DGS
CALIFORNIA DEPARTMENT OF
GENERAL SERVICES

HUMAN RESOURCES MEMORANDUM 19-016	DATE ISSUED: 10/25/2019
SUBJECT: **ADMINISTRATIVE TIME OFF – DURING STATE OF EMERGENCY**	REFERENCE: CalHR 2121
TO: DGS Managers, Supervisors, Employee Resource Liaisons and Attendance Clerks	SUPERCEDES: None

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose
The purpose of this memorandum is to notify affected employees that Governor Newsom issued an emergency proclamation on October 25, 2019, for Sonoma and Los Angeles counties due to the effects of the Kincade and Tick fires.

Administrative Time Off (ATO) During State of Emergency
Departments are reminded that California Code of Regulations (CCR) 599.785.5 allows for up to five (5) days of ATO during a Governor-declared state of emergency for those employees that meet the provisions of the rule.

In addition to the five days of ATO authorized by the rule, per the California Department of Human Resources (CalHR) HR Manual Section 2121, CalHR delegated to departments the ability to approve ATO for up to a total of 30 calendar days.

For those areas that have not been declared a state of emergency, to the extent it is operationally feasible, appointing powers should grant employee's requests to use their leave credits.

CCR § 599.785.5 allows for ATO during a state of emergency as outlined below:

a) Employees may be granted a paid leave of absence of up to five days by their appointing power when the employee works or resides in a county where a state of emergency has been proclaimed by the Governor and the appointing power determines that at least one of the following conditions exist:
   1) The employee's normal place of business is closed temporarily, during the employee's normal work shift, due to the effects of the emergency.
   2) The emergency effectively precludes the employee's ability to find reasonable routes of transportation from the employee's normal residence to the work place.
   3) The emergency presents an immediate and grave peril to the employee's own safety, that of an employee's immediate family member, or the employee's principal residence.
   4) The employee is actively involved in a formal, organized effort to protect the health and safety of the general public; such as, the employee is a member of the auxiliary fire or police department or the employee is asked by local authorities to assist with sandbagging efforts.
   5) The employee needs to take time off to apply for disaster assistance from the Federal Emergency Management Agency (FEMA) because the employee is unable to apply for assistance before or after the employee's normal work shift.

b) An employee may be granted a paid leave of absence up to five days by the employee's appointing power regardless of the location of the disaster when the employee is preregistered with, and providing volunteer service to, a state agency carrying out its responsibilities under the Governor's Executive Order D-25-83. The employees providing volunteer service are required to notify their appointing power of their affiliation with the volunteer services and to establish prior arrangements regarding the notification of the appointing power in the event the employee is asked to participate in the state disaster response. The appointing power shall release the employee to provide volunteer service when an emergency occurs unless there is a critical departmental operating reason to prevent such a release.

c) No paid leave of absence shall exceed five working days without the prior approval of the appointing power and the prior approval of the Department. The Department shall grant approval of a paid leave of absence in excess of five working days based on its finding that one of the criteria above continues to be met.

d) State employees called into service as specified in Government Code 19844.5 are excluded from the above standards.

Questions

If you have any questions regarding this memorandum, please contact your assigned Personnel Specialist.

ESTELA GONZALES, Chief
Office of Human Resources

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