

POLICY

SUBJECT: Emergency Release Time and Liberal Leave
NUMBER: HR-423-18
APPLICABLE TO: All DJS Employees

APPROVED: _____ /s/ signature on original
Sam Abed, Secretary
DATE: _____ 8/1/18

I. POLICY

The Maryland Department of Juvenile Services (DJS) complies with all Maryland laws and regulations regarding the release of employees for emergency release time and liberal leave. DJS ensures all employees are notified of administrative actions that lead to the release of employees under emergency conditions or liberal leave.

II. AUTHORITY

- A. Executive Order 01.01.1981.10
- B. Md. Code Ann., Human Services, §9-203 and §9-204
- C. Department of Budget and Management (DBM) Liberal Leave Policy
- D. Memorandum of Understanding (MOU), Unit G Bargaining Agreement
- E. American Correctional Association (ACA) Standard, 4-JCF-6D-01

III. DIRECTIVES/POLICIES RESCINDED

None

IV. FAILURE TO COMPLY

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	8/1/18

PROCEDURES

SUBJECT: Emergency Release Time and Liberal Leave

NUMBER: HR-423-18

APPLICABLE TO: All DJS Employees

APPROVED: _____ /s/ signature on original

Lynette Holmes, Deputy Secretary

DATE: _____ 8/1/18

I. PURPOSE

To provide guidelines for the implementation of state law and regulations regarding emergency release time and liberal leave of DJS employees.

II. DEFINITIONS

Emergency conditions means circumstances that would expose State employees to harm or unsafe conditions, examples of which include extreme weather conditions such as flooding, blizzards, and hurricanes and civil disorders such as riots and war.

Emergency Essential Employee means an employee whose duties are of such a nature as to require the employee to report for work or remain at the worksite to continue agency operations during an emergency. The appointing authority or designee may excuse the Emergency Essential Employee from duty, or require their presence, as circumstances and conditions warrant, in order to maintain staffing requirements for the affected facility(s).

Emergency Release Time means time with full pay that is granted to employees during an emergency condition.

Liberal Leave means the leave Non-Emergency Essential Employees may take when an emergency determination is made at the beginning of or any time during a workday which allows State employees to be absent from work and charged paid leave, (i.e., annual or personal leave, or compensatory time) or leave without pay, as appropriate for the period of absence.

III. PROCEDURES

A. General

1. All DJS employees shall receive a notice from the Deputy Secretary for Support Services by December 31 of each year notifying the employee of their Emergency Essential status and requirements for reporting to work.
2. In the event of weather related closing of State offices, DJS employees can obtain official emergency release information by accessing the Department of Budget and Management website at <http://dbm.maryland.gov> and click on weather-related closings, or the DJS web site at <http://djs.maryland.gov>.

B. Emergency Release Time

1. In the event of an emergency condition that affects employees throughout the entire state, in a specific geographical area or in an individual DJS office or facility, employees may be granted emergency release time in accordance with Executive Order 01.01.1981.10.
2. In the event of an emergency in an individual facility or office, the Regional Director or Facility Superintendent of the affected office or facility shall notify the DJS Secretary or designee who shall notify the Secretary of Transportation, DGS or Personnel (as indicated) to request emergency release of DJS employees at the affected DJS office or facility; and upon approval of the request for emergency release, the DJS Secretary or designee will notify the staff of the emergency release time.
3. Non-Emergency Essential Employees are allowed to be absent for a portion of a workday or the entire workday and are charged paid leave as appropriate for the period of absence.
4. Emergency Essential Employees are to report to work as scheduled or remain at work until the end of their scheduled shift, unless otherwise notified by their supervisor.
5. Temporary and contractual employees not compensated for their absence during a specified emergency shall be allowed to make up the time lost during the workweek.

C. Liberal Leave

1. In accordance with the DBM Liberal Leave Policy, when the State announces a liberal leave determination at the beginning of or during the course of the work day:
 - a. Non-Emergency Essential Employees are allowed to be absent for a portion of a workday or the entire workday and are charged paid leave or leave without pay as appropriate for the period of absence.
 - b. Emergency Essential Employees are to report to work as scheduled or remain at work until the end of their scheduled shift, unless otherwise notified by their supervisor.
2. Non-Emergency Essential Employees shall notify their supervisors at least 30 minutes prior to their scheduled start time for their workday when they intend to take liberal leave.

3. Non-Emergency Essential Employees may modify their work schedule to make up time taken during liberal leave with their supervisors' prior approval.
4. Non-Emergency Essential Employees who are requested and/or volunteer and are approved to remain at work after the early release/liberal leave announcement shall be compensated with compensatory time or additional pay as appropriate and credited with two hours of worktime for each hour actually worked during the specified emergency.
5. Non-Emergency Essential Employees who request and are permitted to leave work prior to the announcement of an official early release/liberal leave will be charged accumulated leave for the remainder of the workday.
6. Non-Emergency Essential Employees who request and are permitted to leave work after the announcement of an official early release/liberal leave, but prior to its effective time, will be charged with accumulated leave for the period between their departure and the beginning of the official early release period.
7. When a weather-related emergency is predicted which prohibits the use of non-emergency vehicles and prevents an Emergency Essential Employee from leaving a facility, DJS shall offer the staff sleeping arrangements at the facility. If the employee declines the offer, returns home, and then is unable to return to the facility as scheduled, the employee will be charged with unauthorized leave without pay and could be disciplined up to and including termination.

IV. RESPONSIBILITY

Administrators are responsible for implementation and compliance with this procedure within 30 days of issuance.

V. INTERPRETATION

The Deputy Secretary for Support Services shall be responsible for interpreting and granting any exceptions to these procedures.

VI. LOCAL OPERATING PROCEDURES REQUIRED

None

VII. DIRECTIVES/POLICIES REFERENCED

No policies referenced.

VIII. MARYLAND STATE LAW AND REGULATIONS REFERENCED

Note: Copies of all law, statute or policy referenced below are attached to this policy.

- [Executive Order 01.01.1981.10](#)
- [Department of Budget and Management \(DBM\) Liberal Leave Policy](#)

IX. APPENDICES

None



DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

SUBJECT: Emergency Release Time and Liberal Leave
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APPLICABLE TO: All DJS Employees

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.