

# TEXAS CIVIL COMMITMENT OFFICE



## POLICY AND PROCEDURE

**NUMBER:** 1.20  
**EFFECTIVE DATE:** 05/15/2018  
**SUPERCEDES:** NONE

**SUBJECT:** TEXAS CIVIL COMMITMENT OFFICE EMPLOYEE EMERGENCY LEAVE

**PURPOSE:** To describe when the Texas Civil Commitment Office (TCCO) may grant emergency leave to a TCCO employee pursuant to Section 661.902 of the Texas Government Code.

### PROCEDURES:

#### I. Emergency Leave for Death in Employee's Family

- A. A TCCO employee may be granted up to twenty-four (24) hours of emergency leave due to a death in the employee's family.
- B. For purposes of this policy, a death of the employee's spouse, parent, brother, sister, grandparent, grandchild, or child of the employee or of the employee's spouse shall be considered to be a death in the employee's family.
- C. An employee requesting an emergency leave due to a death in the employee's family shall submit the request in writing to the employee's supervisor. The employee may be required to submit documentation upon request.

#### II. Emergency Leave for Other Reasons

##### A. General

- 1. TCCO's Executive Director may grant emergency leave for a reason other than a death in the employee's family if the Executive Director determines there is good cause to grant the leave.
- 2. Emergency leave under this section shall not be granted to an employee unless there is a good faith belief that the employee will return to the employee's position with TCCO at the end of the leave period.

3. Emergency leave shall not be granted for the purpose of keeping a departed employee on payroll or as part of a severance or settlement.

#### **B. Employee Requests for Emergency Leave**

1. An employee requesting emergency leave under this section shall submit a written request to the employee's supervisor detailing the reason for and duration of the requested emergency leave.
2. If the employee has other available leave balances such as annual leave, overtime leave, compensatory time, holiday compensatory time or sick leave (if applicable), the request shall include the reason why the employee is unable to utilize his or her leave balances.
3. The employee's request shall confirm that the employee will not be working elsewhere during the leave and that the employee intends to return to their position with TCCO at the end of the leave.
4. The provisions of this section do not apply to leave granted to all employees due to inclement weather conditions or in observance of a holiday.

#### **C. Review of Requests for Emergency Leave**

1. Upon receipt of a request for emergency leave, the supervisor shall determine whether the employee has engaged in an excessive use of leave or is currently the subject of a disciplinary action or performance improvement plan.
2. The supervisor shall then forward the request with the supervisor's determination to the second-line supervisor (if applicable) and TCCO's Executive Director.
3. TCCO's Executive Director shall determine whether the employee has demonstrated good cause for the leave, whether the employee has demonstrated a good faith intent to return to the employee's position with TCCO, and whether to grant the leave.

#### **D. Notification of Emergency Leave Grant or Denial**

Upon determination by the TCCO Executive Director whether to grant emergency leave, the employee shall be notified in writing of the decision and, in the event leave is granted, the hours of leave approved and expected date of the employee's return to his or her position.

### **III. Emergency Leave Reporting**

- A.** TCCO's Executive Director shall submit an annual report to the Comptroller of Public Accounts regarding emergency leave granted to any employee in excess of thirty-two (32) hours during the previous fiscal year.
- B.** The report shall be submitted to the Comptroller of Public Accounts by October 1 of each year.

- C. The report shall include:
1. The name of the employee(s);
  2. The position of the employee(s);
  3. The reason(s) for which the emergency leave was granted; and
  4. The total hours of emergency leave granted to the employee(s) during the fiscal year.

**SIGNATURE ON FILE**

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Marsha McLane  
Executive Director