined in Government Code section 3513(g) may not receive donated eligible leave credits from a represented employee except in cases of extreme hardship or other compelling circumstances as approved by the Department. Transfer of eligible leave credits may be interagency in accordance with the policies of the receiving agency.
- d) In order to receive donated leave credits, a non-represented employee must provide appropriate verification as determined by the agency. A non-represented employee eligible for this program will have any time that is donated credited to his/her account in one hour increments. Donated credits will be reflected as an hour-for-hour addition to the vacation or annual leave balance of the receiving employee. Use of donated credits may not exceed three (3) continuous months for any one occurrence; however, if approved by the appointing authority, use of donated credits may be for six (6) continuous months.

The total amount of leave credits donated may not exceed an amount sufficient to insure the continuance of regular compensation. All such transfers are irrevocable. A non-represented employee who receives time through this program shall use any leave credits he/she continues to accrue on a monthly basis prior to receiving time from this program.”

Rank and File Employees

Most bargaining unit contracts contain the following language:

“Upon request of an employee and upon approval of a department director or designee, leave credits (CTO, vacation and/or holiday) may be transferred from one or more employees to another employee, in accordance with departmental policies, under the following conditions:

1. Sick leave credits cannot be transferred.
2. When the receiving employee faces financial hardship due to the effect of a natural disaster on the employee's principal residence.
3. The receiving employee has exhausted all vacation, annual leave, or CTO credits and resides in one of the counties where a State of Emergency exists as declared by the Governor.
4. The donations must be in whole hour increments and credited as vacation or annual leave.
5. Transfer of annual leave, vacation, CTO and holiday credits shall be allowed to cross departmental lines in accordance with the policies of the receiving department.
6. The total leave credits received by the employee shall normally not exceed three (3) months; however, if approved by the appointing authority, the total leave credits received may be six (6) months.
7. Donations shall be made on a [DGS OHR 905](#) form, signed by the donating employee, and verified by the donating department. These donations are irrevocable.

This section is not subject to the grievance and arbitration article of this contract.

Donations

If you wish to donate to those affected by the recent fires, please visit [California Volunteers](#).

You can also donate to Direct Service Providers and/or Grantmaking Organization.

Please note: If you would like your donation to be for a specific disaster event (e.g., Camp Fire, Hill Fire, Woolsey Fire, etc.) please make note of that on your check or online donation.

Direct Service Providers:

- [American Red Cross](#)
- [The Salvation Army](#)
- [United Policyholders](#)

Questions

For questions regarding catastrophic leave, please contact the Return to Work Unit.

AMY APPEGATE, Personnel Officer
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