

NEVADA DEPARTMENT OF AGRICULTURE
CATASTROPHIC LEAVE
POLICY #AG-1-HR-2

PURPOSE:

This policy establishes procedures and explanation to employees and supervisors on the use of catastrophic leave.

POLICY:

It is the policy of the Department of Agriculture to grant Catastrophic Leave fairly and consistently to all eligible employees and ensure the use and administration of leave is in accordance with Nevada statutes and regulations.

SCOPE:

This policy and the procedures contained within shall apply to all Department employees.

REFERENCES:

Nevada Revised Statutes (NRS) 284.362 to 284.3626, and 281.390 and Nevada Administrative Code (NAC) 284.575 to 284.5775, inclusive.

FORM:

As currently provided by the Division of Human Resource Management (DHRM).

RESPONSIBILITY:

1. Agency Human Resource Services (AHRM) shall be responsible for:
 - a. Providing assistance to supervisors and employees in the interpretation and explanation of this policy and related statutes and regulations.
 - b. Processing requests for catastrophic leave, reviewing applications, and, acting as representative for the Director of the Department of Agriculture, notifying employees of approval or denial of requests or need for more information.
 - c. Providing oversight of a recipient's period of continued eligibility.
 - d. Maintaining employee catastrophic leave records.
 - e. Providing reports in accordance with NAC 284.576 on the activity of the department's catastrophic leave account on a calendar year basis.

2. Division Administrators/Supervisors shall be responsible for:
 - a. Communicating all rules and procedures to employees.
 - b. Assisting employees, when necessary, in the requesting of leave or donation of leave process.

- c. Initial review of employee request for catastrophic leave and recommending approval or disapproval at the supervisory level.
3. Employees are responsible for:
 - a. Requesting the use of catastrophic leave in accordance with this policy, state statutes and regulations and providing all required documentation.
 - b. Contributing leave, if desired, to the department's catastrophic leave bank or to a specific employee in accordance with this policy.

PROCEDURES:

1. Catastrophic leave may be granted to an employee when he or she, or a member of his or her immediate family experiences a "catastrophe" as defined in NRS 284.362 and NAC 284.575, and the employee has exhausted all accrued annual, sick, and compensatory leave balances.
2. The employee, who is about to deplete all of his/her accrued leave, may request catastrophic leave on the appropriate form. The request must also include a statement from a physician on the appropriate form which substantiates the necessity of the leave.
3. All forms related to the request for catastrophic leave must be submitted to the AHRS personnel liaison.
4. The Director or his designated representative must approve or deny a request for catastrophic leave prior to any leave being credited to an employee's account.
5. An employee aggrieved by any decision of the Director or his designated representative to deny catastrophic leave may appeal that decision by filing a written notice of appeal with the Committee on Catastrophic Leave within 10 days after the date of the decision (NRS 284.3629).
6. Approved catastrophic leave will be granted to the eligible employee in the following order:
 - a. Donations directly specified to be used for that employee.
 - b. Allocation from the Department's Catastrophic Leave Bank (the maximum allowance per employee will be 160 hours).
 - c. Requested catastrophic leave may be approved partially and/or incrementally based on the expected length of the condition, and the employee's balance available based on the department bank allocation or as employee donations are received.
 - d. In a calendar year, no employee will receive more than 1,040 hours of

catastrophic leave.

7. The Department May Assist in Soliciting Donations for a specific employee, only if the employee or his representative has indicated in writing that the need for that employee's catastrophic leave may be made public. Donations of leave from other employees are strictly voluntary and no undue pressure will be placed on an employee to donate.
8. Catastrophic leave allocated to an employee for a specific catastrophic situation cannot be used for any other leave use. For example: An employee cannot use allocated catastrophic leave for another unrelated medical condition, e.g., a dental appointment, or unrelated doctor's appointment for the employee or a family member.
9. Confidentiality of Information regarding the medical condition of an employee or an immediate family member will be respected to the greatest extent possible.
 - a. Catastrophic leave files shall be stored in locked medical files separate from the employee's personnel jacket.
 - b. Information regarding eligibility and authorized use of catastrophic leave will be provided to: the Director or his designated representative, the administrator of the employee's division, the employee's immediate supervisor, AHRS, and the department's payroll clerk.

DIRECTOR'S POLICY AUTHORIZATION:



Jim R. Barbee, Director

3/28/13

Date

APPROVED BY THE BOARD OF AGRICULTURE ON March 26, 2013.
Effective Date

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with the state law and the Rules for State Personnel Administration (NRS & NAC 284).