HRM-036 Use of Disaster Leave

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Policy Type University

Contact Office UVA Human Resources

Emergency Management (UVA) Executive Vice President and Provost (Office of the)

Oversight Executive
Vice President and Chief Human Resources Officer Executive Vice President and Provost

Applies To Academic Division and the College of Wise.

Table of Contents

Policy Statement
1. Disaster Leave to Provide Emergency Services
    a. Requesting Disaster Leave to Provide Emergency Services
    b. Extended Leave to Provide Emergency Services
    c. Compensation, Benefits, and Expenses during Use of Disaster Leave
    d. Events that Qualify for the Provision of Emergency Services
    e. Evaluating Requests for Disaster Leave to Provide Emergency Services
2. Disaster Leave for an Employee who is a Victim of a Disaster
    a. Leave for an Employee who is a Victim of a Disaster
3. Responsibilities
    Office of Emergency Management
    UVA Human Resources
    Executive Vice President and Provost
    Supervisor, Unit Manager, Department Chair, Principal Investigator, Dean or Vice President
    Individuals Requesting Disaster Leave
4. Compliance with Policy

Procedures

Reason for Policy

The University strives to protect the status of its employees during a major disaster while maintaining business continuity. The University, as an employer, has taken steps to accommodate those employees who possess skills that can be transferred to disaster operations during a declared state of emergency or disaster. In addition, the University recognizes that there may be instances in which an employee may personally suffer a loss of their primary residence during a declared disaster requiring the employee to be absent from work. The University has established paid leave in the form of disaster leave to be used by its employees during a relief effort.

Definition of Terms

Disaster

Description

As defined in Va. Code Ann. §44-146.16 means (i) any man-made disaster, including any condition following an attack by any enemy or foreign nation upon the United States resulting in substantial damage of property or injury to persons in the United States including by use of bombs, missiles, shell fire, or nuclear, radiological, chemical, or biological means or other weapons or by overt paramilitary actions; terrorism, foreign and domestic; cyber incidents; and any industrial, nuclear, or transportation accident, explosion, conflagration, power failure, resources shortage, or other condition such as sabotage, oil spills, and other injurious environmental contaminations that threaten or cause damage to property, human suffering, hardship, or loss of life and (ii) any natural disaster, including any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, drought, fire, communicable disease of public health threat, or other natural catastrophe resulting in damage, hardship, suffering, or possible loss of life.

Emergency Services

Description

The preparation for and the carrying out of functions (other than functions for which military forces are primarily responsible) to prevent, minimize and repair injury and damage resulting from natural or man-made disasters, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions. These functions include, but are not limited to: fire-fighting services; police services; medical and health services; rescue; engineering; warning services; communications; radiological, chemical and other special weapons defense; evacuation of persons from stricken areas; emergency welfare services; emergency transportation; emergency resource management; existing or properly assigned functions of plant protection; temporary restoration of public utility services; and other functions related to civilian protection. These functions also include the administration of approved state and federal disaster recovery and assistance programs.

Major Disaster

Description

As defined in the *Stafford Act*, a major disaster means any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

Primary Personal Residence

Description

The home or apartment in which the faculty, staff, or professional research staff member resides most of the time. This does not include vacation or second homes, nor property owned but not occupied by the individual. Normally, this location will bear the official address as recorded by the city or county where the dwelling is located.

Specialized Skills or Training

Description

Specific, definable skills or training that enables an individual to provide certain identified emergency services requested by public officials during a disaster. These skills and training may or may not be related to the qualifications used in the individual's University job.

State of Emergency

Description

As defined in Va. Code Ann. §44-146.16,means the condition declared by the Governor when in his judgment the threat or actual occurrence of an emergency or a disaster in any part of the Commonwealth is of sufficient severity and magnitude to warrant disaster assistance by the Commonwealth to supplement the efforts and available resources of the several localities and relief organizations in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby and is so declared by him.

Policy Statement

Disaster leave may be granted to provide requested emergency services in a declared state of emergency or major disaster when requested by an authorized agency and approved in writing by the immediate supervisor. The amount of disaster leave permitted on an annual basis is:

- 5 business days for faculty (which includes academic, administrative and professional faculty), postdoctoral research associates, and senior research staff.
- 40 hours for staff (which includes classified and University staff) and research assistants.

These amounts may be extended an additional 5 business days/40 hours, respectively, when requested and approved.

Classified staff are covered under State policy 4.17 Emergency Disaster Leave.

[**Note:** The University may assign an individual who provides emergency services as part of their normal job duties to assist in a disaster area. In such cases, this policy would not apply. The time will be treated as normal hours of work and will not be considered leave under this policy.]

Individuals who are victims of disasters (natural or man-made) may be granted paid time off as disaster leave with annual limits as noted above. (For more information, refer to Section 2, Leave for an Employee Who is a Victim of a Disaster.)

At the end of each calendar year, any unused hours will not carry forward and will not be eligible for cash payout.

Faculty and staff members activated under military orders, whether by state or federal authorization, refer to policy HRM-038: Faculty Leaves or the procedure on Military Leave.

1. **Disaster Leave to Provide Emergency Services:**
    A. **Requesting Disaster Leave to Provide Emergency Services:**
    Faculty, staff, and professional research staff (includes research assistants, postdoctoral research associates, and senior research staff) must request disaster leave in accordance with procedures

established by the University. The decision to grant leave is solely within the discretion of the immediate supervisor, taking into consideration the need for the individual's assistance and the expected impact of the absence on the school/department/unit's ability to maintain services.

B. **Extended Leave to Provide Emergency Services:**
Faculty, staff, and professional research staff asked by emergency/relief service authorities through a federal or state agency to extend their service beyond the first week (5 business days or 40 hours) of disaster leave, may request approval from their immediate supervisor to continue service and use a second week of leave.

Any emergency/relief service approved beyond the maximum must be performed using other sources of leave subject to the policies that govern such leaves (e.g., volunteer service leave, appropriate accrued leave, or leave without pay). (Refer to the UVA Human Resources website and employment category for these leave policies.)

C. **Compensation, Benefits and Expenses during Use of Disaster Leave:**
Employees shall continue to receive normal salary and benefits during the use of approved disaster leave.

The University will *not* pay for expenses related to providing emergency service, such as travel, food, lodging, supplies, equipment, etc.

D. **Events that Qualify for the Provision of Emergency Services:**
Faculty, staff, and professional research staff may be granted leave to provide emergency services if all the following criteria are met:

- The geographic area is covered by an official declaration of major disaster by the President of the United States, or a declaration of a State of Emergency by the Governor of Virginia or the governor of another state; or, except for classified staff (unless otherwise authorized by the State), an international body or the government of a foreign country.
- Public officials at the site of the disaster have requested from federal or state government officials the assistance of individuals with specialized skills or training.
- The individuals possess the required specialized skills or training requested by the authorities.
- Individuals present written requests to provide emergency services and obtain approval prior to using leave under this policy.

E. **Evaluating Requests for Disaster Leave to Provide Emergency Services:**
The Office of Emergency Management (OEM) coordinates requests received from federal and/or state government officials with applicable areas in the University. Leave shall be granted at the discretion of the immediate supervisor as noted below. In evaluating requests, the immediate supervisor (in consultation with school/department/unit's administration/UVA HR) should consider the need for the individual to provide the specified assistance and the expected impact of the individual's absence on the school/department/unit's ability to fulfill its mission.

All employees must request permission for leave to provide emergency services in response to a declared state of emergency or disaster from their immediate supervisor (e.g., department chair, unit manager, supervisor, principal investigator, etc.).

Prior to awarding paid leave, required documentation must be on file that establishes that the criteria outlined in Section 1.D above have been met. The immediate supervisor shall (1) make a recommendation based on the information as required in Section 1.D above; and (2) provide written confirmation that adequate arrangements have been made to meet the individual's teaching or other job responsibilities during the requested leave of absence.

2. **Disaster Leave for an Employee who is a Victim of a Disaster:**

   A. **Leave for an Employee who is a Victim of a Disaster:** Leave may be available under this policy to an employee who has sustained severe or catastrophic damage to or loss of their primary personal residence, or has been ordered to evacuate that residence, because of a natural or man-made emergency or disaster.

   An employee requesting such leave must meet all criteria noted below:
   - The event resulted in a formal declaration of a State of Emergency or of federal disaster status.
   - The employee's primary personal residence was located in the officially declared disaster area.
   - The employee's primary residence is temporarily or permanently uninhabitable as formally documented by disaster relief organizations or insurance companies.

   The immediate supervisor has sole discretion for authorizing the use of disaster leave for an employee who is a victim of a disaster in the increments and up to the maximum permitted as noted previously. In cases for which it is impossible to request leave in advance (e.g., immediately following a disaster when communications are unavailable), paid leave may be granted retroactively by the supervisor upon written request.

   The University will ***not*** pay for expenses incurred by the individual in recovering from the personal effects of a disaster.

3. **Responsibilities:**

The ***Office of Emergency Management*** is responsible for:
- Confirming the declaration of a State of Emergency or disaster or major disaster by the President of the United States, Governor of Virginia, governor of another state, an international body, or government of a foreign country.
- Coordinating requests from the Commonwealth of Virginia and relief organizations.
- Notifying (in collaboration with UVA Human Resources) the University community of a need for volunteers in a qualifying emergency situation.
- Coordinating the University's effort in providing volunteers when an emergency situation has been declared.
- Developing information packets for employees with pertinent information regarding required inoculations, travel, and contact information with relief agency (checklist of requirements).
- Establishing a process for employees to submit skills and certification information.

UVA Human Resources is responsible for:
- Communicating the Use of Disaster Leave policy.
- Notifying (in collaboration with OEM) the University community of a need for volunteers in a qualifying emergency situation.

- Obtaining current employee licensures/certifications with expiration dates.
- Maintaining a database of self-identified volunteers with respective skills and certifications.
- Corroborating that the employee possesses the relevant specialized skills or training.
- Contacting the supervisor and employee when a request has been made for specialized services.
- Receiving the signed Leave Approval Form from the employee.
- Assisting employees with questions pertaining to health insurance coverage and other benefits, policy, and procedures relevant to disaster situations.
- Following up with employees upon return from the field with referral resources.
- Monitoring and administering the leave process.

The ***Executive Vice President and Provost*** is responsible for:

- Communicating the Use of Disaster Leave policy to school deans, department/unit heads, and others as applicable.
- Advising the academic areas on good practices of implementation.
- Serving as the primary resource on policies related to leave for faculty.

The ***supervisor, school/department/unit manager, department chair, principal investigator, dean, or vice president*** is responsible for:

- Knowing and understanding this policy.
- Discussing with the employee and school/department/unit administration and UVA HR, if necessary, the impact of the employee's leave on business operations.
- Evaluating requests for disaster leave in a timely manner, and where applicable, submitting a recommendation for the leave.
- Verifying that required documentation is obtained and maintained on file in accordance with record retention requirements.
- Maintaining University services during the employee's leave period.

Individuals requesting Disaster Leave are responsible for:

- Knowing and understanding this policy.
- Providing certification and/or licensure information and updating this information as necessary.
- Following established procedures to submit a request for leave.
- Discussing with their supervisor the impact of disaster leave on school/department/unit business operations.
- Assuming costs associated with travel, lodging, and meal expenses, if not otherwise provided by an outside entity.
- Providing the required documentation or verification as required in this policy.
- Planning for continuation of important tasks during the absence.

4. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination in accordance with relevant University policies.

   Direct questions about this policy to UVA Human Resources, Emergency Management (UVA), or the Office of the Executive Vice President and Provost.

Procedures

University administration will implement and communicate procedures at the time such disaster leave may be needed.

Related Information

HRM-033: Employment of Professional Research Staff
HRM-038: Faculty Leaves
Military Leave Procedure
Medical Center Policy: Leaves of Absence, Section H, Administrative Leave

Policy Background

The State's Emergency/Disaster Leave Policy is set out in the Department of Human Resources Management (DHRM) Policy 4.17. This policy was promulgated under the general grant of authority to DHRM by section Va. Code Ann 2.2-1201(13) Code of Virginia. Policy 4.17 was promulgated on September 25, 2003 in response to Hurricane Isabel.

Major Category Human Resource Management

Next Scheduled Review Saturday, August 26, 2028

Revision History

Confirmed 8/26/25; Minor edits 10/31/22; Added Compliance section 7/20/21.

Policy Summary

The University provides paid time off in the form of two types of disaster leave to its employees. The amount of leave permitted on an annual basis is 5 business days for faculty, postdoctoral research associates, and senior research staff and 40 hours for staff and research assistants. The opportunity exists to extend the leave an additional 5 business days/40 hours, respectively.

Supercedes Policy Text

Emergency/Disaster Leave.

Approved By Executive Vice President and Chief Operating Officer

Approved Date Friday, April 20, 2012