

DISASTER SERVICE VOLUNTEER LEAVE ACT

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: L. Steven Poulton

AN ACT RELATING TO LABOR IN GENERAL; ENACTING THE DISASTER SERVICE VOLUNTEER LEAVE ACT; GRANTING LEAVE OF ABSENCE TO STATE EMPLOYEES WHO ARE TRAINED AS DISASTER SERVICE VOLUNTEERS; AND REQUIRING A WRITTEN REQUEST AND AGENCY APPROVAL FOR DISASTER SERVICE LEAVE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

34-43-1, Utah Code Annotated 1953

34-43-2, Utah Code Annotated 1953

34-43-3, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **34-43-1** is enacted to read:

CHAPTER 43. DISASTER SERVICE VOLUNTEER LEAVE ACT

34-43-1. Title.

This chapter is known as the "Disaster Service Volunteer Leave Act."

Section 2. Section **34-43-2** is enacted to read:

34-43-2. Definitions.

As used in this chapter:

(1) "Certified disaster service volunteer" means any person who has completed the necessary training for and has been certified as a disaster service specialist by the American Red Cross.

(2) "Disaster" means any disaster designated at Level III or higher in the American National Red Cross Regulations and Procedures.

(3) "State agency" means any state office, officer, official, department, board, commission, institution, bureau, agency, division, or unit of the state, including those within the legislative and judicial branches of the state government.

Section 3. Section **34-43-3** is enacted to read:

34-43-3. Leave of absence -- Request for leave -- Approval by agency.

(1) An employee of a state agency who is a certified disaster service volunteer may be granted leave from work with pay for an aggregate of up to 15 work days, consecutively or nonconsecutively, in any 12-month period to participate in disaster relief services for the American Red Cross in connection with any disaster, upon the request of the American Red Cross for such employee's services.

(2) An employee of a state agency requesting leave under this chapter shall file a written request with the employing state agency which includes:

(a) the anticipated duration of the leave of absence;

(b) the type of service the employee is to provide on behalf of the American Red Cross;

(c) the nature and location of the disaster where the employee's services will be provided;

and

(d) a copy of the written request for the employee's services from an official of the American Red Cross.

(3) Nothing contained in this chapter shall be construed to require any state agency to grant a public employee's request for voluntary disaster service leave if the employing state agency determines that the grant of leave would pose a hardship on the employing state agency.