

Chapter: Leave Time and Attendance
Title: Emergency Leave - Death in Immediate Family

Effective Date: 12/1/11
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New

ACA Standard(s): N/A

(a) **Policy.**

The Texas Juvenile Justice Department grants paid emergency leave in accordance with the provisions of this policy for the death of an employee's immediate family member.

(b) **Definitions.**

For definitions of certain terms used in this policy, see the PRS Glossary.

(c) **Procedures.**

(1) **Immediate Family.**

For the purpose of emergency leave granted under this policy, an immediate family member includes:

- (A) the employee's spouse;
- (B) the employee's or spouse's parent, step-parent, child, step-child, brother, sister, grandparent, grandchild, great grandparent, or great grandchild; and
- (C) the employee's daughter-in-law or son-in-law.

(2) **Emergency Leave Entitlement.**

Except as provided in (A) below, an employee is entitled to three working days of paid emergency leave for a death in the employee's immediate family.

- (A) If the employee is in an unpaid leave status or has separated employment but is still on the payroll to exhaust leave accruals, he/she is not entitled to paid emergency leave.
 - (B) The purpose of emergency leave is to allow the employee time to grieve or take care of family matters related to the death. The employee is not required to attend a funeral or other formal service in order to be granted the paid leave.
 - (C) The three working days do not need to be consecutive working days. However, if the leave is to be taken some time later than the days occurring immediately after the death, the employee must provide his/her supervisor sufficient notice of the leave in order to allow the supervisor to make scheduling arrangements.
 - (D) The three working days must be taken within one year after the date of the family member's death, or the leave will expire.
 - (E) The employee must provide satisfactory documentation of the death of a family member (e.g., obituary):
 - (i) upon return to work if the leave is taken immediately after the death; or
 - (ii) prior to taking the leave if the leave is not taken immediately after the death.
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