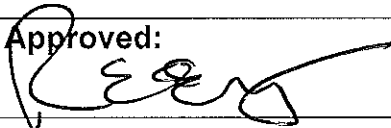




OREGON DEPARTMENT OF FISH AND WILDLIFE POLICY

Human Resources Division

Title:	Special Leaves with Pay	HR_460_03
Supersedes:	HR_460_03, dated November 1, 2010	
Applicability:	All employees subject to ORS 240, State Personnel Relations Law, except temporary employees and employees represented by a collective bargaining agreement.	
Reference:	State Policy 60.000.10; ORS 240.145(3); 240.240; 240.250; 240.551	
Effective Date:	November 1, 2011	Approved: 

I. PURPOSE

To describe the various types of special leave that qualifies as paid leave.

II. DEFINITIONS

- A. Customary Obligations: Making funeral arrangements, meeting with representatives of a mortuary or funeral service, buying items for the funeral service, and attending the funeral and burial. Does not include visiting relatives, handling estate issues, selling property, or other activities after the funeral and burial, etc.
- B. Family Member: This term applies to the employee's spouse or domestic partner, and the following for the employee and his or her spouse or domestic partner:
 - Parent (includes one who stood in loco parentis (in place of a parent) when the employee was a child)
 - Child (and child's spouse) (includes a child whom the employee stood in loco parentis)
 - Sibling (and sibling's spouse)
 - Grandparent
 - Grandchild
 - The above include step, adoptive, and foster
 - Members of the immediate family

III. POLICY

The Department of Fish and Wildlife recognizes the benefits both direct and indirect of providing certain kinds of paid leave to employees.

A. Bereavement Leave

1. Bereavement Leave with Pay

- a. A full time employee may request up to 24 hours of paid bereavement leave per occurrence to discharge Customary Obligations when a family member

dies. The employee may use this leave intermittently (except for donated bereavement leave) or in a block of time.

- i. The department will pro-rate the amount of leave for part-time employees, employees who job-share and part-time seasonal employees.
 - ii. The department will review the use of intermittent leave without pay and use of leave under this section on a case-by-case basis.
 - b. An employee may request bereavement leave once per occurrence (i.e., one leave request for any single occurrence of death). If more than one death occurs in a family at the same time, simultaneous funeral service may be in order. In such a circumstance the department will allow only one 24-hour entitlement.
2. If an employee needs additional leave after the funeral service and burial, he or she may ask to use vacation leave, sick, personal business leave, compensatory time or leave without pay. Refer to the applicable leave policies for further information that applies to such circumstances.
3. Donated Bereavement Leave
 - a. An employee may be eligible to receive up to 40 hours of donated bereavement leave to be used consecutively. To qualify for donated bereavement leave, the employee must exhaust all bereavement leave, and all accumulated leave including sick and vacation leave, compensatory time, and personal business leave.
 - b. Donated bereavement leave can impact long- and short-time disability benefits. Before applying for donated leave while receiving disability benefits, consult the department payroll office for information on how donate bereavement leave will impact your specific circumstances.
 - c. An employee must submit a written request to the Human Resources Administrator in order to request donated bereavement leave.
 - d. Donated bereavement leave is transferred to the requesting employee's sick leave account. Donated hours are based on the conversion of the donor's salary rate to sick leave hours at the recipient base rate of pay. Sick leave with pay is considered "time worked" for leave accrual and holiday pay.
 - e. Leave transferred to the requesting employee's sick leave account will not exceed 40 hours. The department must ensure the transfer of the appropriate number of hours.
4. Donations within ODFW:
 - a. A regular status, department employee may voluntarily donate vacation leave, compensatory time, or both, to an eligible department employee's sick leave account.

- b. The donor must submit written request to donate leave to an eligible employee. The donor's request must be processed as per department program procedures before the transfer of leave occurs. A donor may not donate time that he or she has lost due to leave accrual limits set by HRSD state rule or policy.
- c. An employee may donate leave only in one-hour increments to a recipient. The department will base the amount of donated hours on the conversion of the donor's salary rate to sick leave hours at the recipient's base rate of pay.
- d. Donated hours transfer from the donor's accrued leave as needed by the recipient. If total leave donated exceeds the total amount of leave accepted, the unaccepted leave remains in the donor's accrued leave balance.

5. Donated between Agencies:

- a. A regular status department employee (or an employee with regular status in a different agency) may, subject to the approval of both agencies, donate leave to an eligible recipient by completing and signing the Interagency Donated Leave form (see HR_460_12 Donated Leave, Attachment B). A department employee must submit the completed form to the department's Human Resources Administrator.
- b. The department's Human Resources Administrator may disallow the transfer of donated leave between agencies for legitimate business reasons including, but not limited to, restrictions on the use of dedicated funding sources.
- c. The department may request documentation substantiating use of bereavement leave or donated bereavement leave.

B. Exceptional Performance Recognition Leave with Pay

- 1. The director may award leave with pay to an employee in recognition of exceptional performance. The leave may be awarded to:
 - a. FLSA-exempt employees who work a professional workweek and demonstrate extraordinary performance of work outside normal work hours. Such performance is compensable only in the form of leave.
 - b. Any employee, regardless of FLSA status, whose achievement or demonstrated performance deemed by the director or designee as outstanding contribution to department goals and objectives.
- 2. This leave is not an entitlement. The department must not automatically award such leave each fiscal year. The department awards such leave judiciously.
- 3. The Payroll Office must maintain records that show the reason for awarding such leave and the amount of time awarded and taken. Documentation of the rationale justifying this leave will be retained in the employee's personnel file.
- 4. Restrictions on "exceptional performance recognition leave with pay":
 - a. This leave is compensable only in time off, not pay.

- b. Such leave may not exceed 40 hours in a fiscal year.
 - c. Such leave is not cumulative from fiscal year to fiscal year.
 - d. Such leave is not transferable between agencies.
- 5. The supervisor and employee shall mutually agree upon when the leave may be taken.
 - 6. Department heads and salaried board and commission members including the chairs who report directly to the Governor may request Exceptional Performance Recognition Leave from the Director of the Department of Administrative Services. Supporting rationale must accompany each request.

C. Governor's Leave

- 1. When authorized by the Governor, the state grants eight hours of paid leave to full time employees. The department will pro-rate the amount of leave for part time employees, employees who job-share and part-time seasonal employees.
- 2. An employee, employed during the time in which Governor's Leave is granted (the day before Thanksgiving until January 31), may request to use this leave with prior management approval.
- 3. Governor's Leave may be used at the following times:
 - a. The work day before or after Thanksgiving
 - b. The work day before or after Christmas
 - c. The work day before or after New Year's Day
- 4. If an employee cannot take Governor's Leave day on a day described in (C)(3)(a-c), he or she may ask to take the leave on or before January 31 (with the supervisor's approval).

D. Job Interview and Testing Leave with Pay

- 1. Leave with pay for job interviewing and testing for employment opportunities in State government may be granted by the supervisor, who will also determine the amount of time that is appropriate up to the maximum allowed as indicated below:
 - a. ODFW or Other State Agency Interviews: Employees, subject to providing reasonable notice and receiving prior supervisory approval, shall be allowed Interview Leave time, including travel, to interview for positions within the department or with another State of Oregon agency when such interview(s) occurs during their work hours. The maximum interview leave time allowed is 4 hours for each position (recorded on the timesheet as IT), including associated travel time. Interview Leave (IT) used shall not count as time worked for purposes of overtime. Additional approved leave time taken that exceeds the 4 hours of department time must be recorded against accrued

leave (vacation, compensatory or personal business), as leave without pay, or managed through an approved flexible schedule within the same workweek.

2. Non-State of Oregon Interviews: For interviews for positions with non-State of Oregon organizations, approved leave time taken must be recorded on the timesheet against accrued vacation, compensatory, personal business leave or leave without pay or managed through an approved flexible schedule within the same workweek.

D. Personal Business Leave with Pay

1. An employee is granted up to 24 hours of personal business leave with pay each fiscal year, not cumulative from year to year, nor compensable in any form other than leave.
 - a. A full-time employee receives 24 hours of personal business leave with pay after completion of six months of state service.
 - b. The department will pro-rate the amount of leave for part time, seasonal and job-share employees in a pro-rated amount of twenty-four (24) hours based on the same percentage or fraction of month they are hired to work, or as subsequently formally modified, provided it is anticipated that they will work 1,040 hours during the fiscal year.
2. Personal business leave may be used by an employee for any purpose with prior approval of the designated supervisor, except that, an employee shall be able to use accrued personal business leave for any period of absence from employment qualifying as family or medical leave under HR Policy 460_04, Family and Medical Leave.
3. The department may recover the value of personal business leave time used from employees who separate and work less than 1040 hours during a fiscal year.
4. The state must restore unused personal business leave to an employee who separates and returns within the same fiscal year to a position covered by this policy, and who completes 1040 hours during the remainder of the fiscal year.
5. An employee, after completion of 1040 hours of state service, who accepts an appointment in another agency, retains any unused personal business leave.

- E. Pre-Retirement Counseling Leave with Pay: Management may grant up to 28 hours of pre-retirement planning leave with pay within three years of the chosen retirement date for retirement planning activities.

III. POLICY CLARIFICATION

- A. The bereavement leave provision (FL) is only for use of fulfilling Customary Obligations when a family member dies.
- B. The director may request approval for Exceptional Performance Recognition Leave for him or herself, with supporting rationale, from the Director of the Department of Administrative Services.
- C. Interview Leave (IT) used shall not count as time worked for the purposes of overtime.

- D. The department shall not provide a state car or reimbursement for personal vehicle mileage, meals and/or per diem for employees who travel for job interviews or testing.
- E. Department paid time for job interview is only allowable if the job interview occurs during the employee's regular work hours.