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LIEUTENANT GOVERNOR

**State of Louisiana**  
OFFICE OF THE LIEUTENANT GOVERNOR  
DEPARTMENT OF CULTURE, RECREATION & TOURISM  
MANAGEMENT AND FINANCE

ANGÈLE DAVIS  
SECRETARY

## HUMAN RESOURCES MEMORANDUM NO. 05-036

**TO:** Lt. Governor, Secretary, Undersecretary, Assistant Secretaries, and Deputy Assistant Secretaries

**FROM:** Mary V. Gloston *MVG*  
Human Resources Director

**SUBJECT:** Leave, Furloughs and Layoffs Related to Hurricanes Katrina and Rita  
Employees Whose Whereabouts are Known

**DATE:** October 7, 2005

Civil Service General Circular #001629 was issued on September 30, 2005 with information relative to the above subject. **This HR Memo will summarize actions required of the agency when an employee's whereabouts are known and attached is a worksheet for supervisors to collect information upon employee contact.**

### General Information

Employees fall into one of three basic groups:

- (1) Employees who have made themselves available to return to work but there is no work currently available for them to do.
- (2) Employees who have been called back to work but are unable to return due to circumstances beyond their control (e.g., housing, transportation, etc.), and
- (3) Employees who have been called back to work and who have refused to report even though no special circumstances exist.

Special leave may still be applicable in some situations. Special Leave is intended for situations of short duration and cannot be used indefinitely. Appointing Authorities will need to evaluate their situations with regard to financial resources and work needing to be done. If an employee has been assigned but is unable to return to work and the conditions requiring use of special leave no longer apply, the appointing authority may approve an employee's request to use annual leave or leave without pay.

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If Special Leave is no longer an option, and the employee has not requested use of annual leave or leave without pay, contact Human Resources for other options available to you.

### **Special Circumstances**

If you contact an employee and direct the employee to return to work but the employee declines, ask the employee what his circumstances are. Remember, the cause for displacement was not voluntary and some employees have little control over their situation (e.g., available housing, transportation, out-of-state location, etc.).

Ask the employee if his intent is to resign his position. If the answer is “yes”, then consider this an oral resignation and forward a Form 301 to your appointing authority for approval and then to Human Resources. **Supervisors must keep good written notes about their contacts with employees.**

### **No Special Circumstances**

If you call an employee back to work and the employee says he or she will not return to work, does not intend to resign, and expresses no special circumstances, there is cause for dismissal. The appointing authority may elect to go forward with a dismissal in compliance with Chapter 12 rules. This should be a last resort activity. If you consider taking this action, supervisors must:

- (1) Advise the employee that the agency is considering dismissing all employees who refuse to return to work and who have no special circumstances justifying their refusal, and
- (2) Give the employee until a certain time on a certain day to call the HR office to explain why he or she should not be dismissed.

Human Resources will record the call and present the information to the appointing authority for consideration.

If you have any further questions regarding this information or any other employee-status questions related to Hurricanes Katrina and Rita, please do not hesitate in contacting Human Resources.

MG:cm  
Attachment  
c: Personnel Liaisons