

**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
POLICY STATEMENT
ON
CATASTROPHIC LEAVE**

Policy 2.5.1
Policy 2.5.2

Effective: 09/09/2013
Revision: 11/06/2020

PURPOSE

This policy outlines the manner in which discretionary options in relation to catastrophic leave will be applied in the Department of Administration (the "Department") while ensuring that the Department grants catastrophic leave fairly and consistently to eligible employees.

AUTHORITY & REFERENCES

Nevada Revised Statutes (NRS) 284.362 to 284.3629, inclusive and Nevada Administrative Code (NAC) 284.575 to 284.5775, inclusive.

SCOPE

This policy applies to all employees working under the authority of or within the Department.

POLICY

- A. Eligibility
 1. Agency Human Resource Services (AHRs) will verify eligibility through review of the employee's:
 - a. leave balances; and
 - b. physician certification, as applicable.
 2. Requested catastrophic leave may be approved partially and/or incrementally based on the expected length of the condition.
 3. AHRs must authorize all requests to receive catastrophic leave.

- B. Approval
 1. Catastrophic leave hours will only be granted for a recent, existing, or expected event that qualifies as a catastrophe in accordance with the statutes and regulations. It will not be granted for an event that occurred in the distant past or after the employee's employment with the Department has ended.
 2. If an employee is denied catastrophic leave by the appointing authority, he/she may appeal the decision by filing a written notice of appeal with the Committee on Catastrophic Leave per NRS 284.3629 and NAC 284.576.

C. Certifications and Documentation

1. If an employee's need for catastrophic leave exceeds the estimated dates on the required form signed by the physician for the employee's own catastrophic leave event (i.e., PAY-23CE) or the employee's immediate family member's catastrophic leave event (i.e., PAY-23CF), a new form will be required prior to approval of additional catastrophic leave
2. Additional or other documentation, which will be identified by AHRS, may be required in some circumstances prior to approval.
3. Recertification, at appropriate intervals, may be requested for catastrophic leave events.

D. Confidentiality

1. Confidentiality of information regarding the medical condition of an employee or an employee's immediate family member will be respected to the greatest extent possible. Information will be shared only with those who have a legitimate need to know. This requires that, among other things, envelopes used to send information will be marked "CONFIDENTIAL", and records will be maintained in the secure AHRS office medical files. Agencies are not permitted to keep any catastrophic leave records in their files, all documentation must be forwarded confidentially to AHRS (an exception to this is for payroll documents maintained by the agency payroll clerk for administration of catastrophic leave donations (i.e., PAY-23A), this does not include confidential medical information.
2. AHRS will provide the Administrative Services Division payroll clerk the Form PAY-23A – Notification Of Agency's Payroll Center (Regarding A Request To Use Catastrophic Leave) necessary to initiate the donation request only if the employee or his/her representative has indicated that the need for catastrophic leave may be publicized. When authorized by AHRS, the payroll clerk will request donations for an employee by utilizing standard language through a publicized notice of a need for catastrophic leave which shall be distributed via email to all the employees of the Department.

E. Donations

1. There is only one catastrophic leave bank for the Department as a whole.
2. Donation(s) to an employee or the Department's catastrophic leave bank must be submitted on the required form (i.e., NPD-25) and submitted to the payroll unit in the Administrative Services Division of the Department. All donations must be authorized and processed by the payroll unit in the Administrative Services Division. Donations of leave from employees will be used before leave from the Department's catastrophic leave bank.
3. No more than 160 hours of catastrophic leave from the Department's bank will be granted to an employee per catastrophic event.
4. If the employee does not receive enough donations to cover the entire time they have been approved for catastrophic leave, the employee will not automatically be placed on leave with pay (LWOP); the employee must receive approval prior to being placed on LWOP (per NAC 284.578).
5. Donations of leave from employees are strictly voluntary and no pressure will be placed on any employee to donate leave time. Donations that are received and not used will be returned to the donor. If the donor has separated from state

service, the unused donation will be added to the Department's catastrophic leave bank.

RESPONSIBILITY

- A. Division of Human Resources Management, AHRS Section is responsible for:
1. Providing the employee (or his/her representative) with all required forms for the employee's own catastrophic leave event or the employee's immediate family member's catastrophic leave event.
 2. Confirming whether the employee (and his/her immediate family member, if applicable) meets the eligibility requirements.
 3. Writing the catastrophic leave approval (PAY-23 and PAY-23A) and submitting to supervisor and appointing authority for signatures.
 4. Verifying with the employee, his/her approval to solicit donations within the Department on their behalf.
 5. Sending completed catastrophic leave approval (PAY-23A) to supervisor, pay clerk and employee.
 6. Sending catastrophic leave memo to pay clerk for email distribution.
 7. Maintaining all forms (except payroll process forms) and documents in the employee's confidential medical file.
 8. Periodically verifying the status of the employee regarding the catastrophic leave.
 9. Notifying the Administrative Services Division, designated representative and/or the employee's supervisor of any duration changes of the employee's catastrophic leave.
- B. Employees (or representatives) requesting catastrophic leave are responsible for:
1. Requesting and submitting the required form (i.e., PAY-23) to his/her supervisor and/or AHRS.
 2. Submitting the appropriate forms, as applicable, for the employee's own catastrophic leave event (i.e., PAY-23CE) or the appropriate forms for the employee's immediate family member's catastrophic leave event (i.e., PAY-23CF) directly to AHRS.
 3. Coding his/her timesheet with the correct leave codes (this may also be done by the supervisor on the employee's behalf). The appropriate codes for the catastrophic leave event can be obtained from the NEATS system or by contacting the Administrative Services Division payroll clerk.
 4. Notifying AHRS when the need for catastrophic leave ends (if the condition was for the employee's own health condition a medical release will be required before the employee may return to work).
- C. Supervisors are responsible for:
1. Completing the appropriate sections and submitting to AHRS the required form (i.e., PAY-23) after the employee has completed his or her portion of the form.
 2. Ensuring that the employee's timesheet(s) are coded correctly.
 3. Submitting received form(s) to AHRS.

- D. Division of Administrative Services, Payroll Unit is responsible for:
1. Processing all employee donations of leave and time given to an approved recipient for catastrophic leave in accordance with the statutes and regulations as referenced in this policy.
 2. Maintaining the Department catastrophic leave bank.
 3. Maintaining all payroll process forms.
 4. Quarterly reporting to the Central Payroll Section on the Division of Human Resource Management related to all donations.

All forms referenced in this policy can be found on the Division of Human Resource Management website at www.hr.nv.gov under: Attendance and Leave Forms.

POLICY EXCEPTION

On occasion there are special circumstances that may require an exception to this policy be granted. Exceptions, while not common, require the approval of the Director, Deputy Director, or an AHRM Personnel Officer.

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 State law and the Rules for State Personnel Administration (NRS & NAC 284).



Laura E. Freed, Director



Issue Date